

Agenda Date: 11/18/2014  
Agenda Item: 4.1

## STAFF REPORT

Approved and forwarded to City Council

  
Bryan H. Montgomery, City Manager

**Date:** November 18, 2014

**To:** Bryan H. Montgomery, City Manager

**From:** Kenneth W. Strelow, Senior Planner

**Subject:** Carpenter Road Preliminary GPA (PA 01-14)

### Summary

This is a work session on a request by Owen Poole (on behalf of Grant Alvernaz) ("Applicant") to discuss the merits of a potential project regarding amending the General Plan land use designation from "Agricultural Limited" (1.0 dwelling units per acre maximum density) to "Single Family Residential, High Density" (5.5 dwelling units per acre maximum density) for the purposes of 1) rezoning the property from AL (Limited Agriculture) District to R-7 (Single Family Residential), and 2) subdividing the 5.0 acre lot into 20 single family lots resulting in a gross density of 4.0 dwelling units per acre. The project is located on a 5.0 acre site at the northwest corner of Brown Road and Carpenter Road; APN 034-002-019.

This is an advisory work session. There is no process to approve the project as a result of this work session. Upon conclusion of the work session, the City Council may act in an advisory role to the applicant on whether there is interest in considering an application for the requested project. If the Council shows favorable interest in the preliminary application, it may advise the applicant submit, and direct Staff to process, a General Plan Amendment application. Directing staff to process a General Plan Amendment application would not guarantee Staff support or City Council approval of the project.

### Background and Project Description

#### Preliminary General Plan Amendment Process

The process of amending the City of Oakley 2020 General Plan ("General Plan") is subject to California Government Code ("GC") Sections 65350 – 65362, which apply to the preparation, adoption and amending of general plans and general plan elements. GC Section 65351 is written as follows:

*"During the preparation or amendment of the general plan, the [City] shall provide opportunities for the involvement of citizens, California Native*

*American Indian tribes, public agencies, public utility companies, and civic, education, and other community groups, through public hearings and any other means the planning agency deems appropriate.”*

The application process for a general plan land use amendment can come with significant costs when factoring in Staff time involved in preparing documents, conducting analysis, holding non-public and public meetings, hiring consultants for technical and environmental studies and documents, and communicating and meeting with several outside agencies. Since a general plan land use amendment is a legislative and discretionary action that sets the tone for all other land use decisions on a property, Staff encourages potential applicants to first file a Preliminary General Plan Amendment, or “PGPA”. The purpose of the PGPA is to allow the applicant to provide a brief description of the proposed amendment, and provide a concept of the project in mind in the event an eventual GPA is approved. A concept of the project is strongly encouraged by Staff. This also helps to prevent requests for land use amendments for the sole purpose of increasing allowable density and therefore property value. A Preliminary Site Plan, including lot sizes, court layout, and other project related notes, is included in this staff report’s attachments.

#### Land Use Designation (Existing and Proposed)

The existing land use designation on the subject site is “Agricultural Limited” (“AL”). The purpose of the AL designation is to accommodate light agriculture including vineyards, orchards and row crops, animal husbandry and very low-density residential uses [as] reflections of the historic and continuing agrarian practices within Oakley. The General Plan allows a maximum residential density of 1.0 dwelling units per gross acre within the AL designation. If the subject site were to be subdivided into single family residential lots under the AL designation, a maximum of 5 homes could be permitted, subject to applicable zoning development regulations. However, the AL District (zoning) would require a minimum lot size of 1.0 acres, and after dedication of right of way the net area to develop would be less than 5 acres, leaving only 4 lots that would meet that 1.0 acre minimum lot size, without approval of a variance for lot size(s).

The proposed preliminary land use designation amendment is to change the AL designation on the property to “Single Family Residential, High Density” (“SH”). As stated in the Oakley 2020 General Plan:

“The purpose of the Single Family Residential, High Density (SH) Land Use Designation is to accommodate moderately dense, single-family residential development that is consistent with suburban uses. This designation will allow for a higher density suburban neighborhood with smaller lots that are commonly seen in traditional urban and suburban neighborhoods within Oakley.

The General Plan caps the maximum density at 5.5 dwelling units per gross acre within the SH designation. If the land use designation on the subject site was amended to SH, a maximum density of 5.5 dwelling units per gross acre would result in a maximum of 28 homes, subject to applicable zoning regulations.

**Table 1. Summary of Land Use Designations, Allowable Densities and Zoning Development Regulations on the Proposed 5 Acre Lot**

Development Regulations					
Land Use Designations		Max. Density (dwelling units/acre)	Potential Zoning Districts	Minimum Lot Size of Zone	Potential Number of Main Units*
	Agricultural Limited (AL)	1.0	AL (Limited Agriculture)	1 acre of 43,560 sf.	5
			R-40	40,000 sf.	5
	Single Family Medium (SH)	5.5	R-10	10,000 sf.	22
			R-7 (proposed)	7,000 sf.	28
R-6			6,000 sf.	28	

\* Potential Number of Units is according to gross acreage. Actual units may be less due to dedication of property for road frontage or internal streets. R-7 and R-6 Districts are limited by the General Plan maximum density of 5.5 units per gross acre.

As with the AL designation, single family properties within the SH designation and consistent zoning districts may have permitted second dwelling units, pursuant to OMC Section 9.1.1102. Second (full size) single family dwelling units, while allowed with approval of a conditional use permit in the AL District, would not be permitted in any of the "R" Districts consistent with the SH designation.

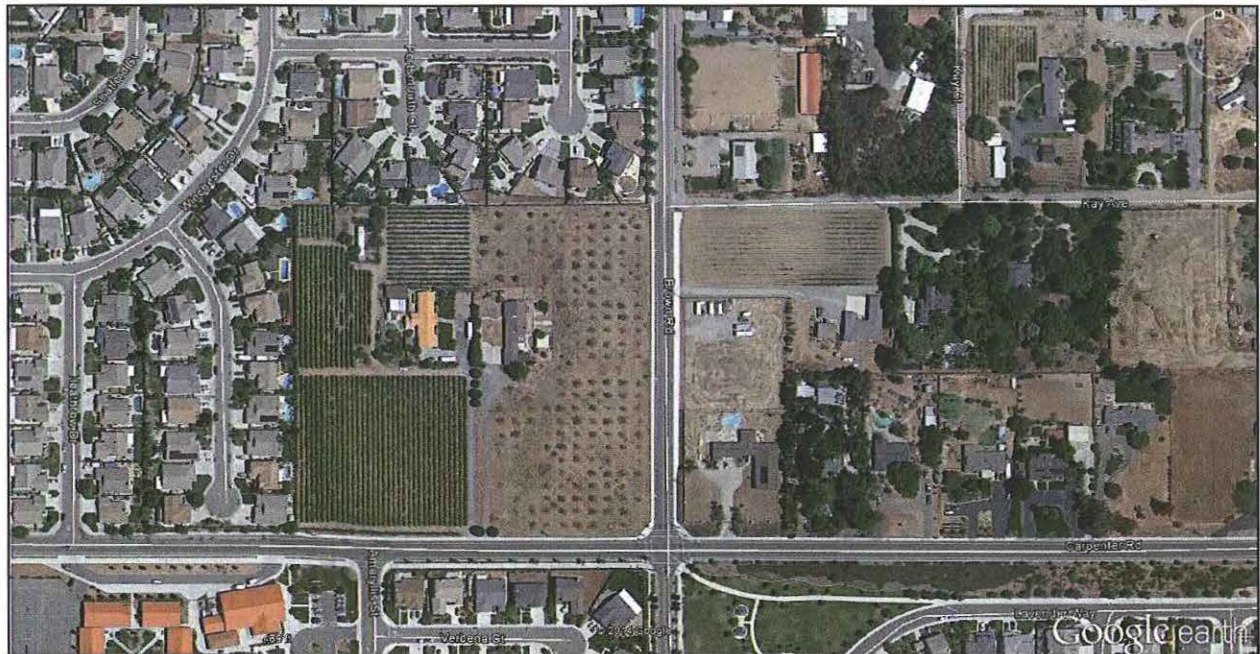
Existing Conditions and Surrounding Land Uses

The project site is located on the northwest corner of Brown Road and Carpenter Road. An orchard (See Figure 1. Street View of Project Site) and a single family residence currently occupy the site. The 5 acre property next door to the west has an active vineyard and a single family residence (See Figure 2. Aerial of Project Site and Adjacent Properties). The northern portion of the site shares a property line with the rear yards of 5 separate single family residential homes that are part of the subdivision to the north. Both street frontages, Brown Road and Carpenter Road are improved with curb, gutter and sidewalk, and the intersection of Brown Road and Carpenter Road includes a 4-way signalized traffic light. Only right of way landscaping behind the sidewalk remains undeveloped. This is normally completed with development of an adjacent property, and then maintained by that property owner.

Figure 1. Street View of Project Site



Figure 2. Aerial of Project Site and Adjacent Properties

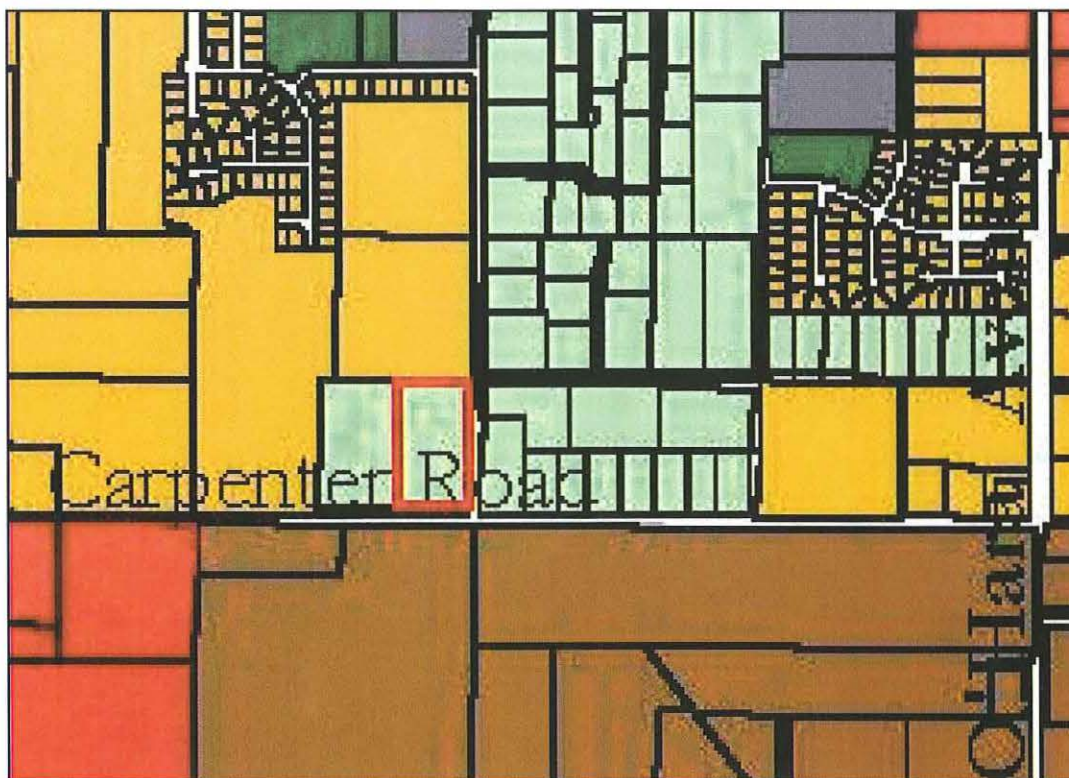


### Oakley's Agricultural Core Area

The area in which the project site is located is known as the agricultural core area south of Laurel Road. This agricultural area has several 1-acre and larger parcels and when combined creates a rectangle, plus the subject parcel and parcel to the west of approximately 86 total acres. The property directly west of the subject site is also designated as AL in the General Plan and zoned AL District. As can be seen in Figure 3 (Land Use Diagram), the subject site is separated by a majority of that area by Brown Road, and is not within the contiguous rectangle of AL properties bounded by Brown Road, Laurel Road and Carpenter Road.

Properties north of the subject site, as well as those properties surrounding the adjacent parcel to the west and north are developed consistent with the "Single Family Medium (SM)" density residential land use designation (maximum 3.8 dwelling units per gross acre). Properties south of the site and across Carpenter Road are designated as "Single Family Low (SL)" density residential (maximum 2.3 dwelling units per gross acre). but they include a portion of the elementary school and residential homes within the Magnolia Park Subdivision, which includes a combined density planned development resulting in higher density lot sizes than typical in low density designations. All of the properties with the rectangular area east of Brown Road and north of Carpenter Road up to Laurel Road are designated AL. There is also an elementary school, event center, and undeveloped Commercial designated and zoned properties further west, on the south side of Carpenter Road.

Figure 3. Land Use Diagram



### Analysis

The purpose of this work session is to allow Staff to provide objective information, related to the existing conditions and potential conditions as proposed by the Applicant, to the public and City Council, and provide the applicant an opportunity to present their preliminary plan to the Council and receive feedback. The public and City Council has been provided information related to the existing and proposed land use designations and their relative potential zoning designations and potential densities. The attached documents and maps should be used as reference for surrounding land use designations and uses, and as an overview for how the agricultural area is laid out.

Amending a land use designation from a low density like AL to a higher density like SH is that once the property is developed, it is almost certain it will not revert back to the lower density in the foreseeable future. This may be important to the Council because this group of AL parcels represents the only significant grouping of AL designated parcels within the City of Oakley. Other AL designated parcels exist on East Cypress Road and some are scattered east and west of the Live Oak Avenue Corridor, but none of as closely tied together as in this area. The Council may also want to consider the existing development to the direct north and beyond to the west, as well as to the south if allowing a higher density on the subject property is favorable. Finally, in the event this property was to be re-designated to allow a higher density residential development, the existing vineyard to the west would become a single island of AL designated property.

### **Recommendation**

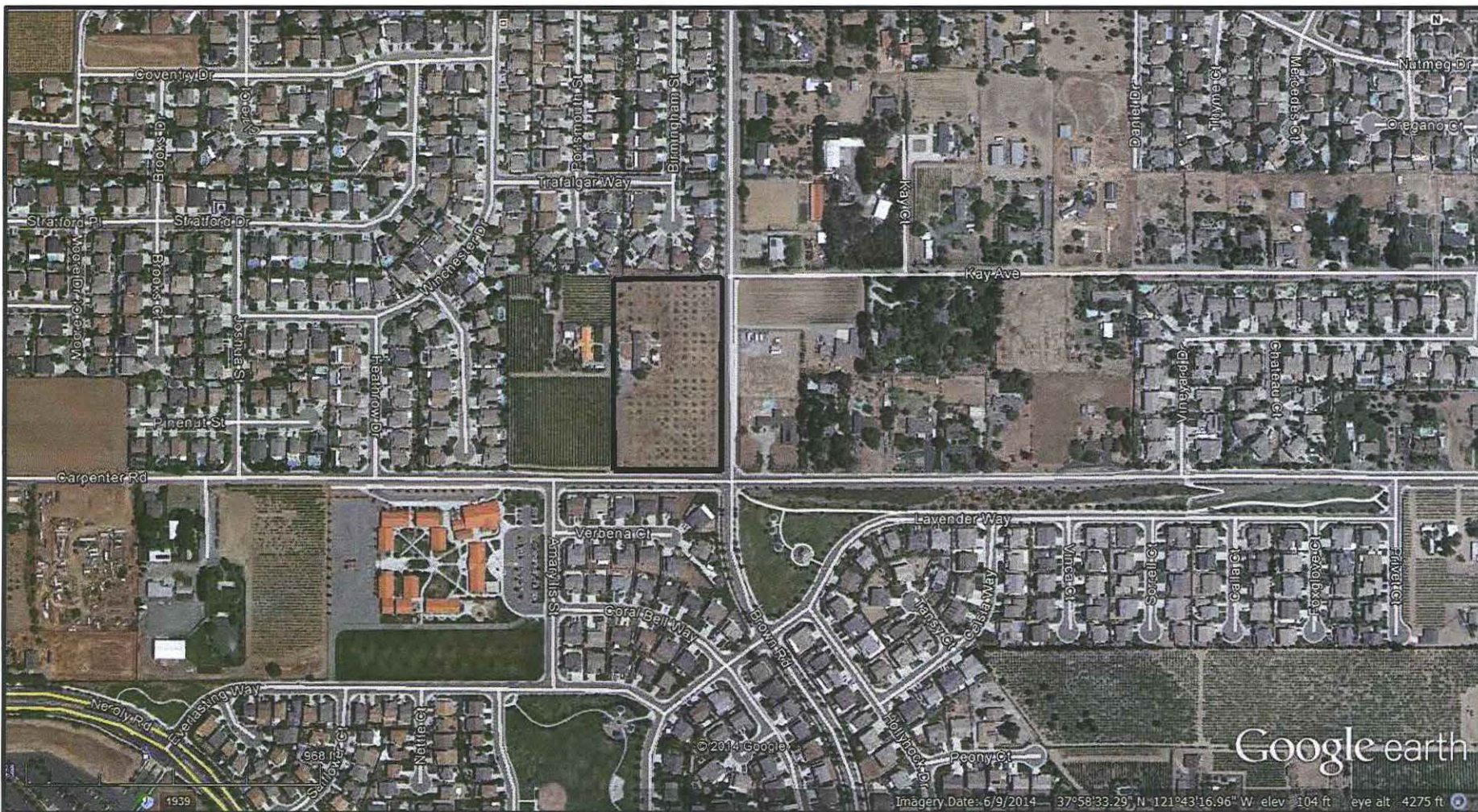
Staff recommends the City Council provide the applicant and staff with feedback regarding the Preliminary General Plan Amendment so that the applicant may decide whether to file an official application.

### **Attachments**

1. Vicinity Map
2. Oakley 2020 General Plan Land Use Map
3. Preliminary existing and proposed general plan land use designations for the project site
4. Applicant's Conceptual Vesting Tentative Map

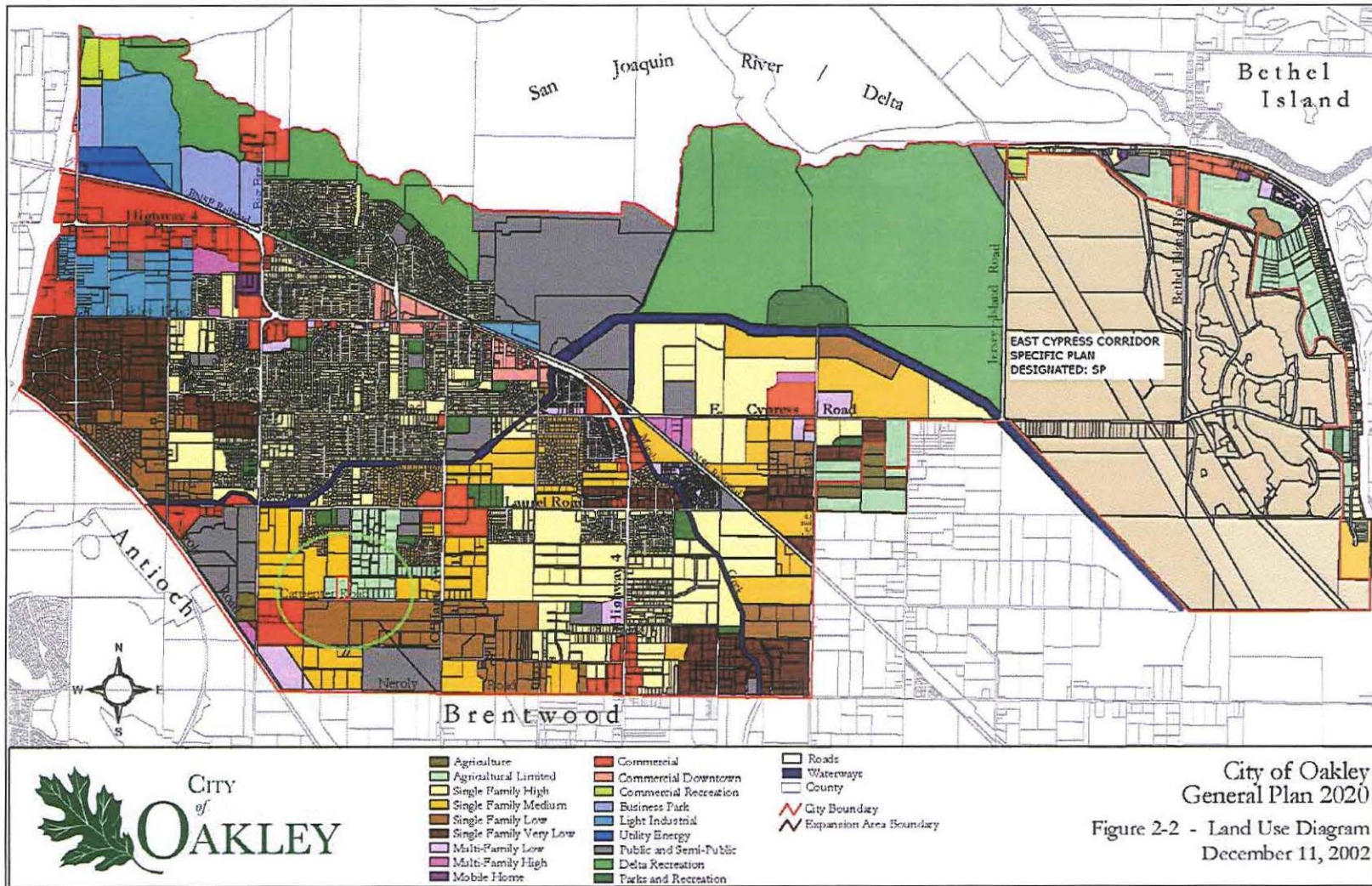
# Vicinity Map

## Carpenter Road Preliminary General Plan Amendment (PA 01-14)



# General Plan Map

## Carpenter Road Preliminary General Plan Amendment (PA 01-14)

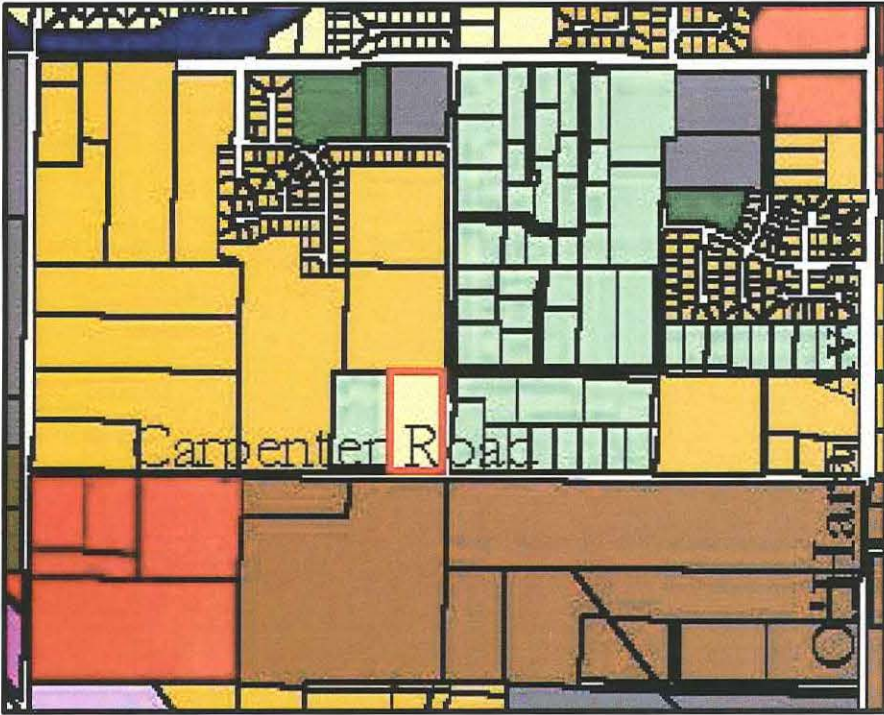




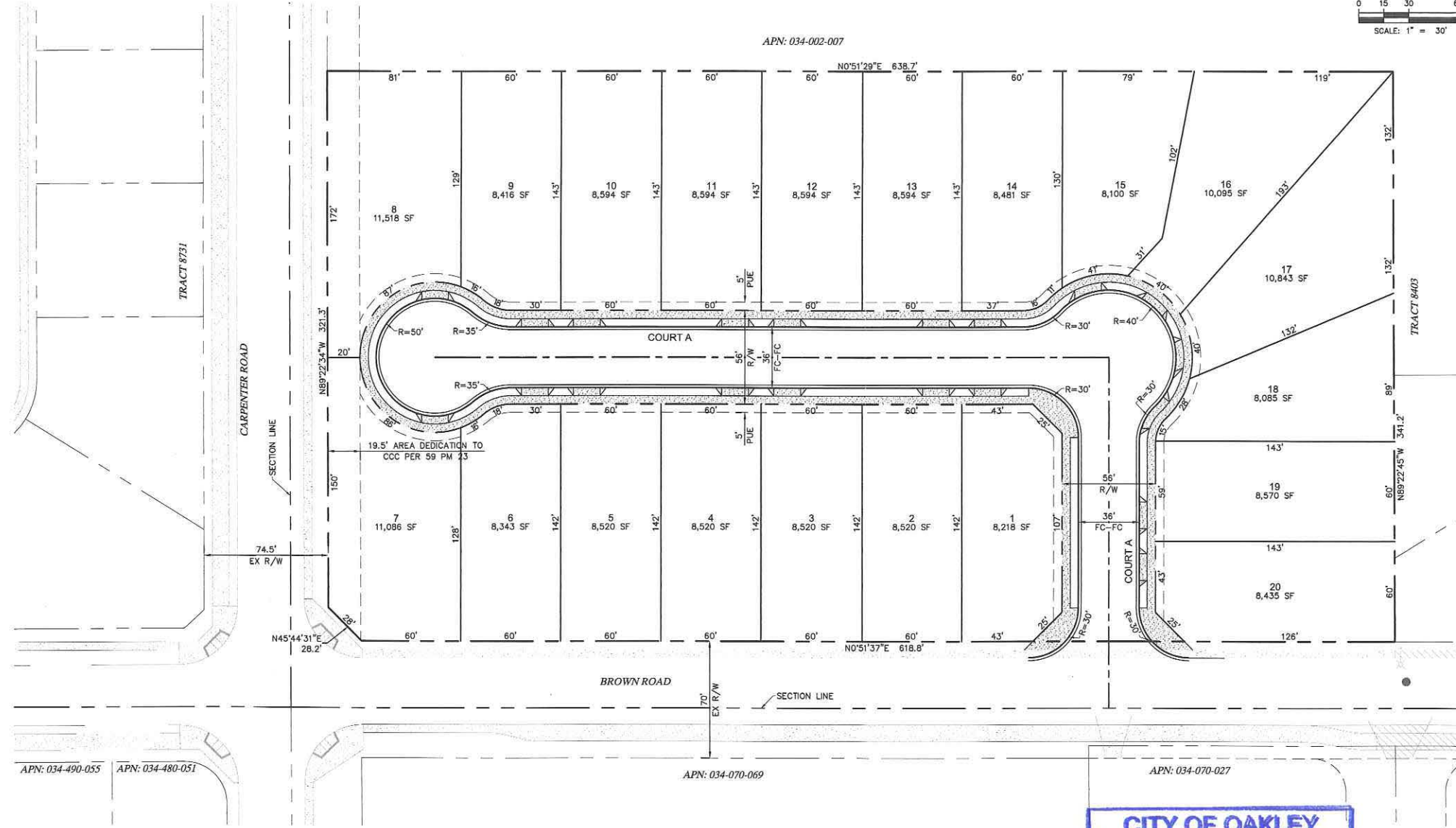
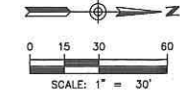
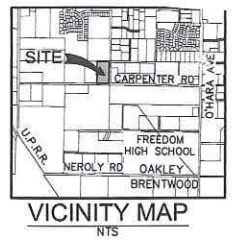
# Existing and Proposed General Plan Land Use Designations Carpenter Road Preliminary General Plan Amendment (PA 01-14)

Existing General Plan Land Use Designation – Agricultural Limited (AL)

Proposed General Plan Land Use Designation – Single Family High (SH)

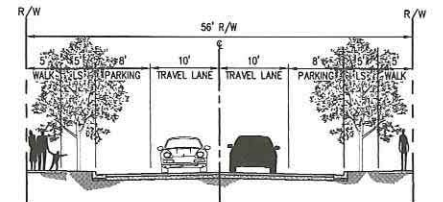


PRELIMINARY APPLICATION SUBMITTAL FOR:  
**1520 CARPENTER ROAD**  
 CITY OF OAKLEY, CONTRA COSTA COUNTY, CALIFORNIA



**GENERAL NOTES:**

1. OWNER: RAJWANT KAUR  
1520 CARPENTER ROAD  
OAKLEY, CA
2. DEVELOPER: ALVERNAZ PARTNERS, LLC.  
1820 BONANZA ST., STE 205  
WALNUT CREEK, CA 94596  
(925) 270-6213  
CONTACT: GRANT ALVERNAZ
3. CIVIL ENGINEER: ALVERNAZ CONSULTING  
7812 STONELEAF ROAD  
SAN RAMON, CA 94582  
(209) 985-2658  
CONTACT: COLT ALVERNAZ, PE  
RCE: #75740
4. APN: 034-002-019
5. PROPERTY DESCRIPTION: PARCEL C, AS SHOWN ON THE MAP OF  
SUBDIVISION MS 163-77, WHICH MAP WAS FILED  
ON NOVEMBER 4, 1977 IN BOOK 59 OF PARCEL  
MAPS, AT PAGE 23, CONTRA COSTA COUNTY  
RECORDS
6. EXISTING USE: RESIDENCE/AGRICULTURE
7. PROPOSED USE: SINGLE FAMILY RESIDENTIAL
8. EXISTING GENERAL PLAN DESIGNATION: AGRICULTURAL LIMITED
9. PROPOSED GENERAL PLAN DESIGNATION: SINGLE FAMILY RESIDENTIAL MEDIUM
10. EXISTING ZONING: (AL) LIMITED AGRICULTURE
11. PROPOSED ZONING: (P-1) PLANNED DEVELOPMENT
12. GROSS AREA: 5.0 ACRES
13. NET AREA: (EXCLUDING STREET R/W) 4.1 ACRES
14. TOTAL NUMBER OF LOTS: 20
15. GROSS DENSITY: 4 UNITS/ACRE
16. NET DENSITY: 4.9 UNITS/ACRE
17. UTILITIES
  - a. WATER: DIABLO WATER DISTRICT
  - b. SANITARY SEWER: IRON HORSE SANITARY DISTRICT
  - c. STORM DRAIN: CITY OF OAKLEY/C.C.C FCD & WCD
  - d. GAS AND ELECTRIC: PACIFIC GAS & ELECTRIC
  - e. TELEPHONE: AT&T
  - f. CABLE TV: COMCAST
18. EXISTING CONDITIONS SHOWN ON THIS PLAN ARE COMPILED FROM RECORD INFORMATION ONLY.
19. THE PROPERTY IS WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE OF 0.2% ANNUAL CHANCE FLOODPLAIN) PER FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 0601300355F, DATED JUNE 16, 2009
20. ALL TREES, FENCES, & BUILDINGS WITHIN THE DEVELOPED AREA TO BE REMOVED EXCEPT WHERE NOTED.



**CITY OF OAKLEY**  
 Planning Department  
 SEP 17 2014  
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**PRELIMINARY SITE PLAN**  
**1520 CARPENTER ROAD**  
 CITY OF OAKLEY, CONTRA COSTA COUNTY, CALIFORNIA  
 FOR: ALVERNAZ PARTNERS, LLC.

