

Planning Commission Staff Report

March 27, 2013
Item 6.c.

- SUBJECT:** PUD-85-08-1D-4M/P13-0030
- APPLICANT:** Mark English, Pleasant Partners, LLC
- PROPERTY OWNER:** Pleasant Partners, LLC
- PURPOSE:** Applications for: 1) Planned Unit Development (PUD) major modification and development plan to construct 305 apartment units, two retail buildings totaling approximately 7,520 sq. ft., new surface parking and a parking garage to serve the existing office uses, and related site improvements at the California Center property located at 4400-4460 Rosewood Drive; and 2) Development Agreement to vest the entitlements for the project.
- GENERAL PLAN:** Mixed Use/Business Park
- ZONING:** Planned Unit Development – High Density Residential (PUD-HDR) and Planned Unit Development – Industrial/Commercial-Office (PUD-I/C-O)
- LOCATION:** 4400-4460 Rosewood Drive
- EXHIBITS:**
- A. Draft Conditions of Approval
 - B. Proposed Plans, Green Point Checklist, Tree Report, Noise Study, Transportation Assessment, Screening Level Cumulative Risk Analysis, Climate Action Plan Checklist, and Development Agreement
 - C. Minutes of the October 10, 2012, Planning Commission Work Session Meeting
 - D. March 21, 2013, Housing Commission Staff Report and Attachments
 - E. Addendum to the Supplemental Environmental Impact Report
 - F. Ordinance No. 2034, Rezoning the 8.4-Acre Portion of the California Center Property
 - G. Hacienda Owners Association Approval Letters
 - H. Location and Public Noticing Maps

I. BACKGROUND

The approximately 8.4-acre southern portion of the 60.9-acre California Center property was one of the nine sites rezoned in January 2012 for high-density multifamily development in order to meet the City's share of the regional housing need. The rezoning approval is attached as Exhibit F. The zoning for the northern approximately 52.5-acres was not changed and is zoned Planned Unit Development – Industrial/Commercial-Office (PUD-I/C-O) with a Hacienda land use designation of Mid-Rise Office Planning District (OMPD). On September 4, 2012, the City Council adopted the Housing Site Development Standards and Design Guidelines (hereafter referred to as "Standards") to guide development on the nine sites.

The 8.4-acre southern portion of the site is identified as Site #8 in the Standards. Site #8 is required to provide a density of at least 35 dwelling units per acre (294 units) with no more than 40 dwelling units per acre (336 units). Up to 10,000 sq. ft. of retail is also permitted on this site with no minimum required (although the Standards encourage retail to provide residents with non-vehicular access to goods and services). The permitted and conditionally permitted retail uses are indicated on pp.11-12 of the Standards.

The proposed applications are subject to review and approval by the City Council, following review and recommendation by the Housing Commission (regarding the affordable housing) and the Planning Commission. The Planning and Housing Commissions' recommendations on the proposed applications will be forwarded to the City Council for review and final decision.

October 10, 2012, Planning Commission Work Session

In order to receive early feedback from the Planning Commission and any interested individuals regarding the proposed project, a Planning Commission work session was held on October 10, 2012. The Planning Commission provided the following comments on the work session discussion points (additional comments made by the Commission are located in the attached minutes):

- A. *Would the Planning Commission support the requested exceptions if the project were to move forward as proposed?*

All Commissioners indicated that they could support the requested exceptions.

- B. *Are the on-site circulation, parking layout, and positioning of the buildings acceptable?*

The Commission believed that the on-site circulation, parking layout, and positioning of the buildings were acceptable.

C. *Does the Planning Commission support the use of shared office/residential spaces to meet some of the required residential parking?*

The Commission supported the use of shared office/residential spaces and some Commissioners indicated that they would prefer more shared parking.

D. *Are the proposed on-site recreation facilities and amenities acceptable?*

The Commission generally felt the on-site recreation facilities and amenities were acceptable. Two Commissioners suggested that a children's activity area be provided in the podium central open space area.

E. *Are the building designs, colors and materials, and heights acceptable?*

The Commission generally felt that the building designs, colors and materials, and heights were acceptable. One Commissioner requested that more of the "Pleasanton look" be incorporated into the building design, if possible. One Commissioner questioned whether the mustard color was appropriate. The Commission requested that large paint sample chips be provided when the project is brought back for its formal review. A Commissioner requested that good visual simulations be provided when the project is brought back for its formal review (e.g., a video showing the project as you drove by and then into the project). The applicant informed staff that a video simulation would be very expensive and instead has provided additional photo simulations of the project. In addition, the applicant will have a 3D computer model of the project available at the hearing and the applicant will be able to provide a 3D image of any area of the project desired by the Commission, including internal views.

Work Session Public Comment

One member of the public, James Paxson, General Manager of the Hacienda Owners Association, spoke in favor of the project.

II. SITE DESCRIPTION

Subject Property and Surrounding Area

The approximately 60.9-acre California Center site is located at 4400-4460 Rosewood Drive, within Hacienda Business Park. The site fronts on Rosewood and Owens Drives (see Figures 1 and 2 on the following pages). The site was developed in 1987-88 for AT&T and currently contains six multi-story office buildings totaling approximately 966,531 sq. ft., an approximately 36,313 sq. ft. cafeteria building, an approximately 14,007 sq. ft. conference building, and related site improvements (surface parking spaces, ornamental vegetation, etc.).

The site is generally flat except for landscaped berms along the street frontages. Two bus stops with shelters are located along the Rosewood Drive frontage.

Adjacent properties include the Archstone and Hacienda Commons Apartments to the south, on the opposite side of Owens Drive; Wal-Mart, Red Robin Restaurant, and Metro 580 Shopping Center to the west, on the opposite side of Rosewood Drive; and Eaves Pleasanton Apartments and several service commercial uses to the southeast and east, respectively, opposite the Tassajara Creek. The East Dublin/Pleasanton BART station platform is approximately ¾ mile to the west.

Figure 1, 2010 Aerial Photograph of the California Center Site and Surrounding Area



Figure 2, Project Site Viewed from Rosewood and Owens Drives (Google Maps)

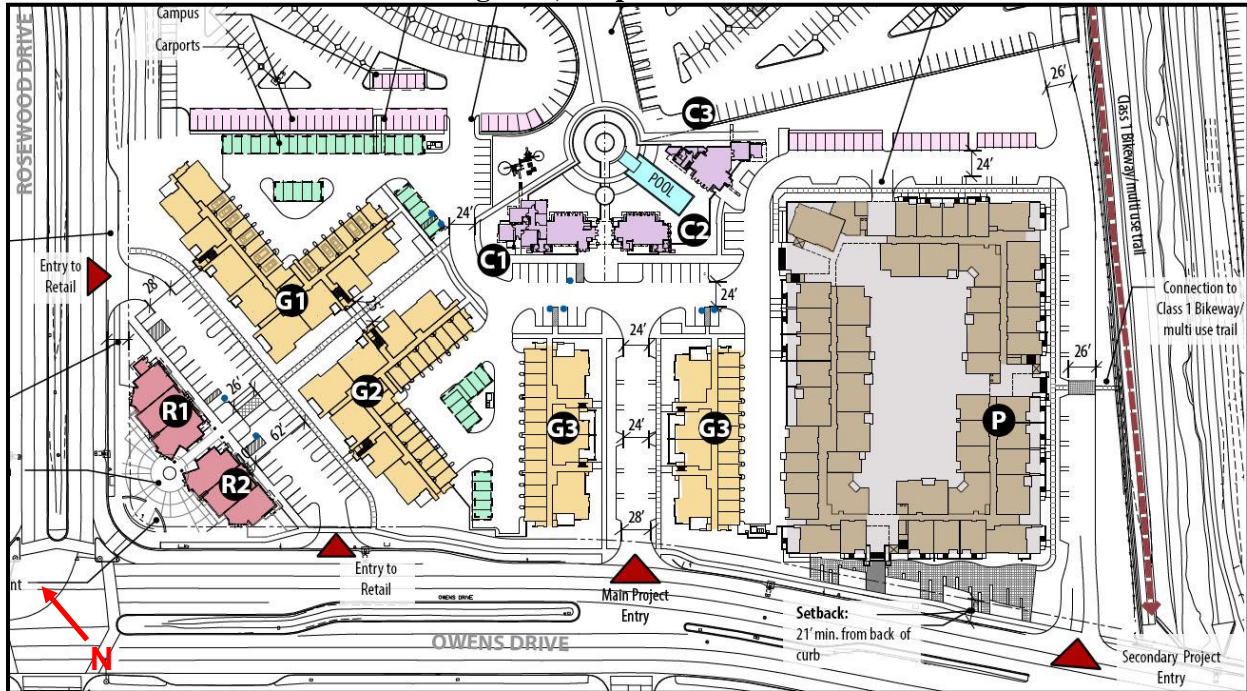


III. PROJECT DESCRIPTION

The applicant proposes to build an apartment complex and two retail buildings on the approximately 8.4-acre southern portion of the property and to construct surface parking and a parking garage on the remaining 52.5 acres to serve the existing office uses. The project features are summarized below:

- **Density:** The project on the 8.4-acre site would include five residential buildings housing 305 apartment units, three community/leasing office buildings totaling approximately 6,830 sq. ft. in area, and two retail buildings totaling approximately 7,520 sq. ft. in area. The density of the project is 36.3 dwelling units per acre on the 8.4-acre project site. There would be two residential building types: one podium style building containing 197 units and four garden style buildings containing a total of 108 units.
- **Site Layout:** The site layout for the apartment and retail portion of the project consists of: two retail buildings located at the western corner of the site (Buildings R1 and R2); two L-shaped garden style buildings located east of the retail buildings (Buildings G1 and G2); two garden style buildings flanking the main entry drive off Owens Drive (Buildings G3); a podium style building located at the southern end of the project site (Building P); and three community buildings centrally located near the residential buildings at the northeastern portion of the site (Buildings C1-C3). Please refer to Figure 3 on the following page.

Figure 3, Proposed Site Plan



- Setbacks:** The apartment buildings would be set back a minimum 33 feet from the back of curb (property line) along Owens Drive (a minimum of 20 feet from the back of the proposed sidewalk), a minimum of 39 feet from the back of curb (property line) along the Rosewood Drive bus turn out (a minimum of 29 feet from the back of the existing sidewalk), and a minimum of 60 feet from the southeastern property line abutting Tassajara Creek. The retail buildings would be set back a minimum of 21 feet from the back of curb (property lines) along Owens and Rosewood Drives (a minimum of 10 feet from the back of the proposed sidewalks). The parking garage would be setback approximately 486 feet from the western (Rosewood Drive) property line, 91 feet from the eastern property line, 525 feet from the southern (Owens Drive) property line, and 1,610 feet from the northern (Rosewood Drive) property line.
- Height:** The four garden style apartment buildings would be three-stories tall with a maximum height of approximately 37 ½ feet, as measured from the grade at the exterior of the building to the top of the highest parapet. The podium style building would be four apartment floors over a semi-underground parking garage. The podium building would have a maximum height of approximately 53 ½ feet, as measured from the grade at the exterior of the building to the top of the highest parapet. The one-story community buildings would have a maximum height of approximately 23 feet. The one-story retail buildings would have a maximum height of approximately 26 feet 8 inches. The office parking garage would have a maximum height of approximately 57 feet as measured at the top of the elevator towers.
- Unit Sizes:** The 305 units include 34 studio units measuring 620 sq. ft. in area, 139 one-bedroom units ranging from 740 to 817 sq. ft. in area, 110 two-bedroom units ranging from

982 to 1,278 sq. ft. in area, and 22 three-bedroom units ranging from 1,327 to 1,403 sq. ft. in area. Please see the “Project Data” table on Sheet A0-1 of the proposed plans for a detailed breakdown of the unit types for each building. A washer and dryer would be provided for each unit.

- Open Space and Amenities: The project includes several active and passive recreation areas and amenities. Interior recreation areas and amenities include a fitness building, a community room, a bike shop, business center, and two common rooms in the podium building. Exterior recreation and amenity areas include a pool, spa, seating areas, barbeque area, bocce ball court, children’s play area with play equipment, and two common greens. The podium building would also have a plaza area along the Owens Drive frontage and a central open space area with various seating areas, pavilion with kitchen, and fireplace feature. A retail plaza area would be located at the corner of Owens and Rosewood Drives. Two-hundred ninety seven (297) of the 305 units would have private open space areas in the form of patios or balconies. The private open space areas range from 50 to 188 sq. ft. in area.
- Vehicular Access: Vehicular access to the apartments would be provided from the two existing Owens Drive driveways with the right-in/right-out eastern driveway modified to provide full access. A new median break in Owens Drive would be installed for the eastern driveway. Two drive aisles from the apartment site would connect to the existing office parking lots, making it possible for the apartment residents to access the property through the office parking lots (and vice versa). Two new driveways would be installed to serve the retail buildings: one on Rosewood Drive and one on Owens Drive. An existing bus stop on Rosewood Drive would be modified slightly to accommodate the Rosewood Drive driveway.
- Pedestrian Access: A pedestrian walkway with decorative paving would link the retail plaza and retail buildings with the community buildings and would then continue northeast to link with the office complex. Other walkways would traverse throughout the site. Two pedestrian connections would be provided to the future trail along Tassajara Creek. Pedestrian access to the apartment units would be from internal corridors coming from common entries and/or individual garages. Most of the ground floor units would also have direct porch entrances.
- Apartment Building Design: The apartment buildings display a mix of traditional and contemporary characteristics given the surrounding development containing both contemporary office and retail buildings and traditionally styled apartment complexes. Building walls would pop-in or -out to provide variation in the wall plane and break up the building mass. The rooflines of the buildings undulate and vary in shape/material (parapeted stucco, cementitious horizontal or panel siding, and sloped asphalt shingles) to break up the building mass and add interest. Building walls vary in materials (stucco, cementitious horizontal siding, and smooth cementitious panels) and colors to provide variety and interest.

Figure 4, Building G2 Front Perspective



Figure 5, Podium Building Perspective from Owens Drive



- **Retail Building Design:** The retail buildings would utilize similar architectural features, materials, and colors as the apartment buildings, but with a more contemporary look. Storefront windows with metal shade canopies would be located on both the parking lot and street/plaza side to provide an attractive appearance from both sides of the building. Conceptual signs are shown on the elevations, but no sign details have been provided at this time.

Figure 6, Retail Building Perspective from the Owens Dr. and Rosewood Dr. Intersection



- **Apartment and Retail Parking:** A total of 489 resident and guest parking spaces would be provided through 247 spaces in the podium basement garage, 60 spaces in the garden apartment building garages, 42 carport spaces, 76 surface parking spaces, and 75 shared office/residential spaces located northeast of the podium building and Building G1. At least

one covered space would be provided for, and assigned to, each apartment unit. A 41-space parking lot would serve the retail buildings.

- **Office Parking:** In order to accommodate the residential and retail development, 1,242 of the 3,916 existing office parking spaces would be removed and replaced with 1,459 new parking spaces comprised of 518 surface and 941 garage parking spaces. Most of the new surface parking spaces would be created by replacing two lawn areas adjacent to the office buildings. The 941-space, five-level parking garage would be located between the southernmost office buildings and the podium apartment building. The surface parking spaces around the parking structure would also be reconfigured.

Figure 7, Office Parking Structure Perspective from Northeast



- **Tree Removal:** A total of 319 existing trees on the subject property could be removed to accommodate the proposed development, including 48 heritage-sized trees (as defined by the Municipal Code). All of the trees to be removed are ornamental species planted in 1987-88 with the construction of the AT&T center. Preliminary landscape plans have been provided for the site, including enlargements of the plazas, podium open space, and community buildings.
- **Development Agreement:** The applicants have proposed a development agreement to vest the entitlements for the project. The term of the development agreement would expire in 10 years.

IV. ANALYSIS

Land Use

Conformance with the General Plan

The subject parcel has a General Plan Land Use Designation of “Mixed Use/Business Park” which permits land uses such as office, retail, hotel and other commercial uses, community

facilities, research and development, and residential. The residential and commercial uses are consistent with this land use designation. The Mixed Use/Business Park land use designation requires residential projects to have densities of at least 20 dwelling units per acre with higher densities (30 units per acre or more) encouraged in locations proximate to BART stations and other areas near transit. In addition, Program 11.1 of the Housing Element indicates that sites designated Mixed Use shall be developed at a minimum density of 30 units per acre. The proposed density of 36.3 dwelling units per acre is consistent with the General Plan (please see the “Housing Site Development Standards and Design Guidelines” section below for additional density discussion). Below are some of the General Plan Goals, Programs, and Policies that the project is consistent with or would promote:

Land Use Element

Sustainability

Program 2.1: Reduce the need for vehicular traffic by locating employment, residential, and service activities close together, and plan development so it is easily accessible by transit, bicycle, and on foot.

Program 2.2: Encourage the reuse of vacant and underutilized parcels and buildings within existing urban areas.

Program 2.3: Require transit-compatible development near BART stations, along transportation corridors, in business parks and the Downtown, and at other activity centers, where feasible.

Program 2.4: Require higher residential and commercial densities in the proximity of transportation corridors and hubs, where feasible.

Program 2.6: Require design features in new development and redevelopment areas to encourage transit, bicycle, and pedestrian access, such as connections between activity centers and residential areas, and road design that accommodates transit vehicles, where feasible.

Program 2.8: Require land development that is compatible with alternative transportation modes and the use of trails, where feasible.

Overall Community Development

Policy 4: Allow development consistent with the General Plan Land Use Map.

Residential

Policy 9: Develop new housing in infill and peripheral areas which are adjacent to existing residential development, near transportation hubs or local-serving commercial areas.

Policy 10: Provide flexibility in residential development standards and housing type consistent with the desired community character.

Industrial, Commercial and Office

Policy 13: Ensure that neighborhood, community, and regional commercial centers provide goods and services needed by residents and businesses of Pleasanton and its market area.

Mixed Use

Policy 16: Encourage mixed-use development which encompasses any combination of commercial development, housing units, or community facilities in an integrated development. In areas served by transit, encourage mixed use and residential densities that support affordable housing and transit.

Program 18.2: Provide land use flexibility for the Hacienda Business Park, portions of Stoneridge Mall area, and other areas through the Mixed Use/Business Park, and Mixed Use land use designations. The intent is to plan for a mixed use area sufficient to accommodate the City's Regional Housing Needs Determination.

Housing Element

Housing Variety, Type, and Density

Goal 1: Attain a variety of housing sizes, types, densities, designs, and prices which meet the existing and projected needs of all economic segments of the community.

Housing Location

Policy 35: Disperse high-density housing throughout the community, in areas near public transit, major thoroughfares, shopping, and employment centers.

Program 35.1: Provide and maintain existing sites zoned for multi-family housing, especially in locations near existing and planned transportation and other services, as needed to ensure that the City can meet its share of the regional housing need.

Zoning and Uses

The approximately 8.4-acre southern portion of the property was rezoned in January 2012 to allow multi-family residential and retail uses. Therefore, no rezoning is needed to allow the proposed multi-family residential and retail development. The permitted, conditionally permitted, and expressly prohibited retail uses were established when the property was rezoned (indicated on pp.11-12 of the Standards). Condition No. 1 in the draft conditions of approval incorporates these same retail uses for the retail buildings. The zoning and uses for the northern, approximately 52.5-acre office portion of the site would not change.

Housing Site Development Standards and Design Guidelines

Density

The proposed density of 36.3 dwelling units per acre conforms to the 35-40 dwelling units per acre density range stipulated by the Standards. The proposed 7,520 sq. ft. of retail building area conforms to the 10,000 sq. ft. maximum retail area allowed by the Standards.

Exceptions Requested by Applicant

The project conforms to most of the Standards. The applicant is requesting three exceptions to the Standards. For the Commission's reference, the page and section number for each item below is noted in *italics*.

1. Street Hierarchy and Parking Orientation (*p.20, Development Standard A4.3*) – The project complies with the Standards except for the Internal Street section between the leasing/community buildings and the G3 buildings, which should have parallel parking on one side of the street.

Comments: Staff believes that head-in parking makes the most sense on the leasing (north) side of the drive aisle and there isn't enough room on the south side to provide more than two or three parallel parking spaces. Therefore, staff can support an exception in this case to allow head-in parking on both sides.

2. Garage Doors (*p.22, Design Guideline A5.b.*) – Garage doors should be recessed at least two feet from the building façade. In order to provide variation in the garage wall plane, approximately 50% of the garage doors on Buildings G1-G3 would be recessed two feet from the building façade, while the other 50% would be recessed one foot.

Comments: Staff can support an exception to this requirement as we find the applicant's alternative garage design minimizes the visual prominence of garage doors, thereby meeting the intent of the guideline.

3. Retail Buildings (*p.40, Development Standard C5.3*) – Storefronts are required to have a 40 ft. minimum depth with 60 ft. preferred at corners. The proposed retail spaces are irregularly shaped with depths varying from a minimum of 31 ft. up to 54 ft., as measured at the outside walls.

Comments: Staff can support an exception to this requirement as the depths appear adequate given the limited site area that the applicant has to work with to accommodate both the required number of residential units and the encouraged retail space. Also, staff agrees with the Commission's comment at the work session that the applicant would have ensured the tenant spaces were designed such that they could be leased by retail tenants.

Site Plan

The project complies with minimum building setbacks and the community buildings have been centrally located to provide easy access to all residents. The retail buildings and retail plaza will provide a focal point for the corner. The office parking garage has been positioned to minimize its visibility from roadways and adjacent properties. Overall, staff believes that the proposed site plan and positioning of the buildings are appropriate for the subject property.

Floor Area Ratio

The Housing Site Development Standards and Design Guidelines indicate that there is no FAR applicable for the residential/retail project. With respect to the office portion of the site, the Hacienda Guidelines exempt parking structures from inclusion in the FAR calculation. Since the property would not be subdivided, the FAR for the existing office building area would not change (the current office FAR is 38.3%, which conforms to the 40% maximum allowed).

Open Space/Amenities

The project includes several active and passive recreation areas and amenities. Interior recreation areas and amenities include a fitness building with yoga studio, a community room with kitchen, a bike shop, business center, and two common rooms in the podium building. Exterior recreation and amenity areas include a pool, spa, seating areas, barbeque area, bocce ball court, children's play area with play equipment, and two common greens. The podium building would also have a plaza area along the Owens Drive frontage and a central open space area with various seating areas, pavilion with kitchen, and fireplace feature. A retail plaza area would be located at the corner of Owens and Rosewood Drives. Residents of the project would also be able use nearby public parks: Owens Plaza Park is across Owens Drive in the Archstone Apartment project and Creekside Park is just a bit farther away to the southeast and is accessible via an existing public trail.

The Standards require a minimum of 250 sq. ft. of group open space per dwelling unit (305 units x 250 = 76,250 sq. ft.). Private open space is not required, but, if provided, it can be deducted from the group open space requirement at a 2:1 ratio (i.e., 1 sq. ft. of private open space = 2 sq. ft. of group open space). The project would provide 49,373 sq. ft. of group open space and 22,862 sq. ft. of private open space, which is equivalent to a total of 95,097 sq. ft. of group open space. Therefore, the project complies with the open space requirements. The residents would have access to even more open space than the above total as the common green area north of the podium building and the northern portion of the central hub open space area and bocce ball court were excluded from the open space calculation as they are located on the office portion of the property.

At the work session, two Commissioners suggested that a children's activity area be provided in the podium central open space area. The applicant did not add a children's activity area in the podium open space because it would create unwanted noise for the podium residents in the adjacent units (particularly since it is an enclosed area surrounded by four-story walls), the

applicant desires to provide more adult-themed activities in this open space area such as wine tastings, and because a tot lot with play equipment would be provided a short walk away.

Regarding private open space, the Standards do not require private open space be provided for each unit. Two-hundred ninety seven (297) of the 305 units would have private open space areas in the form of patios or balconies. The private open space areas range from 50 to 188 sq. ft. in area. The eight units without private open space are located at the northern corner of the podium building's central open space (two Unit Type P-2b per floor). The applicant removed the patios/balconies at those locations in order to maximize the opening between the central open space and the courtyard to its north.

Overall, staff finds the project amenities and group and private open space to be acceptable.

Traffic and Circulation

Vehicular access to the apartments would be provided from the two existing Owens Drive driveways: the western driveway would be narrowed by approximately 22 feet to accommodate one 16-foot entry lane and one 12-foot exit lane; and the eastern driveway is proposed to be widened by approximately six feet to accommodate one 14-foot wide entry lane and two 11-foot wide exit lanes. The existing Owens Drive median break for the western driveway would remain and a new median break would be installed for the eastern driveway. Two drive aisles from the apartment site would connect to the existing office parking lots, making it possible for the apartment residents to access the property through the office parking lots (and vice versa). Two new driveways would be installed to serve the retail buildings: one on Rosewood Drive and one on Owens Drive.

The Pleasanton General Plan requires site-specific traffic studies for all major developments which have the potential to exceed Level of Service (LOS) D at major intersections and requires developers to implement the mitigation measures identified in these studies in order to maintain LOS D or better. Exceptions are made for the Downtown and "Gateway Intersections" where the LOS D or better standard may be exceeded. A traffic study was prepared by Fehr and Peers, acting as the City's traffic consultant, to analyze the traffic and circulation for this project.

The traffic study analyzed the near-term and cumulative/long-term traffic scenarios with and without the project. The near-term scenario includes the existing traffic plus anticipated traffic from approved but not yet built projects. The cumulative/long-term (or build-out) scenario consists of development that has not received final plan approval from the City but has been identified to be completed in the long term with the build out of the Pleasanton General Plan. Regional traffic growth is also considered in the cumulative/long-term scenario. Ten intersections were analyzed in the traffic study as they provide access to the project site and are likely to be affected by the project based on the number of trips that the project adds to the intersections.

The AM and PM peak hour vehicular trips for the proposed projects were developed based on trip generation rates contained in the Institute of Transportation Engineers (ITE) publication Trip Generation, 9th Edition. This is a standard reference used by jurisdictions throughout the country and is based on actual trip generation studies at numerous locations in areas of various populations. The proposed 305 apartments and 7,520 square feet of retail space would generate a total of 163 AM peak hour trips (35 trips inbound and 128 trips outbound) and 217 PM peak hour trips (136 inbound and 81 trips outbound). It should be noted that these figures represent a conservative, worst-case scenario and do not include any trip reductions for residents and employees using transit.

The traffic study concluded that traffic from the proposed project would not degrade any of the major study intersections to LOS E or worse in the near-term nor cumulative/long-term scenarios. The project driveways are not considered major intersections (as defined by the General Plan) and, therefore, are not subject to the General Plan's LOS D or better requirement. However, it is still desirable to have the project driveways operate efficient and safely. The traffic consultant and City Traffic Engineer found that the project driveways have been designed to operate efficiently and safely provided a slight modification is made to the eastern Owens Drive driveway. Staff and the traffic consultant believe that office tenants wishing to enter/exit the site from Owens Drive would primarily use the eastern Owens Drive driveway as the eastern drive aisle would provide straight and direct access to the office parking areas. Therefore, the traffic consultant and the City Traffic Engineer recommend that the eastern Owens Drive driveway be modified to accommodate additional vehicle queues leaving the site. It is recommended that the driveway be widened to 37 feet (consisting of one 15-foot wide ingress lane and two 11-foot wide egress lanes) extending 50 feet into the site as measured from the end of the driveway radius. A condition of approval addresses this item. A condition of approval has also been included to address the traffic study's recommendation to maintain the landscaping at the easterly driveway intersection to avoid sight distance conflicts.

The traffic study recommends that the eastern Owens Drive driveway be monitored after the project is constructed and the CA Center reaches a typical level of occupancy to determine if signalization is warranted. The City Traffic Engineer indicated that the City would monitor the intersection and, should signalization be warranted in the future, it would be installed as a City project.

The eastern Owens Drive driveway would be changed from a right-turn in/out driveway to a full access driveway to also allow left-turns in/out. It is anticipated that office tenants wishing to enter/exit the site from Owens Drive would primarily use this driveway as the eastern drive aisle would provide straight and direct access to the office parking areas. Given this added traffic, the City Traffic Engineer recommended that the eastern drive aisle be widened to 26 ft. to match the width of the other office drive aisles (compared to the 24 ft. drive aisles in the proposed residential development). This recommendation is reflected in the proposed plans. Given that this drive aisle would be adjacent to the proposed podium residences, staff believes that a traffic calming measure should be utilized in order to control/reduce vehicle speeds along this drive

aisle. Staff is recommending that a speed table be installed in the drive aisle where the pedestrian trail crossing is proposed by the podium building.

Transportation and traffic were also analyzed in the Supplemental Environmental Impact Report (SEIR) for the Housing Element update and Climate Action Plan General Plan Amendment and Rezonings (see Environmental Assessment section below for additional discussion). The only traffic-related mitigation measure requires developers of the potential sites for rezoning to contribute fair-share funds through the payment of the City of Pleasanton and Tri-Valley Regional traffic impact fees to help fund future improvements to local and regional roadways. The project has been conditioned to pay the applicable City and Tri-Valley Regional traffic impact fees.

Trail Connection

Two pedestrian/bicycle connections would be provided to a future trail along Tassajara Creek. The Tassajara Creek trail is planned as a Class 1 trail (10-ft. wide paved with a 4-ft. wide compacted soil/decomposed granite side path) that would extend from the Arroyo Mocho trail at the south end up to Rosewood Dr./I-580 to the north. Along the CA Center site, the trail would be located on top of the existing Zone 7 gravel access road on the west side of the creek. There is currently no funding for the Tassajara Creek trail. In the meantime, staff asked Zone 7, the owner of Tassajara Creek, if it would allow public access on the existing gravel access road along the CA Center site, similar to what was done at the adjacent Archstone Apartment project and at other creek/arroyo locations in the City. Zone 7 indicated this would be acceptable subject to the terms of the existing license agreement between the City and Zone 7. To allow public access, the existing fences at either end of the trail on Owens Dr. and Rosewood Dr. would need to be modified by installing a pedestrian/bicycle opening. The applicant indicated that it is willing to install the fence modifications and a condition of approval addresses this item.

Parking

Residential

The Standards established minimum parking requirements for the residential portion of the project. Those requirements and the proposed parking are indicated in the table below:

Parking Standard	Required	Proposed
Residents - 1.5 spaces per unit	458	458
Visitor Parking - 1 space per 10 units	31	31
Total	489	489

The Standards for this site indicate a shared parking opportunity with the office portion of the property and 75 of the 489 residential spaces noted above would be shared office/residential spaces. In general, the office tenants would use the parking spaces during office hours and residents would use the spaces at other times. A condition of approval requires that the

applicant provide details on how the spaces would be identified and regulated. Overall, the project complies with the residential parking requirements.

Retail

The Standards do not indicate a minimum parking ratio for retail. The Hacienda Guidelines require 1 space/200 sq. ft. for commercial/retail uses where such uses are allowed. The applicant proposes 41 spaces (1 space/183 sq. ft.), which complies with the Hacienda Guidelines and staff believes is acceptable.

Office

In order to accommodate the residential and retail development, 1,242 of the 3,916 existing office parking spaces would be removed and replaced with 1,459 new parking spaces comprised of 518 surface and 941 garage parking spaces. As proposed, a total of 4,133 spaces would be provided for the office tenants. The Hacienda Guidelines require 1 space/250 sq. ft. for office uses. The applicant proposes 1 space/246 sq. ft. for the office area, which complies with the Hacienda Guidelines. A total of 189 carpool/vanpool spaces are proposed. The applicant will need to designate 15 more carpool/vanpool spaces in order to comply with the Hacienda Guidelines. A condition of approval addresses this item.

Bicycle

The Standards require 0.8 bicycle spaces per apartment unit that is secured and weather protected (305 units x 0.8 = 244 spaces required). The project would provide 245 spaces (60 in the private garages and 185 in bike storage rooms) in compliance with this requirement. The Standards also require a minimum of two public bike racks per 50 dwelling units which must be located within 100 ft. of main entries (12 racks required). The project would provide 12 racks as required. For the retail component, the Standards require two racks per 5,000 sq. ft. (3 racks required). Three racks would be provided as required.

Noise

External noise sources that could affect the site include traffic noise from Interstate 580 to the north, adjacent City streets, and adjacent land uses. For multi-family housing projects, the City's General Plan requires that outdoor recreation areas not exceed 65 dB L_{dn} and that indoor noise levels not exceed 45 dB L_{dn}. Staff notes that the outdoor noise standard applies to the common outdoor recreation areas such as pools, spas, play areas, seating areas, etc., but not to the private balconies, patios, or porches. A noise study (Exhibit B) was prepared to ensure that the project will meet General Plan noise standards. The noise study indicates that the exterior noise levels for the project would comply with the General Plan standard and that the interior noise levels would comply with the General Plan standard using standard construction materials and techniques. Therefore, noise mitigation would not be required for the project.

Noise Impacts on Adjacent Properties

The development of commercial and residential uses on the property will generate added urban noise, such as traffic, loading and unloading of delivery trucks, children playing, etc. However, given the existing noise levels produced by nearby freeway and street traffic, and the existing commercial and office uses in the area, noise levels will not change substantially from that currently experienced in the area. During operation, the commercial uses will be required to meet the City's Noise Ordinance.

A mitigation measure of the SEIR required that the future projects analyze whether they would add off-site traffic noise in excess of 55 dBA as described in the SEIR and, if they did, the applicant would need to contribute its fair share to mitigate the noise impact. The noise study determined that the project would not add traffic noise in excess of 55 dBA. Therefore, the applicant is not required to provide mitigation for this item.

Short-term construction noise would also be generated during construction. The SEIR included construction related mitigation measures (e.g., limiting construction hours, compliance with the City's Noise Ordinance, locating stationary construction equipment as far from occupied buildings as possible, etc.). Conditions of approval have been included to address these mitigation measures.

Grading and Drainage

The majority of the lot is relatively level with perimeter landscaped berms rising several feet high. Except for the podium garage excavation and removal of the landscaped berms, the applicant is proposing to generally maintain the existing grades on the property. Approximately 9,000 cubic yards of excess soil will need to be off-hauled from the site. The haul route will be subject to the approval of the City Engineer. Parking lot and roof drainage would drain into landscaped bioretention areas that would filter contaminants before entering the arroyos and, ultimately, the bay. As conditioned, staff finds the proposed grading and drainage plan to be acceptable and in compliance with applicable stormwater runoff requirements.

Architecture and Design

Apartment and Retail Buildings

Staff believes that the proposed buildings are well designed and articulated. The building designs are "four-sided" with no side minimized with respect to articulation or detailing. Portions of the building walls would pop-in or -out to provide variation in the wall plane and break up the building mass. The rooflines of the buildings undulate and vary in shape/material to break up the building mass and add interest. Building walls vary in materials and colors to provide variety and interest.

Although other apartment buildings constructed in Pleasanton may have more of a "residential" appearance, staff and the applicant did not want a significantly residential appearance for this

project given its location next to more contemporary styled office and retail buildings, which staff believes would have made the apartment buildings appear out of place. Staff believes that the proposed buildings contain an appropriate mix of residential and office characteristics given the surrounding building designs and that the buildings would complement, and be compatible with, the overall design character (and “look”) of Pleasanton. The Windstar and BRE apartment projects are examples of approved but not constructed projects that similarly have incorporated a mix of residential and office characteristics given their surroundings.

Staff is recommending that the applicant make a few minor revisions and/or provide additional details to address the following items:

Apartment Buildings

- Make the individual unit entries on the ground floor more prominent.
- Ensure the windows are “punched” in from the exterior building wall or defined by well-designed trims per the Standards.
- Ensure the reveals for the stucco and smooth cementitious panels are substantial enough to be discernible.

Retail Buildings

- Provide details of the planter areas, planter pots, enhanced paving, etc. along the storefronts.

Conditions of approval have been included to address these items.

The proposed building colors are the same as shown at the work session except the applicant revised the retail building colors to match the colors used on the community/leasing office buildings. At the work session, some Commissioners indicated a potential concern with the mustard yellow color depending on how bold/bright it was. The Commission requested that large color chips be provided when the project returned for its formal review. The applicant has provided 8½ inch by 11 inch samples of the colors (which will be available for viewing at the Planning Commission hearing). Staff finds the proposed colors, including the mustard yellow color, to be acceptable.

Office Parking Structure

Although no plans for the office parking garage were provided at the work session, the Commission was informed that a four-level garage would be proposed by the applicant. The applicant has since determined that additional parking spaces are desired for the office tenants and additional parking was added to the parking structure, resulting in a five-level structure.

The parking structure would feature concrete walls, rails, and columns. As some locations, steel cable rails would be used in lieu of concrete rails. Louvered glass stairway towers and concrete and glass elevator towers would be located at the northwest and northeast corners. These towers would serve as both the visual and pedestrian focal points of the structure. A horizontal metal

louver would be located on the east elevation to identify the single vehicular entry/exit point. The concrete would be light- or dark-grey color with a white accent band, the louvers would be painted forest green, and a yellow accent color would be used on the stairway tower and over the vehicular entry.

Staff believes that the proposed design achieves a balance of providing enough articulation and detail while not making the structure too massive and visually prominent. While the cable rail system would not provide much screening of parked vehicles in the garage, staff finds its use to be acceptable given that the parking structure would not be very visible as viewed from the surrounding streets and properties. Landscaping would be installed around the parking structure in conformance with the Hacienda Guidelines. Overall, staff finds the design of the parking structure to be acceptable and believes the structure would be compatible with the design of the adjacent office and residential structures.

Signage

Conceptual wall-mounted retail signage has been shown on the building elevations, but no sign details have been provided at this time. No signage information has been provided for the apartment identification. A condition has been included that requires the applicant to submit a comprehensive sign program for the retail and apartment portions of the project prior to installation of any signs.

Universal Design

Universal Design is a design principle that addresses the needs of people with reduced mobility, agility, and/or strength such as the elderly and persons with disabilities. It is usually applied to residential development types not normally covered by the ADA requirements of the California Building Code (CBC) such as single-family homes.

Although the City does not have an ordinance mandating Universal Design, the Housing Element contains a program (Program 41.8), which states:

Require some units to include Universal Design and visitability features for all new residential projects receiving governmental assistance, including tax credits, land grants, fee waivers, or other financial assistance. Consider requiring some units to include Universal Design and visitability features in all other new residential projects to improve the safety and utility of housing for all people, including home accessibility for people aging in place and for people with disabilities.

Recently approved apartment projects (BRE Properties and Windstar's PUD extension) were conditioned to provide Universal Design features for all of the required adaptable dwelling units. Staff has included the same condition for this project (No. 88).

Green Building

As required by the City's Green Building Ordinance, the proposed project is required to qualify for at least 50 points on Alameda County Waste Management Authority's "Multifamily Green Building Rating System." The applicant has proposed to incorporate green building measures into the project to allow it to qualify for 97 points. Some of the proposed green building measures include: installing water-efficient fixtures; exceeding Title 24 state energy conservation requirements by 15%; installing Energy Star[®] dishwashers; installing gearless elevators (use less energy and do not require lubricating oils); and utilizing zero or low volatile organic compound (VOC) emitting paints, coatings, caulks, adhesives, and sealants. Please see the attached Green Building checklist for the complete list of the proposed Green Building items.

The applicant has proposed to exceed the 50-point minimum. Staff appreciates that the applicant has included a considerable number of green building measures in the project.

Climate Action Plan

On February 7, 2012, the City of Pleasanton adopted a Climate Action Plan (CAP). The CAP was reviewed by the Bay Area Quality Management District and was deemed a "Qualified Greenhouse Gas Reduction Strategy" in accordance with the District's CEQA guidelines. Implementation of the CAP will occur over several years and will consist of amendments to regulations and policies related to Land Use and Transportation, Energy, Solid Waste, and Water and Wastewater, which will result in reductions in greenhouse gas emissions in compliance with the targets set by AB 32 California's Global Warming Solutions Act. In advance of full implementation of the City's CAP, staff had requested that the applicant prepare a checklist indicating specific items it would implement to support the CAP (Exhibit B).

As a mixed-use, high-density residential/commercial project located near BART, several commuter bus lines, and located within a major employment center, the project is generally consistent with Goal 1 of the CAP: to reduce vehicle miles traveled (VMT) through mixed-use, infill, and higher density development. In addition, several Strategies and Supporting Actions related to parking, transit use, water conservation, and energy conservation from the CAP are implemented in the proposed project or recommended conditions of approval.

School Impacts

A condition of approval requires the project developer to work with the Pleasanton Unified School District and the City Director of Community Development to develop a program, in addition to the school impact fees required by State law and local ordinance, to offset this project's long-term effect on school facility needs in Pleasanton. This program will be designed to fund school facilities necessary to offset this project's reasonably related effect on the long-term need for expanded school facilities to serve new development in Pleasanton. Construction

will not be allowed to start until the terms of this program and/or funds have been approved by the City.

Landscaping

Preliminary landscape plans have been provided for the site, including enlargements of the plazas, podium open space, and community buildings. Although the landscape plans are conceptual, staff believes that the species, quantities, and sizes of the proposed landscaping for the site is consistent with the Standards and Hacienda Guidelines and is generally appropriate. A condition of approval requires that detailed landscape and irrigation plans be provided at the building permit stage subject to the review and approval by the Director of Community Development.

Tree Removal

A tree report has been prepared that specifies the species, size, health, and value of the existing trees on the site that exceed six-inches in diameter. As indicated in the report, a total of 305 trees would need to be removed to accommodate the development, including 47 “heritage-sized” trees (i.e., a tree which measures 35 feet or greater in height or which measures 55 inches or greater in circumference). Staff notes that the tree report indicates that tree nos. 475-481 located south of the proposed parking garage would be saved, but the plans indicate they would be removed to accommodate new parking spaces. In addition, staff believes that tree nos. 493, 494, 511, 512, 521, and 522 near the proposed parking garage would most likely need to be removed based on the limits of grading and proposed improvements and utilities where these trees are located. One additional non-heritage-sized tree (no. 715) would need to be removed to accommodate the modification to the bus stop. Accounting for these trees, a total of 319 trees could be removed to accommodate the development, including 48 heritage-sized trees. All of the trees to be removed are ornamental species that were planted in 1987-88 with the development of the office complex. Tree species to be removed include Chinese tallow, blackwood acacia, callery pear, southern live oak, white alder, crab apple, Canary Island pine, albizia, and evergreen ash.

Program 2.1 of the General Plan Conservation and Open Space Element indicates that where preservation of heritage trees is not feasible, the City will require tree replacement or a contribution to the Urban Forestry Fund. The value of the 48 heritage trees to be removed is \$158,850. The applicant would install a total of 540 24-inch-box-sized trees with the proposed project. The installed value of the replacement trees (including labor to install, soil preparation, and tree stakes) is approximately \$175,500. Staff finds the tree replacement to be acceptable mitigation.

Affordable Housing and Housing Commission Recommendation

At its February 21, 2013, meeting, the Housing Commission reviewed an Affordable Housing Agreement (AHA) for the project, which included 36 affordable units, with 10 of the units rented at rates affordable to very-low-income households (50% of the annual median income for Alameda County), 21 of the units rented at rates affordable to low-income households (80% of the annual median income), and five units rented at rates affordable to moderate-income households (100% of the annual median income). The Housing Commission did not take action on the AHA, but continued the item, directing staff to meet again with the applicant to work toward providing 46 affordable units.

Since that time, staff met with the developer on a number of occasions in an attempt to develop an affordability level and unit mix that most closely reflects the intent of the City’s Inclusionary Zoning Ordinance (IZO), City development standards and design guidelines, and the Housing Commission’s interest. As an outcome of those discussions, a revised AHA was created. The revised AHA meets the City’s IZO goal of 15% affordable units. A summary of the original AHA (Option 1) and the revised AHA (Option 2) is shown in the table below:

SUMMARY OF CALIFORNIA CENTER AFFORDABILITY OPTIONS

Unit Type	OPTION 1 (February 21, 2013, Proposal)				OPTION 2 (Revised Proposal)			
	50% AMI ¹	80% AMI	100% AMI	Total	50% AMI	80% AMI	100% AMI	Total
Studio	5	0	0	5	5	3	8	16
1-Bedroom	5	5	5	15	3	4	5	12
2-Bedroom	0	6	0	6	0	4	6	10
3-Bedroom	0	10	0	10	0	4	4	8
Total	10	21	5	36	8	15	23	46

¹Annual Median Income for Alameda County

Please see the attached Housing Commission staff report for additional details and discussion. Staff is recommending Option 2 as it meets the IZO’s goal of 15% affordable units. In accordance with the City’s IZO, a developer’s affordable housing proposal and related Affordable Housing Agreement is to be reviewed by the Housing Commission which shall make a recommendation to the City Council. As such, the Planning Commission does not have a defined role in the process and the proposed level of affordability is provided for informational purposes only. The Housing Commission is scheduled to review the Affordable Housing Agreement again at its March 21, 2013, meeting. Since this Planning Commission staff report was written prior to the Housing Commission meeting, staff will indicate the outcome of the Housing Commission meeting at the Planning Commission hearing.

Development Agreement

State law authorizes cities and counties to enter into binding development agreements with any person having a legal or equitable interest in real property for the development of the property. A development agreement is a commitment between the City and a property owner or developer to proceed with a specific development in accordance with the terms of an agreement that describes what land use and related processes shall apply to the application. In essence, a development agreement locks in the laws in existence at the time of entering into the agreement and the City agrees not to change its planning or zoning laws applicable to the specific development project for a specified period of time. Therefore, future land use decisions regarding such a development project will not be based on then current planning and zoning law, but rather they will be based on the laws that were in existence at the time the development agreement was executed. The developer gains certainty, through the development agreement, of the continuity of regulations that were in force at the time of entering into the development agreement and prior to a commitment of a substantial investment for project improvements. In exchange, the City gets certain benefits and concessions that it might not be able to require through conditions of approval.

The applicant has proposed a 10-year term for the development agreement. The developer would be obligated to pay the applicable development impact fees which are in effect when the ordinance approving the agreement is effective. The agreement allows the City to utilize the project's in-lieu park dedication fees towards improving community parks in the City, including Phase II of Bernal Community Park. The agreement also ensures that the developer will provide a number and range of affordable housing units acceptable to the City. The draft development agreement is attached as Exhibit B.

The development agreement process requires that the Planning Commission provide a recommendation to the City Council for action. Staff supports the proposed development agreement and believes that the Planning Commission should provide a positive recommendation to the City Council.

Growth Management

The City's Growth Management Ordinance (GMO) regulates the number of residential building permits that can be issued each year in order to assure a predictable growth rate while providing housing to meet the needs of all economic segments of the community, regional housing needs, and employment growth. On November 20, 2012, the City Council adopted revisions to the City's Growth Management Ordinance in order to ensure the City could meet its current and future Regional Housing Needs Allocations (RHNA) by the Association of Bay Area Governments (ABAG). One of these revisions eliminated the annual 350 building permit limit which could be issued for residential units. For the current RHNA cycle (the fifth cycle, ending June 30, 2014), the GMO states that the annual unit allocation shall be equal to the number of units required to meet the City's RHNA for the fifth cycle.

The applicant is requesting that building permits for all 305 units be issued in 2014. As the applicant's units would be used to meet the RHNA for the current cycle, the applicant's growth management request should be approved as it is consistent with the GMO. Any growth management allocations approved for the project will be included in the proposed development agreement and extended into the future for the term of the development agreement. The applicant's Growth Management request does not need to be acted upon by the Planning Commission as it requires City Council decision only.

Developable Square Footage in Hacienda

Hacienda Business Park received its original Planned Unit Development rezoning and development plan approvals in 1982. Several modifications to the PUD have been approved in the last 31 years that have modified the types of uses allowed in Hacienda as well as the developable square footage. Brief descriptions of the updates related to the developable square footage are listed below.

Ordinance 1325 (Adopted August 4, 1987) - Approved the Phase 1 and Phase 2 development plans into a single combined project consisting of 833 acres. The total allowed square footage was not to exceed 11,755,000 square feet (excluding transit/public service center facilities and child day-care facilities).

Ordinance 1456 (Adopted April 3, 1990) - Rezoned 12.4 acres to High Density Residential (HDR). The 11,755,000 square foot cap was not modified.

Ordinance 1533 (Adopted January 7, 1992) – Rezoned 79 acres to HDR and reduced the maximum square footage allowed in Hacienda by 1,400,000 square feet (from 11,755,000 to 10,389,000 square feet) and prohibited the transfer of the office, commercial, and industrial building area from these 79 acres to other areas of the business park.

Ordinance 1596 (Adopted June 15, 1993) – Redesignated 30 vacant parcels (approximately 280 acres) to a Mixed Office/Industrial Planning District (MOIPD) or a Mixed Commercial/Office/Industrial Planning District (MCOIPD) to allow more flexibility in uses, building height, FAR, parking, landscaping, etc. The total developable square footage in Hacienda was reduced to 9,889,000 square feet excluding residential areas, child day-care facilities, transit/public service center facilities, and BART stations and related facilities. In addition, a separate 4,623,000 square foot cap was established for the 30 parcels redesignated to MOIPD and MCOIPD excluding BART stations and related facilities.

Ordinance 1637 (Adopted Sept. 6, 1994) – Added another Hacienda parcel to the 30 lots subject to the separate 4,623,000 square foot cap and increased this cap to 4,631,059 square feet. The total Hacienda building area cap of 9,889,000 square feet did not change.

As a result of Ordinance 1596, tracking of the 9,889,000 developable square feet in Hacienda needs to be done in two separate groups of properties: 1) the non-MOIPD and non-MCOIPD properties (commonly called pre-1993 properties) and; 2) the MOIPD and MCOIPD properties (commonly called post-1993 properties). The CA Center property is a pre-1993 property. The breakdown of the square footage allocated to each group is shown in the table below:

	Total Square Feet Allowed
Pre-1993	5,257,941
Post-1993	4,631,059
Total	9,889,000

Roughly 552,000 square feet remains unassigned in Hacienda Business Park broken down for the two groups of properties as follows:

	Total Square Feet Allowed	Total Built or Approved Square Feet	Total Remaining Square Feet
Pre-1993	5,257,941	4,864,392	393,549
Post-1993	4,631,059	4,472,483 ¹	158,576
Total	9,889,000	9,336,875	552,125

¹For post-1993 properties, commercial uses are converted into office-equivalent square footage based on the PM peak hour traffic trips generated.

The 552,000 square feet of unassigned capacity may change based on a few unresolved items: whether all residential uses are exempt from the cap and how and where to allocate excess capacity. There is language in Ordinance 1596 that indicates that all residential areas should be excluded from the calculation of the 9,889,000 square feet. However, it is unclear if the language relates to the existing and proposed residential projects in 1993 or if it also includes any future residential development in Hacienda. The issue of how to best treat the residential development against the cap needs to be resolved. Determinations are also needed on how and where the remaining square footage should be assigned (e.g., Should it remain first-come first-served with respect to its allocation? Should square footage in the pre-1993 area stay in the pre-1993 properties or could it move to post-1993 properties as long as the overall 9,889,000 square foot cap is maintained?). Staff is planning to bring these questions to Council this year to obtain direction.

In the meantime, staff believes it is acceptable to approve this project without these determinations made given that the City needed to allow residential on this site in order to meet its RHNA and, even if the City Council decides to count this project's 305 residential units towards the cap, it would still fit under the pre-1993 cap as shown in the table on the following page.

Total Remaining Square Feet for Pre-1993 Properties	393,549 sq. ft.
Proposed CA Center Project:	
▪ Residential	126,913 sq. ft. ¹
▪ Retail	7,520 sq. ft.
▪ Total	134,433 sq. ft.
Pre-1993 Cap Remaining Including Project	259,116 sq. ft.

¹Converted into office-equivalent square footage as follows:
305 units x 0.62 pm peak trips/unit = 189.1 pm peak trips. 189.1 pm peak trips x 1,000 sq. ft.
of office/1.49 pm peak trips = 126,913 office sq. ft.

Hacienda Owners Association

Hacienda Owners Association has authority to review and approve the proposed development before action is taken by the City. The approval letters from Hacienda Owner Association’s General Manager, James Paxson, are attached as Exhibit G.

V. PUD CONSIDERATIONS

The Zoning Ordinance of the Municipal Code sets forth purposes of the Planned Unit Development District and "considerations" to be addressed in reviewing a PUD development plan.

1. Whether the plan is in the best interests of the public health, safety, and general welfare:

The proposed project, as conditioned, meets all applicable City standards concerning public health, safety, and welfare. The subject development would include the installation of all required on-site utilities with connections to municipal systems in order to serve the new development. The project will not generate volumes of traffic that cannot be accommodated by existing City streets and intersections in the area. The structures would be designed to meet the requirements of the Uniform Building Code, Fire Code, and other applicable City codes. The proposed development is compatible with the adjacent uses and would be consistent with the existing scale and character of the area. The project also would provide affordable rental housing and help the City to meet its requirements for provision of lower income housing.

Therefore, staff believes that the proposed PUD development plan is in the best interests of the public health, safety, and general welfare, and that this finding can be made.

2. Whether the plan is consistent with the City's General Plan and any applicable specific plan:

The site's General Plan Land Use Designation of "Mixed Use/Business Park" allows the existing office uses as well as the proposed retail and residential uses. The proposed density of 36.3 dwelling units per acre is consistent with the General Plan. The proposed project would further several General Plan Programs and Policies encouraging new housing to be developed in infill and peripheral areas which are adjacent to existing residential development, near transportation hubs, or local-serving commercial areas and for the City to attain a variety of housing sizes, types, densities, designs, and prices which meet the existing and projected needs of all economic segments of the community.

Staff concludes that the proposed development plan is consistent with the City's General Plan, and staff believes that this finding can be made.

3. Whether the plan is compatible with previously developed properties in the vicinity and the natural, topographic features of the site:

The project site is surrounded by a variety of uses: multi-story office buildings, a shopping center, and apartment housing. The proposed residential and retail uses for the site would be compatible with the surrounding uses. The building heights would be compatible with the multi-story office and apartment buildings on and adjacent to this site. The buildings have been attractively designed and would be compatible with the design of the surrounding structures. The buildings contain many architectural elements/treatments to help break up the building mass and height. New landscaping would be installed to soften the buildings and help screen the parking areas from off-site views. The majority of the site is relatively level. Except for the podium garage excavation and removal of the landscaped berms, the existing grades on the property would generally be maintained. Grading conducted on the site will be subject to engineering and building standards prior to any development.

Therefore, staff believes that this finding can be made.

4. Whether grading takes into account environmental characteristics and is designed in keeping with the best engineering practices to avoid erosion, slides, or flooding to have as minimal an effect upon the environment as possible.

As described above, the site is relatively level with minimum changes in grades proposed. Erosion control and dust suppression measures will be documented in the improvement plans and will be administered by the City's Building and Public Works Divisions. City building code requirements would ensure that building foundations, on-

site driveways, and parking areas are constructed on properly prepared surfaces. The proposed development would provide adequate drainage to prevent flooding. Parking lot and roof drainage would drain into landscaped bioretention areas that would filter contaminants before entering the arroyos and, ultimately, the bay. The site is not located within an Alquist-Priolo Earthquake Fault Zone. The flood hazard maps of the Federal Emergency Management Agency (FEMA) indicate that the subject property is not located in a flood hazard zone.

Therefore, staff believes that this finding can be made.

5. Whether streets and buildings have been designed and located to complement the natural terrain and landscape:

The project site is in a developed area of the City and would not involve the extension of any new public streets. The relatively flat, urban infill site has no constraints to either roads or buildings. Development of the site complements the natural terrain by making only minor changes as necessary to the site's existing relatively flat topography. The proposed buildings will be compatible in size and scale with surrounding structures.

Therefore, staff believes that this PUD finding can be made.

6. Whether adequate public safety measures have been incorporated into the design of the plan:

The public improvements associated with this project would be consistent with City design standards. The driveway entrances are located and configured to provide adequate line-of-sight viewing distance and to facilitate efficient ingress/egress to and from the project site. All on-site drive aisles would meet City standards for emergency vehicle access and turn-around. Adequate access would be provided to all structures for police, fire, and other emergency vehicles. Buildings would be required to meet the requirements of the Uniform Building Code, Fire Code, other applicable City codes, and State of California energy and accessibility requirements. The buildings would be equipped with automatic fire suppression systems (sprinklers).

Therefore, staff believes that this finding can be made.

7. Whether the plan conforms to the purposes of the PUD District:

The proposed PUD development plan conforms to the purposes of the PUD district. One of these purposes is to ensure that the desires of the developer and the community are understood and approved prior to commencement of construction. Staff believes that the proposed project implements the purposes of the PUD ordinance in this case by providing a mixed-use high-density residential and retail project that is well-designed and well-

integrated with the existing office development on the subject property, that fulfills the desires of the applicant, and that meets the City's General Plan goals and policies. Moreover, input from the adjacent property owners and tenants has been sought and obtained through a Planning Commission work session; further opportunity for public comment will occur at the Planning Commission, Housing Commission, and City Council hearings.

Staff believes that through the PUD process the proposed project has provided the developer and the City with a development plan that optimizes the use of this infill site in a sensitive manner. Therefore, staff believes that this finding can be made.

VI. PUBLIC COMMENT

Public notices were sent to property owners within a 1,000-foot radius of the project site and tenants of the Archstone Apartments, Hacienda Commons Apartments, Eaves Pleasanton Apartments, and the Metro 580 Shopping Center. At the time this report was written, staff had not received any comments from the surrounding property owners or tenants. Staff will forward to the Commission any public comments as they are received.

VII. ENVIRONMENTAL ASSESSMENT

On January 4, 2012, the City Council certified a Supplemental Environmental Impact Report (SEIR) and adopted the CEQA Findings and a Statement of Overriding Considerations for the Housing Element update and Climate Action Plan General Plan Amendment and Rezonings. This SEIR was a supplement to the EIR prepared for the Pleasanton 2005-2025 General Plan which was certified in July 2009. The subject property was one of 21 potential housing sites analyzed in the SEIR. Up to 420 multi-family housing units and 10,000 sq. ft. of retail space were analyzed in the SEIR for this site.

Under CEQA, once an EIR has been prepared for a project, the lead agency (in this case, the City) may not require a subsequent or supplemental EIR unless:

- Substantial changes are proposed in the project that will require major revisions of the EIR;
- Substantial changes have occurred in the circumstances under which the project is being undertaken that will require major revisions in the EIR; or
- New information, which was not known and could not have been known at the time the EIR was certified as complete, becomes available.

The CEQA Guidelines further clarify the circumstances under which a supplemental or subsequent EIR may be required. Guidelines Section 15162 provides as follows:

(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The California Environmental Quality Act states that a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the above-listed conditions in Section 15162 calling for the preparation of a subsequent EIR have occurred. Staff believed that none of the conditions described in Section 15162 occurred. Therefore, an addendum to the SEIR was prepared for this project.

The analysis in the attached Addendum to the SEIR (Exhibit E) determined that the proposed project will not trigger any new or more severe significant environmental impacts as compared to those analyzed in the context of the SEIR and confirmed that none of the conditions described in Section 15162 occurred. Therefore, the previously prepared SEIR and Addendum to the SEIR, taken together, are determined to be adequate to serve as the environmental documentation for this project and satisfy all the requirements of CEQA.

The SEIR included some mitigation measures that needed to be addressed prior to issuance of a building permit for a project (e.g., pre-construction bat survey, air quality construction plan, etc). These mitigation measures have been addressed in the draft conditions of approval for this project.

The SEIR included a Statement of Overriding Considerations for two significant and unavoidable impacts:

Impact 4.D-1: Development facilitated by the General Plan Amendment and rezoning has the potential to adversely change the significance of historic resources.

The Irby-Kaplan-Zia and Pleasanton Mobilehome Park properties on Stanley Boulevard contain older structures that may be historic. Mitigation measures in the SEIR required that historic evaluations be conducted for the structures before they could be demolished. If deemed to be historic through these evaluations, the demolition of these structures to make way for new housing would be a significant and unavoidable impact. Staff notes that the Irby-Kaplan-Zia and Pleasanton Mobilehome Park properties were ultimately not included in the nine sites that were selected for multifamily housing.

Impact 4.N-7: Development facilitated by the General Plan Amendment and rezonings could potentially add traffic to the regional roadway network to the point at which they would operate unacceptably under Cumulative Plus Project conditions.

Traffic generated by development facilitated under the proposed Housing Element on the potential sites for rezoning would not worsen any segment projected to operate acceptably to unacceptable conditions; however, it would increase the volume to capacity ratio (V/C) by more than 0.03 on two roadway segments projected to operate at LOS F: Sunol Boulevard (First Street) between Vineyard Avenue and Stanley Boulevard under Year 2015 and 2035 conditions; and Hopyard Road between Owens Drive and I-580 under 2035 conditions. Based on the significance criteria, this is considered a significant impact. Existing development surrounding these roadways would need to be removed in order to widen them, rendering such widening infeasible. However, there are improvements that could be made to nearby parallel corridors which could create more attractive alternative routes and lessen the traffic volumes on Sunol Boulevard and Hopyard Road. A mitigation measure of the SEIR requires developers of the potential sites for rezoning to contribute fair-share funds through the payment of the City of Pleasanton and Tri-Valley Regional traffic impact fees to help fund future improvements to local and regional roadways. However, because the City cannot be assured that the collected regional funds would be spent to specifically improve the nearby parallel corridors as the regional funds are used by the regional agency, the traffic impact remained significant and unavoidable. Staff notes that the traffic impacts of the nine sites ultimately selected would be considerably less than the traffic impacts analyzed in the SEIR. Furthermore, the proposed project has 115 fewer units and 2,480 fewer square feet of retail area than were analyzed in the SEIR, further reducing traffic impacts.

VIII. CONCLUSION

Staff believes that the proposed site plan and positioning of the buildings are appropriate for the subject property. The applicant has included an adequate amount of usable open space and landscaped areas within the project given the site constraints. Staff finds the building design to be attractive and that the architectural style, finish colors, and materials will complement the surrounding development. The project also would provide affordable rental housing which would help the City meet its lower income housing goals.

IX. STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. Find that the conditions described in CEQA Guidelines Section 15162 have not occurred as described in the Addendum to the SEIR and find that the previously prepared SEIR, including the adopted CEQA Findings and Statement of Overriding Considerations, and the Addendum to the SEIR are adequate to serve as the environmental documentation for this project and satisfy all the requirements of CEQA;
2. Find that the proposed PUD development plan and development agreement are consistent with the General Plan;
3. Make the PUD findings for the proposed development plan as listed in the staff report;
4. Find that the exceptions to the Housing Site Development Standards and Design Guidelines as listed in the staff report are appropriate; and
5. Adopt resolutions recommending approval of: 1) Case PUD-85-08-1D-4M, PUD major modification and development plan, subject to the conditions of approval listed in Exhibit A; and 2) Case P13-0030, a development agreement for the project, and forward the applications to the City Council for public hearing and review.

For questions or comments about this proposal, please contact: Steve Otto, Senior Planner at 925-931-5608 or sotto@cityofpleasantonca.gov