

Maria Hoey

Subject: FW: Retaining wall mitigation for Berlogar Parcel

-----Original Message-----

From: Terry Kingsfather
Sent: Monday, February 10, 2014 8:14 PM
To: Maria Hoey; Jenny Soo
Cc: Gevan Reeves; Alex Winn; Eric Carlock
Subject: Retaining wall mitigation for Berlogar Parcel

As a resident of Silver Oaks HOA in Pleasanton, I want it to go on record that I am not in favor of the Berlogar project in any way shape or form. In the event our Silver Oaks HOA is not successful in stopping this project for all the reasons put forth by our attorney, I feel further definition of proposed mitigation of excessively high retaining walls be detailed as suggested in prior meetings with the council. I have seen first hand the city of Pleasanton's approved Berloger landscaping plan for our existing development, Silver Oaks, that did not include a permanent water system which lead to the dying of many plants, I do not have much confidence in the proposed retaining wall mitigation efforts with foliage, whether it be plants or trees, actually happening. If the city did not see the need for approving a permanent water system for Silver Oaks, why would they ever agree to a much more extensive system to water many more trees/plants for the Berlogar parcel. I feel that a previous meeting with Jenny Soo explaining why a permanent water system was never included in our existing development was biased towards Frank Berlogar. Although this is a separate issue, it certainly sets a direction for the cities thinking for the Berloger parcel project.

Terry Kingsfather

Sent from my iPad

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Maria Hoey

Subject:

FW: PUD 84 review

From: gevan reeves

Sent: Wednesday, February 12, 2014 8:38 AM

To: Jenny Soo; Maria Hoey;

Subject: PUD 84 review

Planning Commission and Staff:

Unfortunately I will not be able to attend the Planning Commission meeting on Feb 12 as I have prior travel obligations. However, in reviewing the Draft Staff Report for PUD-84, the recommended development fails to adequately address the concerns and issues raised by (i) the letter from the Silver Oaks HOA attorney dated Feb 6, 2014, (ii) the letter (and related correspondence) from the HOA dated March 5, 2013, and (iii) the HOA comments raised at the Planning Commission workshop for PUD-84.

Among other concerns, the project violates the Specific Plan and related EIR by locating a project outside of the designated development area and into designated open space. Additional issues include the location of the access road on the front side of the hill instead of (i) using the existing private access road, or (ii) using a less obtrusive route on the west side of the property.

Furthermore, I note two additional items in the staff report.

1. Staff is recommending approval for a 40ft building while the specific plan only allows for 30ft. I do not agree with 40ft approval when visual impact is of major concern.
2. To demonstrate flexibility in site location, Staff refers to page 23 of the VACSP which says that "The site development standards shall be applied through the City's PUD development plan approval process and may vary for unusual site conditions as long as any new standards are consistent with the intent of the Specific Plan." What staff fails to mention is that the same paragraph of the VACSP also states that "The land use standards are to be applied without variance." Putting a home on top of a hill in an area designated as Open Space hardly passes the red-face test for appropriate land use.

Regards,
Gevan

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Maria Hoey

Subject:

FW: Retaining wall mitigation for Berlogar Parcel

From: Alex Win

Sent: Wednesday, February 12, 2014 11:10 AM

To: Jenny Soo; Terry Kingsfather; Maria Hoey

Cc: Gevan Reeves; Eric Carlock

Subject: Re: Retaining wall mitigation for Berlogar Parcel

Hi Jenny,

As the first resident on Silver Oaks Ln, I would also like to formally add my opposition to the Berloger project. You have already heard concerns from other neighbors. My main concern is the winding road leading up to the homes as well as the unsightly retaining paver block walls. The "expert" brought in by Mr. Berloger I feel downplays the effects of the walls by using a wider angle view to distort and minimize the visual impact that they will impose. As a professional photographer, I'm well aware of how a wider angle lens can be used to make objects appear smaller than they really are, and how objects will quickly diminish in size as they are slightly further away. The plan calls for retaining walls as high as 8 ft. on the lower side and 3 ft. on the upper side, there could be sections where we'll see a combined retaining wall as high as 11 ft. The retaining walls in the simulation don't look more than 3 or 4 ft. high.

The fact that the road will carve out an "S" curve from the bottom of the hill will mean that our homes that now see what looks like a natural preserve becomes a hill filled with very unnatural retaining walls. We need to seriously look at how we can minimize this eyesore.

There is an existing road at the bottom of the hill that can be used to reduce the switchbacks leading up to the homes, and potentially avoid a section of the proposed road and retaining walls that would be closest to the 5 homes that have the direct view of the road. The majority of the climbing can be done out of sight from these homes on the left side (facing hill), and the "S" curve can be reduced to a more acceptable "C" curve, with the majority of the road and retaining wall further up on the hillside and further away from the existing homes. Other than a slight delay to get approval for the bridge crossing a dry creek, I see no other negative impact from doing this. Keeping in mind that whatever that's carved out today will be there forever, as Pleasanton residents, we count on the Planning Commission to make the right decisions that are in the best interest of neighbors that are directly affected.

Alex Win

Jenny Soo

From: Erik.Edelberg.
Sent: Wednesday, February 12, 2014 2:04 PM
To: Jenny Soo
Subject: PUD84

I will not be able to attend tonights meeting.

I live on Vineyard terrace (727Vineyard Terr).

I do not support this proposal, I'm concerned about the encroachment to open space.

Thanks,
Erik



Before you print this e-mail, please think of the environment.

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March 5, 2013

Pleasanton Planning Commission Staff
Attention: Janice Stern and Jenny Soo
200 Old Bernal Avenue
Pleasanton, CA
94566

Re: Proposed Berlogar Development

Dear Pleasanton Planning Commission Staff:

The Home Owners Association of Silver Oaks Estates in Pleasanton, CA (the "HOA") is writing to express our significant concerns of the impacts of the proposed two-lot development (the "Development") as referenced in the City's Future Planning Calendar (restated in the following paragraph):

PUD-84, Frank Berlogar (Jenny Soo)

Application for Planned Unit Development Plan (PUD) approval to subdivide an approximately 37.25-acre site located at 88 Silver Oaks Court into three single-family residential lots: two new lots and one lot for the existing dwelling and accessory structures. Zoning for the property is PUD-HR/OS (Planned Unit Development – Hillside Residential/Open Space) District.

The Development contemplates two new hillside lots, one bounded by the designated development area in Lot 22 of the 1999 Vineyard Avenue Corridor Specific Plan ("Specific Plan"), and one lot relocated completely outside of the designated development area to the peak of the hill (530 foot elevation) that backs to the existing HOA properties. The new access road and retaining walls take a winding path up and across current Open Space terrain at the front of the hill (facing existing HOA homes and properties). The Development lots and access road are up to 100 foot elevation above the nearby existing HOA homes and property.

The HOA has expectations that the Specific Plan governs development in the Vineyard Corridor with stated goals to preserve natural features such as ridgelines, hilltops and slopes, to permanently designate Open Space, and to limit hillside development to areas that can physically and visually accommodate the development without disrupting the natural character of the site. Specifically, the HOA is concerned with the following impacts:

1. Intrusion upon Existing Homeowner Privacy.

The two Development lots and a majority of the proposed access road will be at significant elevation (up to ~100 feet) above the existing Silver Oak homes and remaining lots. The Development will have an unobstructed or only partially obstructed

line-of-sight view into existing HOA property, including direct views into back yards and windows. Additionally, the Development allows for two-story homes which will further erode privacy.

At a minimum, the Development should comply with Specific HR District Design Guidelines (pg 34-35 of the Specific Plan) which states:

Site Planning - "The visual prominence of development should be minimized by utilizing existing features for screening such as tree clusters, depressions in topography, setback plateau areas, and other natural features."

Therefore, the Development lots should be bundled within the designated development area at the lower topography elevation. The access road should be repositioned to the West side of the Development (away from existing HOA homes), instead of carving up the front side of the hill near to the existing homes. This modification would help to preserve privacy for the existing homes. Furthermore, as discussed in items 2 and 3 below, the modification will also protect the hilltop and Open Space, and reduce noise and light impact from access traffic and the Development lots.

2. Disruptive Visual and Noise Impact.

The Development is at significant elevation to the existing HOA homes and properties. The proposed retaining walls positioned below and above the new access road will in some areas exceed 11 foot vertical, with the sheer wall facing the back yards of existing HOA homes. The access road to the Development winds up the center of the hill facing the existing HOA homes and property. Traffic noise and headlights, and residential lighting will intrude on existing homes.

At a minimum, the Development should comply with Specific HR District Design Guidelines (pg 34-35 of the Specific Plan) which states:

Landscaping - "Views of hillside homes from off-site areas which cannot be screened by way of location and architectural design should be substantially screened by use of evergreen tree planting."

Therefore, the Development lots, access road and retaining walls should be screened with evergreen tree planting and supported by permanent irrigation. The screening may include landscaping installed on the HOA open space between the existing homes and the Development, in consultation with the HOA. However, even if a large number of evergreen trees were planted, it would still take many years to substantially screen the Development and provide an adequate buffer for the HOA homes.

3. Non-Compliance with the Mitigated Vineyard Corridor Specific Plan and related Environmental Impact Report.

On its merits, the Development is problematic for the reasons listed above. However, and perhaps most concerning, the Development conflicts with the spirit and the stated requirements of the Hillside Residential district of the Specific Plan as noted below:

- a) Specific Plan Design for Hillside Residential (pg-19) - *“The Hillside Residential (HR) district provides for 19 new homes on 40,000 square foot minimum sized lots. Development areas are located in the hilly portions of Subareas 1 and 3. The purpose of this designation is to allow for a clustering of homes in well-defined areas of the hills in order to preserve significant natural features such as ridgelines, hilltops, oak woodland, creeks and steep slopes. Open space land surrounding the HR district is to be permanently preserved.”* (bold added for emphasis)
- b) Specific Plan Design Open Space (pg-22) – *No homes are permitted within the OS areas; however fencing and agricultural structures are allowed.* (bold added for emphasis)
- c) Residential Development Standards (p. 25) – *“In HR areas, all home sites must be located within the designated development areas as generally depicted on the land use plan (see Figure IV-2). Lot lines may extend into land designated as Open Space, but primary residential buildings and residential accessory structures may only be sited within the designated development areas.* (bold added for emphasis)

The location of the designated development area per the Specific Plan for Lot 22 is not imprecise, it is not a general ‘blob’ as previously mentioned by Staff. To the contrary, its location, size and shape fit the terrain and is intended to minimize disruption to existing topography. Moving the site to the top of the hill clearly violates the intent and letter of the Specific Plan and adversely affects the existing properties and future developments for which the Specific Plan should preserve the Open Space view and residential buffer.


The relocation or expansion as proposed by the Development contemplates a deviation of 100-300 feet in horizontal distance and over 50 feet elevation to the top of the hill, and a 25 foot partial flattening of the hill. To allow for this material deviation of the designated development area would amount to a de facto amendment to the Specific Plan. The Planning Commission Staff have stated that they have some discretion to approve deviations from the designated development areas, and that the words “generally depicted on the land use plan” afford them this flexibility. However, Staff’s interpretation ignores the next sentence in the Specific Plan, which expressly limits this flexibility, by clearly stating all “*primary residential buildings and residential accessory structures may only be sited within the designated development areas.*” To overlook this second sentence renders moot the delineated requirements the Specific Plan that intentionally restrict building structures to only within the designated development areas.

Additionally, the designated development area per the Specific Plans for Lot 22 already affords enough flexibility to contain the Development within the existing designated

development area, without need for deviation. The effort to relocate the lot to the top of the hill is not driven for reasons of the environmental or technical suitability of the site for home construction. Furthermore, for this specific Development, there are not construction limitations (such as existing home structures per PUD-32, or Jurisdictional Waters in the U.S. as per PUD-54) that may require additional accommodations. Even if the Planning Commission Staff's interpretation of the language in the Specific Plan were correct, applying it in this circumstance would be an over reach of any compliance discretion allowed by the Specific Plan, and would potentially violate associated environmental mitigations studied and implemented as part of the related CEQA Environmental Impact Report.

Therefore, the HOA requests that the Planning Commission Staff not recommend for approval the proposed Development Plan until it is modified as described in this letter to (i) minimize intrusion on existing homeowners, (ii) buffer visual and noise impacts, and (iii) comply with the intent and letter of the Specific Plan.

Sincerely,



President, Silver Oaks Estates Pleasanton

CC: Pleasanton City Manager
Pleasanton City Attorney

Law Offices of
Stuart M. Flashman
5626 Ocean View Drive
Oakland, CA 94618-1533
(510) 652-5373 (voice & FAX)
e-mail: stu@stufash.com

February 6, 2014

Pleasanton Planning Commission
Pleasanton City Hall
200 Old Bernal Ave.
Pleasanton, CA 94566

RE: PUD-84, Frank Berlogar

Dear Commissioners,

I am writing on behalf of The Silver Oaks Estate Homeowners Association to express concerns about and objections to the proposed development of three single-family residential lots located at 88 Silver Oaks Court, the "Berlogar Parcel", which development is on the agenda for the February 12th Planning Commission meeting. This project appears to be inconsistent with provisions of the Vineyard Avenue Corridor Specific Plan ("VACSP", or "Plan"), as well as the City's Hillside Initiative (Measure PP). In addition, the project's environmental impacts do not appear to have been adequately disclosed and analyzed.

The Vineyard Avenue Corridor Specific Plan was adopted, "to serve as the primary land use and infrastructure regulatory guide for development of the 384-acre Vineyard Avenue Corridor Area located along Vineyard Avenue in southeast Pleasanton." (VACSP, p.1.) While the Plan had an associated environmental impact report ("EIR") that identified, analyzed, and proposed mitigation for potentially significant impacts that might be associated with the Plan, those mitigation measures were incorporated into the Plan itself. "The result is what is called a "mitigated plan," or a specific plan which contains the environmental mitigations within its text." (VACSP, p.1 [emphasis in original].) Because the mitigation measures were incorporated into the Plan, the provisions of the Plan must be followed especially closely to avoid improperly violating mitigation measures identified in the EIR and adopted with the Plan. (See, e.g., *Health First v. March Joint Powers Authority* (2009) 174 Cal.App.4th 1135, 1145-1146 [mitigation measures incorporated into specific plan were not discretionary, but continued to be required for development within the specific plan area].)

The VACSP identifies Subarea 3, in which Lot 22 (which contains the subject parcel) resides, as containing, "steeply sloping terrain which rises upward from Vineyard Ave to the southern Plan Area boundary." (VACSP at p.12.) It notes that the flatter areas are located, "along the hilltops and in the eastern portion of the subarea." (*Id.*) The Plan goes on to point out that "South of Vineyard Avenue, the terrain varies from moderate to steep slopes which limit potential development. (*Id.* at p. 13.) It also notes, under visual impacts, that "Development at higher on-site elevations could be clearly visible from various off-site locations, including the Vineyard Avenue section which fronts Ruby Hill, Stanley Boulevard, I-580, and neighboring properties to the west, southwest, and east of the plan area." Thus visual impacts were considered an important factor in developing the Plan's land use designations.

The EIR for the VACSP only further strengthens the importance of the Plan's restrictions on where and how development can occur¹. In Section 4.10 of the EIR, it notes that the Plan calls for houses to be clustered to protect ridgelines and scenic hillsides. (EIR, p. 4.1-9.) Impact 4.10-3 identifies visual changes in Subarea 3 related to development under the Plan as being potentially significant. (EIR at p. 4.10-7.) The EIR notes that, with the mitigation incorporated into the Plan, including the segregation of areas designated as HR from those designated as open space, "the development would not be visually obtrusive, nor would it detract from the Plan Area's desired semi-rural character. (*Id.* at p. 4.10-8.) Thus any development that would be visually obtrusive {i.e., would be easily visible from areas outside of the immediate site of the housing) would violate the EIR mitigation incorporated into the VACSP. That would be improper and a violation of CEQA.

In the Plan's land use section, the objectives include, "limit development of hilltop areas to homes that can be substantially screened from off-site areas, and limit hillside development to areas that can physically and visually accommodate it without disrupting the natural character of the site. (*Id.* at p.16.) It asks that development of "the hilly areas located south of Vineyard Avenue" be designed "to emphasize the rural character through careful siting of buildings." (*Id.* at p. 17.) All of these provisions emphasize the importance of the specific locations identified in the land use section where residential development would be allowed. (See map at Figure IV-2.) More specifically the Plan states that, "Residential development in Subarea 3² is to be sited so as to preserve significant natural features such as major ridgelines and hilltop areas." (*Id.* at p.17 [emphasis added].)

The more specific requirements under the Hillside Residential designation, which apply to parts of this area,³ state that homes should be clustered "in order to reserve significant natural features such as ridgelines, hillsides, oak woodland, creeks, and steep slopes." (*Id.* at p. 19.) It also states that, "Open space land surrounding the HR district is to be permanently preserved." (*Id.*) These requirements indicate that the delineation between HR and open space areas is to be strictly observed, and particularly that residential development is not allowed to encroach into areas designated as open space. In fact, later in the land use section, under open space, the Plan specifically states, "No homes are permitted in the OS area." (*Id.* at p.22.) The VACSP could hardly have been more emphatic, but in fact there is an additional provision that is even more emphatic:

In HR areas, all home sites must be located within the designated development areas as generally depicted on the land use plan (see Figure IV -2). Lot lines may extend into land designated as Open Space, but primary residential buildings and residential accessory structures may only be sited within the designated development areas. (*Id.* at p.25.)

While there may be a small amount of "wiggle room" in the use of the wording, "as generally depicted," this presumably just indicates that the boundaries indicated are not precise to the foot, and a small amount of leeway, perhaps as much as a yard or two one way or the other, is allowed to take into account that these are diagrams, rather than precise engineering plans such as, for example, a grading plan. However, the intent is very clear that residential areas are not allowed to wander beyond the designated HR areas, and especially not into areas designated as OS.

¹ Relevant portions of that EIR are attached to this letter.

² The subarea that includes the Project.

³ Parts of the project site are actually identified as open space in the specific plan.

In this regard, it important to point up that specific plans are intended, as the name indicates, to be specific. Government Code §65455 states that:

No local public works project may be approved, no tentative map or parcel map for which a tentative map was not required may be approved, and no zoning ordinance may be adopted or amended within an area covered by a specific plan unless it is consistent with the adopted specific plan.

(See also, Government Code §66474(a) [subdivision map shall be denied if it is not consistent with applicable specific plan]; *Beck Development Co. v. Southern Pacific Transportation Co.* (1996) 44 Cal.App.4th 1160, 1196 [laying out how specific plan fits into hierarchy of local land use regulations].) This, if a proposed project is inconsistent with any aspect of the applicable specific plan, it may not be approved.

All of which brings us to consideration of whether the VACSP is consistent with the proposed development. The plain language of the Plan and the clear delineation of the placement of the second proposed house within the project, on a sloping area just below a hilltop and clearly entirely outside of the area shown as HR and totally within the area designated as Open Space in the Plan diagram (Figure IV-2) is beyond any reasonable understanding of what “as generally depicted” allows in the way of discretion in the placement of an actual structure outside of the HR area and within the Open Space area. Consequently, the proposed project cannot be approved without either: 1) moving the site of the second unit back within the envelope of the HR area or 2) amending the Plan to either redesignate the site as HR (which would also require modifying the policies and objectives of the Plan) or to make allow more discretion in placing structures in the Open Space area. Either of the latter options would also require supplemental environmental review, as they were not contemplated in the certified EIR for the specific plan.

In addition to the inconsistency with the specific plan, the project also suffers from two other potential defects. First, it appears that the second unit may encroach into an area with a slope of over 25%, which would violate the Save Pleasanton Hills & Housing Cap Initiative (measure PP)⁴. While the Planning Director has assured the Commission that the project does not encroach into areas of over 25% slope, he did not provide any evidence to support that assertion. An opinion, even an expert opinion, is not substantial evidence unless it is supported by facts. (*Sargon Enterprises, Inc. v. University of Southern California* (2012) 55 Cal.4th 747, 770.) It is incumbent upon the Planning Director to provide the Commission with evidence, in the form of actual slope measurements, that shows that the slope in the area of the second proposed house, and more specifically the southeastern edge of the homesite, does not exceed 25%.


The second issue the project raised is significant visual impacts. The VACSP pointed to potentially significant visual impact of placing houses on the hillsides, and especially on hilltops, in Subarea 3, where the project is located. The City has provided a number of visual simulations of how the project would appear. Given the requirements of the California Environmental Quality Act that a project may not be approved if substantial evidence indicates that a fair argument can be made that the project will have a significant impact, and particularly given the fact that the VACSP calls out visual impacts from houses in this area, and particularly hilltop houses, and that the EIR for the VACSP specifically called out potentially significant visual impacts from houses placed in visually prominent areas such as hilltops or ridgelines, those

⁴ The project also arguably violates that initiative’s prohibition on placing a housing unit within 100 vertical feet of a ridgeline.

simulations need to be looked at critically, rather than in a perfunctory manner. Only if it is clear that a house in the location can be effectively visually screened so as to be, in essence, invisible from the areas below, including Vineyard Avenue, should the project be approved under a negative declaration. Otherwise, the visual impacts need to be more fully explored in an environmental impact report.

The VACSP envisages development happening in the hillsides south of Vineyard Avenue, but it envisages that development being carefully controlled. Because this project does not meet the Plan's stringent standards, it cannot be approved in its current configuration

Most sincerely,



Stuart M. Flashman
Attorney for Silver Oaks Estate Homeowners
Association

Attachment: EIR Excerpt

Although past and present vineyards in and around the project site indicate that soils are suitable for vineyard cultivation, the Plan Area does not contain any farmland of Statewide or Local Importance (California Department of Conservation, 1995). Therefore, development of suburban uses in the Plan Area would not convert agricultural land of Statewide or Local Importance to non-agricultural uses. Further, because the Plan Area would preserve areas for agriculture and allow existing agricultural operations to continue, the project would not impair the agricultural productivity of the site. Therefore, impacts involving conversion of agricultural lands to suburban uses would be considered less than significant.

Impact
4.1-3

Land Use Conversion - Open Space to Suburban Uses. Development of the Specific Plan would convert limited undeveloped open space to suburban uses. However, the preservation of open space is a key feature of the Specific Plan. Hillside on the southern portion of the Plan Area would be retained as primarily open space with limited clustered residential development. Additionally, open space buffers are proposed to separate uses on the flatter portions of the Plan Area near the Arroyo del Valle. The conversion of open space to suburban uses would, therefore, not result in significant impacts.

The Plan Area currently encompasses 19 residential dwellings and several agricultural structures. The majority of the project site, however, is undeveloped open space with minor agricultural activities. The Specific Plan retains the large majority of the undeveloped open space areas on the hillsides in the site's southern portion. The open space designation is intended to preserve the natural features of the hillside areas south of the existing Vineyard Avenue. Homes are clustered on Lots 22 through 27 to preserve ridgelines, scenic hillsides, and the three riparian corridors (one at the northwest end of Lot 18, and the second and third near the western and eastern boundaries of Lot 19). Open space buffers are also incorporated between areas proposed for development on flatter portions of the Plan Area. Design of the Plan would be consistent with Land Use Policy 10 (Open Space) which directs preservation of open space, and Program 10.1 (open space zoning). Because a large portion of the Plan Area would be retained as open space and the project is consistent with the applicable General Plan plans and programs, conversion of open space to suburban uses would not cause significant land use impacts.

Impact
4.1-4

Land Use Compatibility - Residential with Agricultural Land Uses. The proposed Specific Plan designates areas in the northern portion of the Plan Area for vineyards and other potential agricultural operations. An existing vineyard use on Lot 26 would also continue after implementation of the proposed Plan. Land use compatibility conflicts could occur between the proposed residential uses and existing and proposed agricultural operations. Residents could potentially be exposed to dust, pesticides, fertilizers, odors and noise associated with agricultural operations and in turn could oppose and seek the termination or a reduction in the agricultural uses within the Plan Area. This is considered a potentially significant land use compatibility impact.

Agriculture has historically been an important facet of Pleasanton's character. Several lots in the Plan Area are currently used for vineyard cultivation and cattle grazing. To preserve the agricultural heritage

A home or bed and breakfast inn could be built on Lot 32 along the easternmost edge of Subarea 2, across the street from the existing fire station. The home or inn would be characteristically similar to the proposed vineyard village residential area. Its architectural style and massing would reflect the area's intended "rural European...wine country" theme. This would be ensured by following the Design Guidelines, and design review process.

The proposed vineyard villages would introduce a new pattern of residential development to Subarea 2. The proposed development pattern would look somewhat similar to Ruby Hill when viewed from Vineyard Avenue. It would not be consistent with the area's existing development pattern, but would be in keeping with existing goals of maintaining the area's rural character and enhancing its appearance as a wine growing region, and would not result in an adverse visual impact.

Impact
4.10-3

Visual Changes in Subarea 3. Development of the proposed project would alter the visual character of Lots 22 through 31 by adding up to 67 homes on land that is mostly undeveloped. Development would be visually compatible with surrounding areas with clustered neighborhoods bounded by vineyards, and steep hillsides. Development is not intended to be visually prominent and in most cases, would minimally be visible from Vineyard Avenue. Therefore, the visual impact of project development of this area would be less than significant

Changes in Subarea 3 (Lots 22-31) would include vineyard village and hillside residential development types. The vineyard village concept would be implemented on Lot 28, where up to 17 units would be clustered, as shown in Exhibit 4.10-2. In this setting the concept would vary slightly from the prototype because the clustered neighborhood would be bounded by vineyards, steep hillsides, and a low-lying wetland area. As shown in the simulation, development would be located in a gently sloping area (development on Lot 28 is shown on the left side of the roadway alignment), bounded to the south and west by oak covered hillsides, and to the north and east by vineyards. Development of Lot 28 would be, as previously described in the analysis of Subarea 2, the vineyard village prototype. The Specific Plan design guidelines require the installation of buffer planting in the area adjacent to Vineyard Avenue where vineyards would not be installed. The development on Lot 28 would not adversely affect the oak woodland or ridgeline. The proposed area-wide vineyard theme would be implemented and natural landscapes would be preserved. The clustered neighborhood on Lot 27 would be seen from the realigned Vineyard Avenue but would be different than the existing neighborhood. It would be developed in keeping with the goal of creating a semi-rural residential area, and would not result in an adverse visual impact.

An optional land use on Lot 28 would be an inn. This 100-room visitor-serving center would be developed in keeping with the area's desired rural character, and like the previously described vineyard villages, would be separated from Vineyard Avenue by a wetland area and vineyards, and would not disturb the oak covered hillside. Its character and massing would compliment the desired European village style, as prescribed in the Design Guidelines.

As many as 23 new residences could be built on Lots 24-27 and 29-31. The sites conceptually delineated for development would locate home sites within valleys or other areas that are not visually

prominent. Hillside Residential Design Guidelines apply to development on Lots 24-27, encouraging the use of special site planning, architecture and landscape architectural practices to minimize the visual impact of residential development. This type of site planning works to blend proposed development with the existing setting. The Design Guidelines indicate “medium to dark earthtone building colors shall be used. This will help to ensure that homes will not contrast against what is generally a dark-colored landscape (dark colored oak and other trees), an adverse visual impact.

Semi-Rural Residential Design Guidelines apply to Lots 29-31, encouraging the development in keeping with the area’s rural character. The proposed development would be consistent with adjacent existing development, and would not result in an adverse visual impact.

Up to 26 residences could be developed on Lots 22 and 23. As many as ten homes could be developed along the northern boundary of these two lots, adjacent to the existing Vineyard Avenue right-of-way, potentially adversely affecting foreground views (not including as many as three lots that could be built along the western boundary of Lot 22). This grass covered sloped area is not identified as a scenic hill or ridge, but it is highly visible from Vineyard Avenue and contributes to the project area’s semi-rural character. Homes built on the top of the slope could be seen from the existing Vineyard Avenue and from the proposed realigned Vineyard Avenue. The suburban character and perceived density of this development could detract from the project area’s semi-rural character. However, as shown in Exhibit 4.10-4, with the mitigation measures included in the Specific Plan, the development would not be visually obtrusive, nor would it detract from the Plan Area’s desired semi-rural character. As shown in the photosimulation, the grass covered hillside and oak trees seen in the background, would remain largely undisturbed. The proposed development of these lots would, therefore, result in less-than-significant visual impacts.

Impact
4.10-4

Visual Changes in the Circulation System. Development of the proposed project would alter the visual character of the circulation system in the project area. Proposed landscape treatments and undergrounding of existing utilities would improve the visual character of this system, thus creating a beneficial project impact.

The proposed project would realign Vineyard Avenue to the northernmost portion of Subarea 2 primarily on Lot 33, where it would curve northward from the existing alignment toward, and then generally parallel to, the Arroyo (between Lots 15 and 32). It would no longer be immediately adjacent to Subarea 3. Forming the northern border of Lot 32, it would curve toward the southeast and tie into the existing alignment (near the existing fire station). The new section of the alignment would extend through what would appear to be a largely rural setting. The north side of the roadway would be lined by riparian vegetation, and the south by vineyards. The new alignment would also introduce some new unobstructed views of the gravel mining facilities located across the Arroyo. The roadway alignment would generally not change in Subarea 1. The remaining portions of the existing alignment would be converted to local streets and bicycle and pedestrian paths, forming an interconnected project-wide circulation system.