



CITY COUNCIL STAFF REPORT

ITEM NO. 7.1

DATE: October 27, 2025

TO: Honorable Mayor and City Council

FROM: Brent Smith, Community Development Director

SUBJECT: **THIS PREVIOUSLY NOTICED ITEM HAS BEEN CONTINUED TO THE NOVEMBER 24, 2025 CITY COUNCIL MEETING**

Hearing to consider a request to approve a Planned Development (PD) 25-001, Subdivision (SUB) 20-004, and Site Plan Design Review (SPDR) 21-001 to allow a two-story, attached, 13-unit multi-family, townhome-style development located at 3541 East Avenue.

RECOMMENDED ACTION

Planning Commission and staff recommend the City Council:

1. Adopt a resolution finding the project is Categorically Exempt under the provisions of the California Environmental Quality Act (CEQA) per Section 15332, In-Fill Projects, and Direct the Planning Manager to file a Notice of Exemption in accordance with the provisions of CEQA, subject to project approval;
2. Adopt a resolution approving Subdivision (SUB) 20-004 and Site Plan Design Review (SPDR) 21-001 for the development located at 3541 East Avenue; and
3. **Introduce an ordinance** and waive the first reading authorizing Planned Development (PD) 25-001.

DECISION TYPE

Legislative

SUMMARY

The applicant proposes to demolish an existing single-family home and develop the approximately 0.62-acre site with 13 attached two-story townhouse style units and one attached Accessory Dwelling Unit (ADU). The project will consist of all rental units that would be grouped on one lot. The project will include one unit for rent to a very low-income (50 percent of Area Median Income) household consistent with the City's inclusionary affordable housing policies.

The project site is located at the southeast corner of East Avenue and Dolores Street (see Attachment 3

- Location Map). The project provides two garage parking spaces per unit and four uncovered onsite guest spaces, including one van-accessible space. Approximately 50 percent of the on-site landscaping will include California native plants with a total of 22 trees planted around the site.

The proposed project includes the following entitlements:

- Planned Development (PD) 25-001 would establish new residential development standards based on the T4 Neighborhood (T4N) and replace the existing default Planned Development zone.
- Subdivision (SUB) 20-004 (Tentative Parcel Map 11527) would merge the existing two parcels into one parcel and secure public improvements, including a \$50,000 contribution for intersection improvements.
- Site Plan Design Review (SPDR) 21-001 would ensure the architecture and landscape design of the project complies with the City's Design Standards and Guidelines (DSG).

DISCUSSION

PROJECT SITE CONTEXT

The site is surrounded by existing residential development, including single-family development to the east and west, multi-family to the south, and a mix of single and multi-family residential to the north. The applicant proposes to combine the two parcels into one single parcel. The project site is approximately one mile away from Downtown Livermore, located near multiple public transit stops, and has access to public services and utilities. The Planning Commission staff report summarizes the existing and surrounding land uses (see Attachment 1).

PROJECT DESCRIPTION AND STAFF ANALYSIS

General Plan

The General Plan designation for the subject site is Urban High Residential (UH-2). The UH-2 designation allows a density range of 8 to 14 units per acre and is seen in the central and outlying areas of the City. Townhouses and duplex housing types are common under this designation. The General Plan allows residential density to be based on a district-wide basis (Livermore General Plan Land Use Element, p. 3-10). The current density of the surrounding neighborhood is 12.7 units per acre. The proposed project will increase density in this area to approximately 13 units per acre. Thus, district-wide density will remain within the permitted density range of the UH-2 designation.

Zoning

The project site is currently zoned Planned Development (PD), which requires the project adhere to default residential zoning standards or adopt a development-specific Planned Development District tailored to the site. Generally, a Planned Development District is intended for development projects that require more flexible development standards that allow the project to address site constraints in a manner that could not be achieved in a conventional zone. A Planned Development zone must conform to the requirements of the General Plan.

Multifamily development of 14 units or less under the PD zone is required to conform to either the Multiple Family Residential (MFR) or T4 Neighborhood (T4N) Zone, whichever is closest to the project density. The proposed project most closely aligns with the T4N Zone, making it the default zone for the project.

The proposed PD standards are compatible with the surrounding residential neighborhoods. The proposed standards maintain a cohesive transition between the existing residential neighborhood and the project site through site planning, use of setbacks and separations, design features, and landscape design. The PD prescribes precise frontage design types, setbacks, building height and width maximums for the townhome style buildings. This eliminates the possibility to expand the townhomes through building additions (building additions are uncommon for townhome projects).

The proposed PD standards differ from three T4N zoning standards. The proposed variations are described below:

- The T4N zone limits building height to 35 feet within the front 90 feet of the property (measured from the East Avenue right-of-way) and to 24 feet in height beyond 90 feet. The 24-foot height limit applies to the southeast corner of unit 8 which is approximately 28 feet in height. Unit 8 exceeds the 24 foot maximum height limit at the rear of the lot. The proposed PD would allow the 35-foot height limit to extend back to accommodate the height of unit 8.
- The project includes porches and stoops which are a required frontage type in the T4N zone. The porches are required to provide a minimum depth of eight feet. The T4N zone allows a maximum encroachment of five feet into the setback for a porch or a stoop. The second variation would allow the proposed porches along Dolores Street and East Avenue to encroach eight feet into the setback. The encroachment will allow the project to meet the minimum porch depth and provide usable private open space.
- The Townhouse Building Type (LDC section 5.01.090) limits the width of the main building body for each unit to 36 feet. Units 1 through 12 comply with this standard but Unit 13, which includes an ADU, is 44 feet wide and exceeds the maximum allowed building width. The third variation removes the unit width limitation.

Staff supports the requested variations. The rectangularly shaped corner lot makes it difficult to construct a building at the rear of the lot and comply with the T4N rear lot height standard. Furthermore, the southern edge of the property adjoins landscape and a private circulation driveway for the residential community to the south.

An eight-foot encroachment into the setback is desirable along Dolores Street and East Avenue to meet the minimum porch depth requirement per the Development Code (LDC section 4.03.050). The encroachments allow each street-facing unit to have a usable porch. The porches also add detailing and human scale to the architecture while maintaining a five-foot minimum setback to accommodate landscape.

The excess building width for unit 13 allows the construction of an ADU and provides additional housing. The PD allows development flexibility and permits the requested variations.

Additional Design Features

For each proposed variation from the default zoning, the Livermore Development Code (LDC section 3.04.030.J.1) requires Residential Planned Developments to provide an added design feature that is proportional to the degree of variation from the default zoning. The City only considers a design feature that exceeds what is otherwise required by the City or by the California Environmental Quality Act (CEQA). Examples include:

- Public features not generally available in the neighborhood of a standard zoning district
- Provision of public, neighborhood amenities
- Diversification of building sizes and types, increased landscaping, or extraordinary architecture

The proposed project meets the Planned Development design feature requirements. The project includes increased landscaping on-site of which approximately 50% are native to California. The proposed architecture is of high quality and incorporates design features as recommended by the Design Standards and Guidelines.

SUBDIVISION

The project entitlements include a Tentative Parcel Map to combine the two individual parcels into one parcel in conformance with Part 10 of the Livermore Development Code (Government Code and the Subdivision Map Act, by reference). The purpose of the City's subdivision ordinance is to regulate the division of land consistent with the Livermore General Plan and facilitate orderly development of the community. The applicant is the owner of both parcels. A parcel line between the two parcels will be removed to merge the lots.

The development would increase the need for public utilities that would be maintained by the City. However, the site has access to public utilities, including water and sewer. Furthermore, the project would be required to pay for the increase in public services at the time of Building Permit issuance and through user fees.

Site access from Dolores Street was evaluated by the Livermore Pleasanton Fire Department, Livermore Sanitation, and the Engineering Division for conformance with the applicable standards and deemed adequate to maintain health and safety.

The East Avenue Corridor Project and the Active Transportation Plan (ATP) describe the future improvements to the intersection of East Avenue and Dolores Street, including bulb-outs and medians, permanent traffic-calming measures, and bike and pedestrian improvements. In accordance with the ATP, these improvements are installed in conjunction with development projects. The applicant will contribute \$50,000 towards these improvements representing its fair share of the improvements required by the East Avenue Corridor Project, which contribution will be due prior to Final Map approval. This figure is based on the project's linear foot frontage to the East Avenue Corridor Project, which in total is estimated to cost \$3.45 million.

SITE PLAN DESIGN REVIEW

Site Plan and Design Review (SPDR) 21-001 evaluates the development's site layout, building architecture, and landscape design. The site plan uses the site efficiently and creates an active

streetscape that relates well to the pedestrian walkways and adjacent buildings. The development includes two main buildings oriented to provide appropriate spacing and positioning to promote pedestrian connectivity, maintain privacy and use the site efficiently. The building facing Dolores Street displays strong design character and is visually compatible with the existing development to the south.

The characteristics of the development such as height, massing, setbacks, materials, and architectural style improve and complement the surrounding area. The project design enhances the views for the public from East Avenue and Dolores Street. Units 1 through 8 have access to usable private open space in their back yards along the eastern edge of the site. Units 9 through 13 have front yards and usable front porches. The individual garages are accessed by a common drive aisle located behind the residential structures that face the public street. This achieves the Design Guidelines goal of minimizing views of garages (DSG, Residential Standards, p.128).

The proposed architecture and materials reflect traditional architecture prevalent in the older sections of Livermore, south of downtown. Materials include traditional horizontal lap siding and stucco, wood posts, and a combination of stone and brick wainscoting. The building forms employ a variation of façade articulation to distinguish the attached dwelling units from one and other. In addition, the architecture wraps façade treatments to the street facing sides of the buildings which creates an inviting presence. The project includes appropriate site planning, building massing, vertical and horizontal articulation, the use of conventional elements and materials, and neutral color palettes that are consistent with the Residential Design Standards and Guidelines (DSG pgs. 129 -130, 133, 140).

The landscape design creates an inviting streetscape that enhances the neighborhood. The landscape plan provides a hierarchy of plantings with a variety of low to medium water usage trees, shrubs and groundcover consistent with the Design Standards and Guidelines and the Water Efficient Landscape Ordinance. Two existing trees at the northwest corner of the site will be removed and approximately 22 trees of various species would be distributed throughout the development. Approximately 50% of the plant material is native to California.

Parking and Traffic

Parking is provided in attached garages consistent with the Livermore Development Code (Chapter 4.04: Parking Standards) at a ratio of two required parking spaces per unit, plus one guest space for every four units. The project provides three guest spaces near the driveway entrance and one van-accessible ADA space at the end of the drive aisle. A condition of approval would require a red curb and installation of a "No Parking" sign along Dolores Street to allow future traffic calming improvements.

TJKM Consultants prepared a transportation assessment for the project (see Attachment 6). The assessment includes a trip generation and vehicles miles traveled (VMT) analysis in addition to an on-site circulation and access evaluation. The assessment concludes that the project will generate 88 average daily trips during a typical weekday which is below the VMT screening threshold of 110 daily trips. Therefore, the project does not require a VMT analysis. The project will generate 6 trips in the morning peak hours between 7 a.m. to 9 a.m. and 7 trips in the evening peak hours of 4 p.m. to 6 p.m. Additionally, the assessment concludes the on-site circulation and site access is adequate for the project.

Public Art

Pursuant to Livermore Municipal Code section 12.51, residential development projects are required to provide (or fund) public art in a manner that benefits the public and contributes to the public's understanding, enjoyment and experience of cultural diversity. The applicant proposes to pay the in-lieu fee established by the Municipal Code to satisfy the public art requirement.

Solid Waste

Each unit will have containers for trash, recycling, and green waste. Each unit has an attached garage where the containers will be stored. The containers will be collected from the internal drive aisle. Livermore Sanitation reviewed and approved the site layout.

Affordable Housing

The applicant proposes to rent all 13 units in the development. The applicant would be required to enter into an affordable housing agreement that will be recorded on the property. The agreement will identify one unit as affordable to a very low-income household (50 percent of Area Median Income).

ENVIRONMENTAL DETERMINATION

Section 15332 of the California Environmental Quality Act (CEQA) Guidelines exempts in-fill development projects in urbanized areas. The exemption applies to the proposed project. Additional analysis is provided in the Planning Commission staff report (see Attachment 1).

PLANNING COMMISSION

On June 17, 2025, the Planning Commission reviewed the proposed project and recommended approval to the City Council with a 4-1 vote. No public comments were received at the meeting.

During the meeting, the Commission discussed a recommendation to require dedication of right-of-way (ROW) along the project frontage on East Avenue to accommodate a future bike lane as part of the Active Transportation Plan (ATP). However, the ATP has not established a project-level design to identify specific ROW needs for bike lane construction on East Avenue. Consequently, the City does not have a nexus to require the dedication. Right-of-way dedications are typically guided by an adopted implementation plan; however, the East Avenue Corridor Study does not yet have an implementation plan for on-street bicycle lanes.

Staff is currently evaluating multiple options for installing bike lanes on East Avenue as part of the East Avenue Corridor Study. Public outreach conducted during the study revealed no community consensus on a preferred design. The outreach process did not include ROW acquisition as an option. Additionally, requiring ROW from the project would further impact building placement, proposed porch setbacks resulting in the removal of a significant amount of landscaping, and could negatively affect the pedestrian environment.

Implementation of the first phase of the East Avenue Corridor ATP Implementation, (CIP TB202222 - Pedestrian Bulb Outs & Bike Boulevard Improvements) includes bike and pedestrian improvements at key intersections based on the pilot project, and implementation of a bike boulevard that traverses east and west in the neighborhoods north of East Avenue. The intersection improvements and bike boulevard are scheduled to start construction in summer 2026. The ATP is expected to be updated following

completion of the General Plan.

PUBLIC COMMENT

Staff received three public comments for the project (see Attachment 7).

FISCAL IMPACTS AND ADMINISTRATIVE IMPACTS

Staff time allocated to land use entitlement review are offset by required entitlement application fees. The incremental increase in demand for water, sewer, and stormwater services will be offset by required impact fees and utility connection fees. Consistent with Livermore's practice, onsite water and sewer lines would be maintained by the City and Cal Water, which would be covered by user fees. In addition, the project will contribute \$50,000 towards future intersection improvements at East Avenue and Dolores Street. The project, therefore, will have no significant fiscal or administrative impacts.

COMMUNITY PILLAR

1: A Safe Community that Thrives

GOAL:

9: Facilitate new development consistent with the City's General Plan.

GUIDING DOCUMENTS:

Livermore General Plan, Livermore Development Code, and Design Standards and Guidelines.

ATTACHMENTS

1. Planning Commission Staff Report
2. Planning Commission Meeting Minutes
3. Location Map
4. Development Plans
5. Colors and Materials Board
6. Traffic Assessment
7. Public Comments
8. Resolution - CEQA
9. Exhibit A - Planning Commission CEQA Resolution
10. Resolution - Project
11. Exhibit A - Planning Commission Project Resolution
12. Exhibit B - Conditions of Approval
13. Ordinance
14. Exhibit A - Planning Commission PD Resolution
15. Exhibit B - Planned Development (PD) 25-001

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