

Planning Commission Staff Report

March 14, 2012
Item 6.a.

- SUBJECT:** PUD-85-08-12D (Site 1), PUD-81-30-86D (Site 2), & P11-0856
- APPLICANT:** Bob Linder / BRE Properties, INC.
- PROPERTY OWNERS:** WP Carey (Site 1) and BRE Properties Inc. (Site 2)
- PURPOSE:** Applications for: (1) two PUD (Planned Unit Development) Development Plan approvals to construct: (a) a mixed-use high-density residential/commercial development containing 251 residential units, 4 live/work units, and approximately 5,700 square feet of retail space at the property located at the southeast corner of Owens Drive and Willow Road (PUD-85-08-12D); and (b) a high-density residential development containing 247 residential units, 4 live/work units, and a .55-acre public park at the property located at the northern corner of Gibraltar Drive and Hacienda Drive (PUD-81-30-86D); and (2) an amendment to the Phase I and Phase II Development Agreements between the City of Pleasanton and Prudential Insurance Company of America to: (a) extend the term of the Development Agreement to five years from the date of approval of the two Development Plans referenced above; and (b) incorporate approval of the development standards and design guidelines of the Hacienda Transit Oriented Development (TOD) Standards and Guidelines (P11-0856).
- Also consider the Initial Study and Mitigated Negative Declaration prepared for the projects (Site 1, PUD-85-08-12D, and Site 2, PUD-81-30-86D).
- LOCATION:** The southeast corner of Owens Drive and Willow Road (Site 1) and the northern corner of Gibraltar Drive and Hacienda Drive (Site 2).
- GENERAL PLAN:** Mixed Use / Business Park (Industrial / Commercial and Office)
- ZONING:** PUD – MU (Planned Unit Development – Mixed Use)
- EXHIBITS:** A-1. Draft Conditions of Approval for Site 1
A-2. Draft Conditions of Approval for Site 2

- B-1. Site Plan, Building Renderings, Elevation Drawings, Landscaping Plans, and Civil Drawings dated “Received November 10, 2011” for Site 1
 - B-2. Site Plan, Building Renderings, Elevation Drawings, Landscaping Plans, and Civil Drawings dated “Received November 10, 2011” for Site 2
 - C. October 17, 2011, Planning Commission Meeting Minutes Excerpt
 - D. February 8, 2012, Joint City Council/Planning Commission Staff Report
 - E. Hacienda TOD Standards and Guidelines
 - F. Alternative Retail Depth Plans
 - G. November 17, 2011, Housing Commission Staff Report with Affordable Housing Agreements for Site 1 and Site 2
 - H. November 17, 2011, Housing Commission Meeting Minutes Excerpt
 - I. GreenPoint Multifamily Checklists for Site 1 and Site 2
 - J. Development Agreement Amendments
 - K. Location and Noticing Maps
 - L. Public Correspondence
 - M. Mitigated Negative Declaration
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BACKGROUND

On March 1, 2011, City Council adopted the *Hacienda Transit Oriented Development (TOD) Standards and Design Guidelines*. These Guidelines were an outcome of the Settlement Agreement for the *Urban Habitat v. City of Pleasanton* litigation and the Hacienda TOD Task Force. The standards and guidelines provide direction in regard to uses, density, affordability, building mass and height, setbacks, open space, parking, access, and street character for three vacant sites in Hacienda Park (i.e., Sites 1, 2, and 3). The Core PUD regulations found in the *Hacienda TOD Standards and Design Guidelines* apply only to these three specific sites in Hacienda; the standards do not apply to all of Hacienda Park. All development applications for the sites require review by the City through the Planned Unit Development (PUD) process, which will include review and recommendation by the Planning Commission and action by the City Council. Accordingly, the applicant has submitted two formal PUD applications for Sites 1 and 2.

Prior to presenting the applications to the Planning Commission for a formal recommendation to the City Council, and in order to receive input from the Planning Commission, City Council, and public regarding the proposed mixed-use apartment/commercial project (Site 1) and the residential live/work project (Site 2), staff presented the project at two separate work sessions. The first work session was held on October 17, 2012 with the Planning Commission and the second work session was a joint work session with the City Council and Planning Commission on February 8, 2012. The outcome of the work sessions is discussed in the *Work Sessions* section of this report.

Work Sessions

Planning Commission Work Session: At the October 17, 2011, Planning Commission meeting, the Commission was asked six questions regarding the two sites. Those questions are noted in *italics* with a summary of the Commission's comments thereafter.

A. Would the Planning Commission support exceptions to the Hacienda TOD Standards and Guidelines if the project were to move forward as proposed?

The Commission believed it could support exceptions to the live/work building depth given the uncertainty that the uses would be used as retail space and could support the substitution of alleys for internal streets because the alley street type of design that is proposed for both sites allows for more open space. The Commission requested that the main vehicular entries of the two sites be accentuated so people know they are the entryways and requested that the applicant return with visuals of what the entries will look like.

B. Are the building designs appropriate in their physical context adjacent to large office buildings?

Most of the Commissioners felt that the design for the two sites was appropriate, but requested that more consideration be given to the roof tops on Site 2. One Commissioner commented that more detailing on Site 2 should be added to reduce the "institutional" look. A request was made to have "really good" visuals when the application returns for a recommendation so that the Commissioners can get a better sense of what the project is going to look like standing on the ground and looking up. One Commissioner noted that she would have like to have seen more places where people can congregate within the complex.

C. Are the proposed building colors and materials acceptable?

The Commission felt that using different colors for each site was appropriate. They agreed with the applicant that the colors of Site 1 complemented the adjacent office buildings and the colors of Site 2 complemented the adjacent residential development. The Commission requested that larger color chips/samples be provided to help determine the actual colors since the plans are computer generated colors and don't truly represent the colors.

D. Is the positioning of the buildings acceptable?

The Commission was supportive of the positioning of the buildings for both sites. One Commissioner noted that the corner of Willow Road and Owens Drive (Site 1) was well designed and liked the positioning of the garages and how they are not exposed to the to the streets.

E. Is the size of the public park on Site 2 acceptable (.55-acres)?

Commissioners felt the park size was acceptable, although they wished it could have been larger. Some expressed a desire to expand the park onto the adjacent Shaklee property to make a larger park, at some point in the future.

F. What information would the Planning Commission wish to see to assist its decision on the proposals?

The Commission requested more viewsapes and detailed visuals to the greatest extent possible and additional detail work on the entryways for both sites when the application returns for a formal recommendation. The request was made to also have feedback from the Pleasanton Police Department indicating that the plans for Site 1 were reviewed and confirmation from the applicant that there will be on-site management security for both sites. One Commissioner requested specific details on the connection to the Iron Horse Trail to the two sites and whether there will be gates or if it will be open and the type of access across the parking lots to the trail. The request was made that the tot lot amenities, with their locations noted, and the view across the tot lots be incorporated into the plans when the application returns to the Commission for a formal recommendation. One Commissioner requested that bike parking or locker details be included in the plans to see what they look like and how they are accessed. The request was also made to have confirmation that the projects conform to the Pleasanton Pedestrian and Bicycle Master Plan.

The Planning Commission work session meeting minutes can be found in Exhibit C for the Commissions reference.

Based on the feedback received at the October 17, 2011, Planning Commission work session, the applicant made revisions to the plans to address the Commissions comments. Those revisions were reflected in the plans presented to the City Council/Planning Commission at their joint work session.

Joint City Council/Planning Commission Work Session: At the February 8, 2012, joint City Council/Planning Commission work session, the Council and Commission were asked to review the plans and provide feedback on the project. The comments and/or requested information discussed at the joint work session are summarized below.

- Commission: The Commissioners were pleased with the revisions that were made to the plans since the October 17, 2011, work session meeting. A Commissioner, as well as the Council, stated their concerns with the depth of the retail, live/work units being less than 40-feet. There was concern that those units would not be successful unless they had a minimum of 40-feet in depth. Commissioners requested additional retail depth information for the next meeting to help assess if having less than 40-feet in depth would be appropriate. (See discussion of alternative plan for live/work spaces and the requested data in Table 1 on page 14 of this report.) Overall, the Commission felt that they could support exceptions to the TOD guidelines should the project move forward as proposed.

- Council: Two Councilmembers felt that the designs of the sites were too industrial. One Councilmember requested that the photo simulated trees be removed from the elevation drawings to help assess what the true design would be and suggested that trellises be incorporated into the design of the building entrances to soften the appearance. The Council noted their concern with the Owens Drive changes occurring only on the “BRE side.” The Council expressed its desire to have a larger park that incorporated the vacant land on the Shaklee site. Councilmembers also noted that they would like to have the proposed trail improvements completed at the time of construction of the two Sites.

Staff notes that the joint City Council/Planning Commission meeting minutes are not available at this time; however, the February 8, 2012 joint City Council/Planning Commission staff report is included as Exhibit D.

The applicant has considered the comments provided by the Commission and the Council and has requested to formally move forward with the plans that were presented at the February 8, 2012, meeting. Therefore, the applications are being presented to the Planning Commission for a formal recommendation to the City Council for review and final decision.

SITE DESCRIPTIONS

Site 1 is an approximately 8.4-acre, relatively flat vacant lot located on the southeast corner of Owens Drive and Willow Road. Site 2 is an approximately 8.1-acre, relatively flat vacant lot located on the northern corner of Gibraltar Drive and Hacienda Drive. Both Sites are south of the Dublin/Pleasanton BART station, west of the Iron Horse Trail, and bordered by Shaklee’s corporate headquarters and the Kaiser campus. Site 2 currently has an access drive to the Shaklee site, which will be removed upon development of the property.

Please refer to the next page for Figure 1

Figure 1: Aerial View of Site 1 and Site 2



PROJECT DESCRIPTIONS

The applicant proposes to build: 1) a mixed-use high-density residential/commercial development containing 251 residential units, four live/work units, and approximately 5,700 square-feet of retail space, and (2) a high density residential development containing 247 residential units and four live/work units. Site specific project details can be found in the *Site 1* and *Site 2* sections on page 7 and page 9 of this report. As discussed in the *Hacienda TOD Standards and Guidelines*, both projects would include roadway changes to Owens Drive, Willow Road, and Gibraltar Drive, including lane reductions by replacing the travel lanes with a combination of parking lanes, frontage roads, bike lanes, and sidewalks.

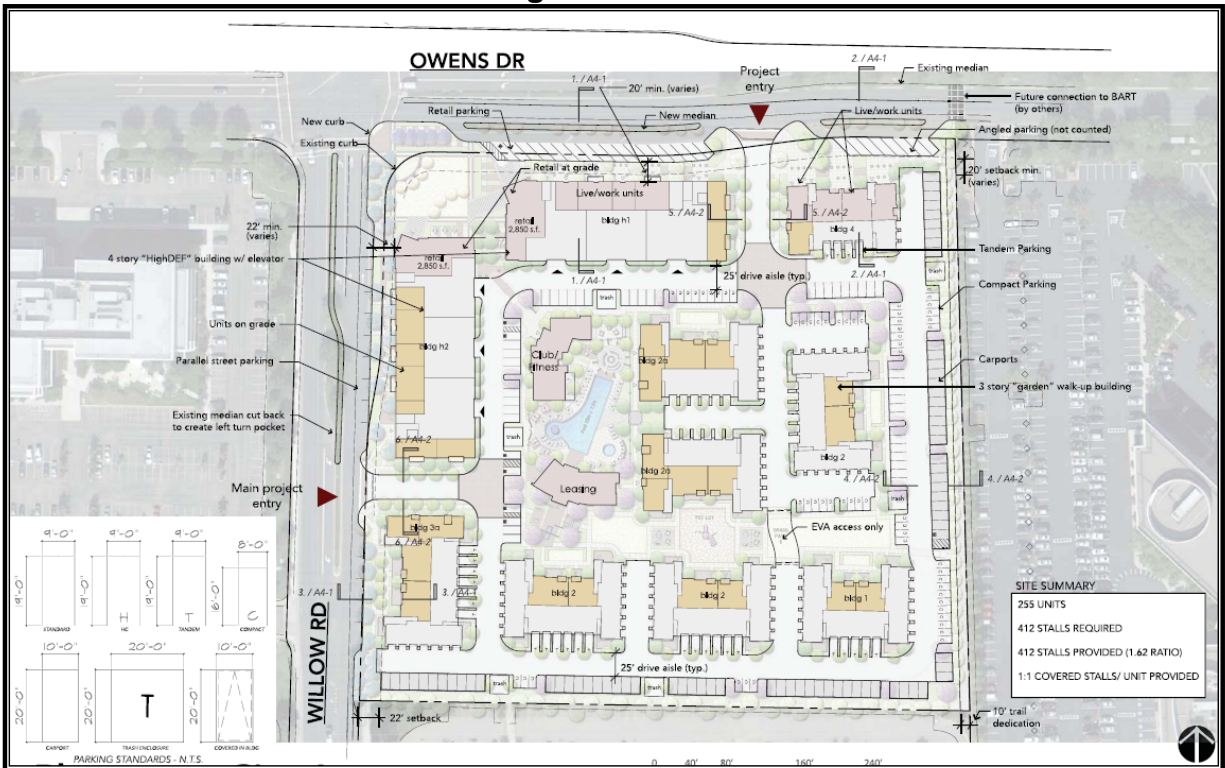
Roadway Changes

Owens Drive between Willow Road and the BART traffic signal will be reduced from a six-lane roadway to a two-lane roadway, one lane in each direction, with a frontage road on both sides, and diagonal parking on the south side of Owens Drive. Staff notes that the applicant will only be responsible for the eastbound Owens Drive roadway changes; BART will be responsible for the westbound Owen Drive changes. Willow Road between Owens Drive and Gibraltar Drive will be reduced from a four-lane roadway to a two-lane roadway with parallel parking on the west side of Site 1. Gibraltar Drive between Hacienda Drive and Willow Road will be reduced from a four-lane roadway to a two-lane roadway with diagonal parking on the north side of Gibraltar Drive along the frontage of Site 2.

Site 1: Mixed-Use Residential with Live/Work and Commercial

Site Access: There are two vehicular access entrances to the site: one from Willow Road and one from Owens Drive. The entrance on Willow Road would serve as the main entrance to the site. Please refer to Figure 2 below.

Figure 2: Site 1



Site1

Density: The project would include eight buildings housing 251 residential units and two mixed-use buildings containing four residential units and approximately 5,700 square-feet of retail/commercial space on an approximately 8.4-acre site. The density of the project is 30.29

dwelling units per acre, which is consistent with the *Hacienda TOD Standards and Guidelines* requirements. The residential buildings are located along the southern and eastern sides of the property, with two of the buildings located generally in the center of the site. One mixed-use building is proposed at the north side of the property (fronting Owens Drive) with the second mixed-use building located on the west side of the property (fronting Willow Road).

Unit Sizes: The 251 units include 12 studio units ranging from 595 to 771 square-feet in area, 126 one-bedroom units ranging from 605 to 935 square-feet, 107 two-bedroom units ranging from 1,023 to 1,438 square-feet, 6 three-bedroom units that are approximately 1,319 square-feet, and 4 live/work units ranging from 1,630 to 1,730 square-feet. Please refer to the “Project Data” table on the cover sheet of the plans for Site 1 (Exhibit B-1) for a detailed breakdown of the unit types. Pedestrian access to the units would be from internal corridors with the ground floor units having porch entrances.

Parking: The buildings would have two to three apartment floors over first floor parking with a total of 412 parking spaces (covered and uncovered) proposed. Each covered space includes storage space and bike storage areas as required by the Guidelines. A total of 25 of the 412 parking spaces are dedicated to visitor parking, which is consistent with the Guidelines.

Building Heights: The residential units are three- and four-stories tall and provide one covered parking space per unit in addition to surface parking. The maximum height of the three-story building is approximately 35-feet and the maximum height of the four-story building is approximately 57-feet, as measured from the grade of the exterior of the building to the top element of the buildings.

Leasing and Fitness Buildings: In addition to the eight residential buildings and two mixed-use buildings, there are two additional structures proposed on site: an approximately 3,380 square-foot club/fitness building and an approximately 2,875 square-foot leasing office.

Trail Connection: A 10-foot wide tree-lined trail that leads to the Dublin/Pleasanton BART station is proposed along the east side of the property, adjacent to the Kaiser parking lot.

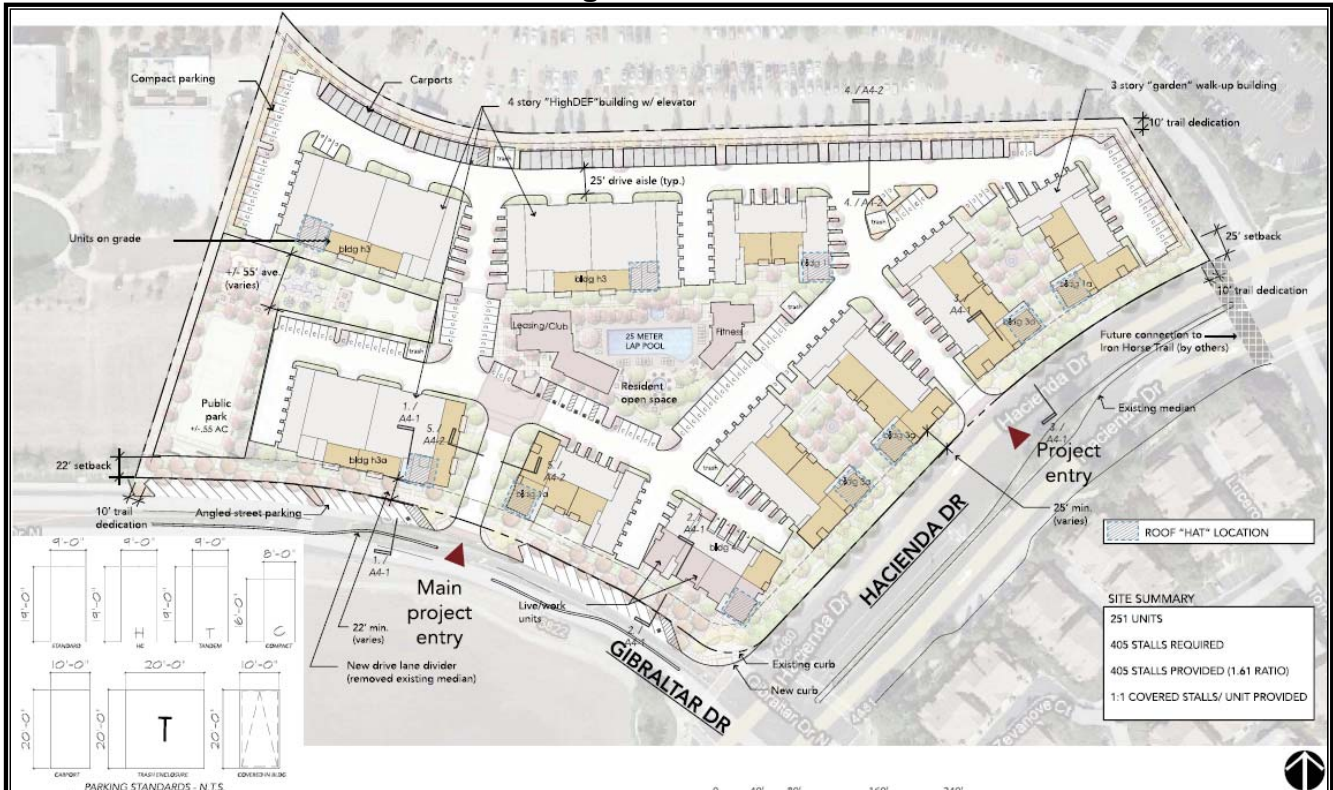
Public and Private Space: A tree-lined pedestrian path with decorative paving is proposed adjacent to the mixed-use buildings and streets (i.e., Owens Drive and Willow Road) with a plaza area proposed at the northwestern corner of the site. In addition to private patios or balcony space for the residences, the project includes active and passive recreation areas. The residences are provided with community amenities that include a pool, spa, cabanas, water feature, lawn, turf recreation area, tot lot, and lounging areas.

Retail/Commercial: Two, approximately 2,850 square-foot first floor retail/commercial spaces (combined total of approximately 5,700 square-feet) will be located at the southeast corner of Owens Drive and Willow Road, adjacent to the proposed plaza area with decorative pavers.

Site 2: Mixed-Use Residential and Live/Work

Site Access: There are two vehicular access entrances to the site: one from Hacienda Drive and one from Gibraltar Drive. The entrance on Gibraltar Drive would act as the main entrance to the site. Please refer to Figure 3 below.

Figure 3: Site 2



Site 2

Density: The project would include 10 buildings housing 247 residential units and four live/work units on an approximately 8.1-acre site. The density of the project is 30.72 dwelling units per acre, which is consistent with the *Hacienda TOD Standards and Guidelines* requirements. The residential buildings are located along Hacienda Drive and Gibraltar Drive with three of the buildings located at the northern (rear) part of the property. There is an approximately 3,570 square-foot leasing/club building and an approximately 1,680 square-foot fitness building located in the center of the property.

Public Park: An approximately 23,598 square-foot (.55-acre) public park is proposed at the southwest portion of the property, facing Gibraltar Drive. The park will contain a multi-purpose grass field that leads into two separate tot lot areas. Staff notes that that the *Hacienda TOD Standards and Guidelines* require a public park to be located on Site 1 or 2.

Unit Sizes: The 247 units include 18 studio units ranging from 595 to 771 square-feet in area, 125 one-bedroom units ranging from 732 to 935 square-feet, 95 two-bedroom units ranging from 1,023 to 1,234 square-feet, 9 three-bedroom units that are approximately 1,319 square-feet, and 4 live/work units ranging from 1,630 to 1,730 square-feet. Please refer to the "Project Data" table on the cover sheet of the plans for Site 2 (Exhibit B-2) for a detailed breakdown of the unit types. Pedestrian access to the units would be from internal corridors with the ground floor units having porch entrances.

Parking: The buildings would have two to three apartment floors over parking, which provide one covered parking space per unit in addition to on-site parking, with a total of 405 parking spaces (covered and uncovered) proposed. Each covered space includes storage space and bike storage areas. A total of 25 parking spaces, of the 405 parking spaces, are dedicated to visitor parking, which is consistent with the Guidelines.

Building Heights: The residential units are three- and four-stories tall. The maximum height of the three-story building is approximately 36-feet and the maximum height of the four-story building is approximately 54-feet, 6-inches as measured from the grade of the exterior of the building to the top element of the buildings.

Leasing and Fitness Buildings: In addition to the residential buildings and live/work units, there are two additional structures proposed on site: a club/fitness building and leasing office. The two buildings have a combined square-footage of approximately 5,250 square-feet.

Trail Connection: A 10-foot wide tree-lined trail that extends towards the Dublin/Pleasanton BART station is proposed along the northwest, and east sides of the property, adjacent to the Kaiser parking lot and proposed public park.

Public and Private Space: A courtyard area with decorative paving is proposed adjacent to the live/work buildings at the corner of Gibraltar Drive and Hacienda Drive. In addition to private patios or balcony space for the residences, the project includes active and passive recreation areas. There is a club room for residents attached to the leasing office and a stand-alone fitness center located east of the leasing office. The proposal also includes exterior recreation

areas: a pool, children’s pool, spa, cabanas, fire pit, barbeque area, a turf recreation area, and lounging areas.

ANALYSIS

General Plan

The subject parcels are designated by the Land Use Element of the Pleasanton General Plan for “Mixed Use / Business Park (Industrial / Commercial and Office)” land uses, such as office, commercial, hotel, institutional, and residential uses. The residential and commercial portions of the projects are consistent with this land use designation. The proposals are consistent with the following General Plan Land Use Element Policies and Programs:

Sustainability

Policy 2: Integrate land-use and transportation planning in order to ensure patterns that facilitate safe and convenient mobility of people and goods at a reasonable cost, and to increase travel alternatives to the single-occupant automobiles.

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 2.3: 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.

Program 4.1: Ensure consistency between the General Plan Land Use Map and the zoning designation for all properties within the City’s sphere of influence.

Residential

Policy 9: Develop new housing in infill and peripheral areas which are adjacent to exiting 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.

Program 10.1: Use planned unit development (PUD) zoning for residential properties that have unique characteristics or to accommodate development that does not fit under standard zoning classifications.

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.

Policy 18: Establish a well-planned mixture of land uses around the BART Stations.

Zoning and Uses

The project site is zoned PUD – MU (Planned Unit Development – Mixed Use) which permits residential, live/work, and commercial uses. The project is consistent with this PUD District.

The permitted and conditionally permitted uses for the two sites, including the live/work units, are those listed on page 13 and 14 of the *Hacienda TOD Standards and Design Guidelines*.

Hacienda TOD Standards and Design Guidelines

The following comments pertain to the two development proposals and their consistency with the Standards and Guidelines. For the Commission's reference, the Standards and Guidelines are included as Exhibit E and reference page number for each item below is noted in *italics* with comments provided thereafter. Unless otherwise noted, the comments pertain to Sites 1 and 2.

1. As defined in the Standards and Guidelines, an alley is a “public or private vehicular drive that is used to access private garages, structured parking, and/or surface parking.” As proposed, both site designs use alleys as accessways within the sites rather than internal streets as required by the Standards and Guidelines.

Page 22, B1 (Site Design and Planning - Site Circulation)

Comments: As proposed, the two sites do not meet this requirement; however, the applicant is requesting an exception to this TOD requirement since using the alleyways preserves more open space on site. As discussed at the two work sessions, staff, the Commission, and the City Council felt that they could support an exception to this requirement because the projects provide more open space and a better site plan without internal streets.

2. The median strip that separates Owens Drive from the diagonal parking should incorporate shrubs for screening. The guidelines require parking to be screened by low walls and landscaping.

Page 30, B7.1 (Parking Location and Treatment – Development Standards)

Comments: The landscaping plans have not been revised to reflect the installation of shrubs; however, the applicant is not requesting an exception and has indicated that this requirement will be met. Staff has added a condition of approval to reflect this requirement (Exhibit A-1, No. 6).

3. The live/work units for Site 2 do not meet the minimum 50% requirement of building frontage along Gibraltar Drive.

Page 12, Live/Work bullet point 2 (Retail and Live/Work Requirements)

Comments: As proposed, the building frontage on Gibraltar Drive has 28% live/work. The applicant is requesting an exception to this requirement as they feel they are meeting the intent of the Guidelines. During the joint City Council/Planning Commission meeting, the Council expressed their concern with the amount of live/work building frontage that was being provided.

4. The live/work units on Site 1 do not meet the minimum storefront depth of 40-feet. Furthermore, as proposed, it does not appear that the live/work units could later be converted to retail or service uses given the proposed depth.

Page 47, D4.3 (Retail and Live/Work Storefronts - Development Standards)

Comments: The proposed plans indicate a 30-foot depth for the retail, live/work buildings on Site 1 and 2; however, the applicant has since provided alternative retail depth plans for Site 1 and 2 for the Commission's consideration (please refer to Exhibit F).

As shown in the alternative plans for Site 1, the retail, live/work building (building "A"), located on the west side of the project entry, could have a 40-foot depth if the City would support moving the building 4-feet south, thereby eliminating the landscaping at the rear of the garage entrances, and extending the building 6-feet to the north (towards Owens Drive), which would provide 8-foot deep internal storage areas at the rear of the spaces, but would reduce the front (Owens Drive) setback from 20-feet to 14-feet. Staff notes that the minimum setback is 20-feet; 14-feet of pedestrian area and 6-feet of landscaping (page 15 of the TOD guidelines). Relocating the building and increasing the depth would change the appearance of the building; however, the alternative design breaks up the wall massing as there will no longer be a continuous wall line along Owens Drive.

The alternative plan for the retail, live/work building (building "B"), located adjacent to the proposed trail on Site 1, would require extending the building 10-feet north, towards Owens Drive, in order to have a 40-foot depth. Extending the building towards Owens Drive would reduce the front setback on Owens Drive from 35-feet to 31-feet. The alternative proposal would also allow the applicant to extend the patio covers of the

live/work units on the upper floor. Similar to the other retail, live/work building on Site 1, the change would alter the appearance of the building along Owens Drive; however, instead of having a “break” in the wall, the front façade would have a continuous wall.

The retail, live/work building on Site 2 (building “C”), located on the corner of Gibraltar Drive and Hacienda Drive, would require extending the building up to 6-feet towards Gibraltar Drive in order to have a depth of 40-feet. Extending the building towards Gibraltar Drive would reduce the front setback from 32-feet to 30-feet. Staff notes that the minimum setback is 33-feet (page 18 of the TOD guidelines). Similar to building “B” on Site 1, the alternative proposal would allow the applicant to extend the patio covers of the live/work units on the upper floor. The alternative plan would alter the appearance of the building; instead of having a “break” in the wall, the front façade would have a continuous wall.

Staff is of the opinion that the reduction in front setback for building “A” and “B” is not appropriate in order to meet the 40-foot retail, live/work depth requirement. Staff believes that reducing the setback to 16-feet, versus the required 20-feet, and providing a retail, live/work depth of 38-feet is more appropriate for Site 1. Staff would also recommend a 38-foot retail, live/work depth for Site 2 and could support reducing the setback as proposed since it is not as a significant of a reduction as Site 1 (i.e. 3-foot reduction versus a 6-foot reduction). Therefore, an exception to the TOD Standards and Guidelines would be required in order to reduce the setback to 16-feet for Site 1 and 30-feet for Site 2 and to reduce the depth of the retail, live/work units on both sites to 38-feet.

During the February 8, 2012 joint work session, the Council and Commission requested information on retail spaces in Pleasanton and surrounding cities. For the Commission’s consideration, Table 1 provides retail information from Pleasanton, Dublin, Walnut Creek, and Livermore.

Table 1: Retail Depth

City	Complex Name	Depth
Pleasanton	Hacienda Plaza (5676 Stoneridge Drive)	Approximately 54-feet
Pleasanton	Pleasanton Gateway (6770 Bernal Avenue)	Approximately 60-feet
Pleasanton	Downtown (310 Main Street, Stes A-C)	Approximately 69-feet
Pleasanton	Downtown (349 Main Street)	Approximately 47-feet
Dublin	Tralee (6599 and 6601 Dublin Blv)	Average is Approximately 40-feet
Walnut Creek	Avalon Village (7001 & 7011 Sunne Lane and 1001 Harvey Drive)	Average is Approximately 40-feet, 6-inches
Livermore	Downtown (2056 First Street)	Approximately 85-feet

As proposed, and with the staff recommended retail, live/work depth of 38-feet for both sites, the developments would require the following exceptions to the TOD guidelines:

1. Allow alleys for site access for Site 1 and 2.
2. Reduce the minimum 50% live/work frontage requirement on Gibraltar Drive for Site 2.
3. Allow the retail, live/work units to have a minimum depth of 38-feet for Site 1 and Site 2, and
4. Reduce the front setback of Site 1 from the required 20-feet to 16-feet and reduce the front setback of Site 2 from the required 33-feet to 30-feet.

Affordable Housing and Housing Commission Recommendation

The TOD Standards include requirements for affordability for these two Hacienda sites. The Standards for affordability were established based on the Settlement Agreement for the *Urban Habitat v. City of Pleasanton* litigation as it relates to development in Hacienda Park. The Settlement Agreement set forth that unit affordability standards would conform with the 15% affordability required in the City's Inclusionary Zoning Ordinance.

As part of the project review for these two sites, staff referred the proposed projects to the Housing Commission for their review and recommendation. At its November 17, 2011, meeting, the Housing Commission reviewed and recommended approval of an Affordable Housing Agreement with BRE, for the two subject sites. Of the 255 units on Site 1, 38 would be affordable to very low income households and of the 251 units on Site 2, 38 would be affordable to very low income households. A summary of the terms of the Affordable Housing Agreement for each site can be found in the *Discussion* section of the Housing Commission staff report (attached as Exhibit G). The Housing Commission meeting minute excerpts are included as Exhibit H.

Traffic and Circulation

A Traffic Impact Analysis report was completed for the review and adoption of the Hacienda TOD Standards and Guidelines in January of 2011. In November of 2011, the City prepared a Supplemental Traffic Analysis for these two subject sites (the supplemental report can be found in Appendix E of the Mitigated Negative Declaration in Exhibit M). The purpose of the supplemental study was to determine and address the transportation effects of the proposed developments on the surrounding street systems for the existing and proposed developments.

The AM and PM vehicular trips for the proposed projects were developed based on trip generation rates contained in the Institute of Transportation Engineers (ITE) publication *Trip Generation*, 8th 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 projects are estimated to generate 267 AM peak hour trips and 337 PM peak hour trips. The ITE standard reflects trip rates based on single use destination land uses that are not in close proximity to transit. Several studies have been completed to measure the reduction in vehicle trips that result from development adjacent or in

close proximity to transit. The Hacienda Owners Association funded a literature review in 2004 to summarize these various studies and the review found that between 20 and 40 percent fewer trips have been recorded at locations where development occurred next to transit. As indicated in the supplemental traffic report, the lower end of the trip reduction was used to account for the two projects proximity to the East Dublin/Pleasanton Bart station and LAVTA bus system; which reduced the trips by 20%; 214 trips in the AM peak and 270 trips in the PM peak.

The proposed projects also include roadway changes to Owens Drive, Willow Road and Gibraltar Drive. The travel lanes for these three streets are replaced by a combination of parking lanes, frontage roads, bike lanes and sidewalks. The lane reductions, however, do impact the traffic signal operation at the signalized intersections by increasing the queue lengths. The intersection of Willow Road at Gibraltar Drive is designed to have permissive left turns (left turn vehicles must yield to oncoming traffic and wait for gaps in traffic to make their left turn). With the reduction of travel lanes on Willow Road, all northbound and southbound through movements will occur in a single lane. This increases the line of vehicles crossing the roadway and reduces the number of available gaps in traffic for the opposing left turn. The traffic volumes at this location do not suggest that a protected left turn is necessary, but the project provide left turn pockets on Willow Road to allow for the left turn vehicles to wait for a gap in traffic outside of the through traffic stream.

In order to develop both sites, the following roadway/circulation changes are required: Owens Drive between Willow Road and the BART traffic signal will be reduced from a six-lane roadway to a two-lane roadway, one lane in each direction, with a frontage road on both sides, and diagonal parking on the south side of Owens Drive. As stated in the *Roadway Changes* section of this report, the applicant will only be responsible for the eastbound changes to Owens Drive. Willow Road between Owens Drive and Gibraltar Drive will be reduced from a four-lane roadway to a two-lane roadway with parallel parking on the west side of Site 1. Gibraltar Drive between Hacienda Drive and Willow Road will be reduced from a four-lane roadway to a two-lane roadway with diagonal parking on the north side of Gibraltar Drive along the frontage of Site 2.

Staff has included conditions of approval to address the roadway and signal changes/improvements for the two projects (Exhibit A-1 and Exhibit A-2, Traffic Division section).

Parking

The TOD Standards established minimum parking requirements for the two sites. Those requirements are as follows:

- Residential - 1.5 spaces per unit
- Live/Work - 2 spaces per unit
- Visitor Parking - 1 space per every 10 units
- Non-Residential Uses – 3 spaces per 1,000 square feet

Site 1: With 251 residential units, four live/work units, 255 total units that require visitor parking (251 residential plus four live/work units), and 5,700 square-feet of retail/commercial space,

the minimum parking requirement for Site 1 is 426 parking spaces (376 spaces for the 251 units, 8 spaces for the live/work units, 25 visitor parking spaces for the 255 total units, and 17 spaces for the 5,700 square-feet of retail space). As proposed, Site 1 will provide 435 parking spaces (420 on-site parking spaces, including all angled parking spaces, and 15 street parking spaces – located on the east side of Willow Road).

Site 2: With 247 residential units, four live/work units, and 251 total units that require visitor parking (247 residential plus four live/work units), the minimum parking requirement for Site 2 is 403 parking spaces (370 spaces for the 247 units, 8 spaces for the live/work units, and 25 visitor parking spaces). As proposed, Site 2 will provide 405 on-site parking spaces and, therefore, would exceed the parking requirements. Staff notes that the on-site angled parking on Gibraltar Drive is included in the 405 parking count.

Noise

The project applicant prepared site-specific acoustical studies to determine what, if any, special building treatments would be necessary to ensure an appropriate indoor noise level in the proposed residential units. The study, included as Appendix D in the Mitigated Negative Declaration (Exhibit M), accounts for noise emanating from various sources, including nearby roadways (including I-580), BART, and the Livermore Municipal Airport. The study provides detailed recommendations regarding building materials and mechanical systems to ensure that interior noise levels in the proposed new residential units do not exceed applicable standards. The recommendations are location-sensitive; units closer to noise sources require more noise attenuating materials to comply with the applicable standards.

The 2005-2025 General Plan Environmental Impact Report (EIR) acknowledged the potential for development consistent with the General Plan to result in increased exterior noise. The main noise source associated with new development was found to be traffic. The General Plan EIR analyzed locations in the City where significant noise increases would occur as a result of General Plan related growth and included mitigation measures reducing all such impacts to a less-than-significant level. Program 1.2 of the General Plan Noise Element stated that vibration sensitive land uses proposed to be located near railroad tracks should be evaluated for compatibility in a site-specific vibration analysis using the Federal Transit Administration's (FTA) vibration impact criteria. As stated in the January 2011 Mitigated Negative Declaration for the *Hacienda TOD Standards and Design Guidelines*, sensitive land uses proposed for areas near the BART station need to be examined for potential vibration effects. The report concluded that vibration from passing BART trains would not expose people to significant levels of vibration. The shortest distance between the project sites and the BART rail alignment is approximately 650-feet. The FTA's screening criteria for vibration assessment stipulate that residential projects within 200-feet of a rail rapid transit line should be examined more closely through a vibration study to determine if any vibration effects would occur. Beyond the screening distance, vibration effects are assumed not to be significant. Furthermore, construction is not anticipated to require pile driving, and therefore no project specific construction-period vibration study would be required.

The City's General Plan requires that outdoor recreation areas not exceed 60 dB Ldn and that indoor noise levels not exceed 45 dB Ldn. 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. The noise study indicates that special building treatments (i.e., construct exterior walls with either resilient channels, double-stud with resilient channels, or two layers of gypsum board and have windows and exterior doors of the units meeting Sound Transmission Class (STC) ratings between 34-36 for Site 1 and 32-34 for Site 2) will be required in order meet the noise standards.

Noise Impacts on Adjacent Properties

The development of commercial and residential uses on the two sites will generate added urban noise, such as traffic, 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. Furthermore, ambient noise levels could actually decrease for the existing uses south of the project sites due to the shielding of freeway traffic noise by the proposed buildings.

To ensure compliance with noise requirements conditions of approval have been added requiring the applicant to adhere to the noise attenuation measures outlined in the noise study. Furthermore, the City's *Noise Ordinance* and standard conditions of approval limit construction activity to certain hours when it will be less disturbing to neighbors.

Grading/Drainage

The majority of the two lots are relatively level. Except for minor grading, the applicant is proposing to generally maintain the existing grades on both properties. Parking lot and roof drainage would drain into bioretention areas (vegetation-lined swales) and biofiltration planters that would filter contaminants from the parking lot and roof drainage before entering the arroyos and, ultimately, the bay. These are the types of stormwater runoff measure strongly supported by the Regional Water Quality Control Board and local agencies like Pleasanton implementing the urban clean water runoff program. Overall, staff finds the proposed grading and drainage plan to be acceptable, as conditioned, and that it incorporates a sufficient number of stormwater runoff measures.

Landscaping

Preliminary landscaping plans were submitted showing planting details for the two sites. Although the landscape plans are conceptual, staff feels that the amount and species type of the proposed landscaping for both sites is consistent with the TOD Guidelines. Standard conditions of approval regarding landscaping will ensure a much more detailed plan at the building permit stage when final landscape and irrigation plans are reviewed and approved by the Director of Community Development.

Green Building

As required by the City's Green Building Ordinance, the proposed project is required to qualify for at least 50 points on BuildItGreen's GreenPoint Rated Multifamily Checklist. The applicant has proposed to incorporate green building measures into Site 1 that allow the project to qualify for 77 points and 76 points for Site 2. Some of the proposed green building measures include: installing water-efficient toilets, urinals, shower heads, and faucets; using recycled flyash in the concrete mix; installing Energy Star® appliances; using FSC-certified wood; installing gearless elevators (use less energy and do not require lubricating oils); utilizing zero or low volatile organic compound (VOC) emitting paints and adhesives; and using

environmentally preferable flooring and interior finish materials. Staff has included the Multifamily GreenPoint checklists in Exhibit I for the Commission's consideration.

Trail Connection and Public Park

The applicant is proposing a 10-foot wide tree-lined trail that leads to Dublin/Pleasanton BART station along the east side of Site 1 and the northwest and east sides of Site 2. The applicant will construct 8-foot of paved area and 2-foot of landscaping for the length of the trail on both sites. Staff notes that the two trails are not continuous. Access across the Shaklee and Kaiser properties, both of which are adjacent to the two subject sites, would be required in order to have a continuous trail. Trail improvements on the Shaklee and Kaiser properties will not occur until such time that they choose to submit for future site improvements.

The TOD Standards and Guidelines require a public park to be located on Site 1 or 2; however, the TOD Standards and Guidelines do not address a minimum size requirement for the park. The applicant is proposing an approximately 23,958 square-foot (.55-acre) public park at the southwest portion of Site 2, facing Gibraltar Drive. The park has a multipurpose field, BBQ areas, seating areas, and provides access to the northwest trail located on Site 2.

Staff finds the trail and public park to be appropriate and has included conditions of approval for the construction/improvements of the trails in Exhibit A-1 and Exhibit A-2.

On-Site Common and Private Open Space

The project includes several active and passive recreation areas for the residents. Interior recreation areas include a fitness center and a club room. Exterior recreation areas include a pool, spa, children's play area, barbecue area, water features, lawn, and seating areas. Residents of the two projects will also have use and/or access to the public park on Site 2. Private open space is provided through the use of a porch or balcony area for the residential units on both sites. The applicant has met the TOD requirements for private and public open space for both sites and staff feels that the proposed projects provide sufficient common open space and amenities on each site.

Architecture and Design

As a result of the Commission's input at the October 17, 2011 workshop, the building designs were revised to incorporate more delineation between the residential and retail uses, highlighted the stairwells/lobby areas with accent colors, overhangs, and recessed entryways, and incorporated building caps to the buildings for additional architectural character. Staff notes that that other apartment buildings in Pleasanton may have more of a "residential" appearance; however, staff and the applicant did not want to go towards a significantly residential appearance for this project given its location next to more office and contemporary styled buildings, which staff believes would have made the proposed buildings appear out of place.

Staff believes that the proposed buildings are attractively designed and will complement the surrounding developments (BART station, office complexes, and residential properties). The building design are "four-sided" with no side minimized with respect to articulation or detailing. Each side of the building would vary in design and color scheme to provide variety and interest. Portions of the building walls would pop-in or -out to provide variation in the wall

plane and break up the building mass. The roofline of the buildings would undulate to break up the building mass and add interest. The live/work building on Site 2 would feature brick veneer walls that will complete the adjacent residential subdivision. A color/material board will be available for viewing at the hearing. Staff believes the colors and materials for both sites are appropriate to the architectural style and will be complementary to existing adjacent developments.

Signage

Conceptual signage has been shown on the renderings, consisting of signs mounted on the top of the metal storefront canopies or building facades. Staff finds the general type and location of the signs to be acceptable. 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 both sites prior to installation of any signs.

School Impacts

A condition of approval requires the project developer/applicant to work with the Pleasanton Unified School District and the Director of Community Development to develop a program, in addition to the school impact fees required by State law and local ordinance, to offset these projects long-term effects on school facility needs in Pleasanton. This program will be designed to fund school facilities necessary to offset these projects reasonably related effects on the long-term need for expanded school facilities to serve new developments in Pleasanton. Construction will not be allowed to start on either site until the terms of this program and/or funds have been approved by the City. The Pleasanton School District has not requested any additional mitigation beyond the above-noted program and impact fees.

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 has analyzed the consistency of this project with the CAP and is recommending several conditions of approval which address specific supporting actions included in the CAP.

As a high density, mixed use, transit oriented project located near BART, several high frequency and commuter bus lines, and located within a major employment center, the BRE projects are 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, energy conservation from the CAP are implemented in the proposed conditions of approval in Exhibit A-1 and Exhibit A-2.

Development Agreement Modifications

On December 6, 1983 the City Council adopted Ordinance No. 1113 approving the original Development Agreement between the City of Pleasanton and the developer Callahan-Pentz Properties, Pleasanton, a California General Partnership. This agreement outlined the facts, understandings, and intentions related to the development of the Hacienda Business Park Planned Unit Development. The Planned Unit Development, PUD-81-30, was adopted by the City Council as Ordinance 1109 on November 22, 1983. The Development Agreement was approved for a period of twenty-five (25) years which would protect the interests of the citizens in the quality of their community and environment through the approved Planned Unit Development (PUD-81-30) as well as protect the investment of the developer through the planned buildout of Hacienda Business Park.

As discussed in the *Background* section of this report, the City Council adopted the *Hacienda Transit Oriented Development (TOD) Standards and Design Guidelines* to provide direction in regard to uses, density, affordability, building mass and height, setbacks, open space, parking, access, and street character for three vacant sites in Hacienda Park (i.e., Sites 1, 2, and 3). Since the Development Agreement and subsequent amendments did not include and/or address these TOD Standards and Guidelines, and because the Development Agreement will expire before development can occur, the applicant is requesting to modify the Development Agreement to 1) extend the term of the Development Agreement to five years from the date of approval of the two Development Plans, and incorporate approval of the development standards and design guidelines of the *Hacienda TOD Standards and Design Guidelines*.

Staff supports the request to extend the Development Agreement and believes that the Planning Commission should provide a positive recommendation to the City Council. Please refer to Exhibit J for the Development Agreement Amendments.

PUD CONSIDERATIONS

The Zoning Ordinance of the Pleasanton Municipal Code sets forth purposes of the Planned Unit Development District and "considerations" to be addressed in reviewing a PUD development plan. Staff has provided those considerations and with staff's analysis below.

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

The proposed projects, as conditioned, meet all applicable City standards concerning public health, safety, and welfare. The subject developments would include the installation of all required on-site utilities with connections to municipal systems in order to serve the new developments. As conditioned, the project will not generate volumes of traffic that cannot be accommodated/mitigated by the existing City streets and intersections or required road changes/improvements outlined in the TOD standards. The structures would be designed to meet the requirements of the Uniform Building Code, Fire Code, and other applicable City codes. The proposed developments are compatible with the adjacent sites and their uses and would be consistent with the existing scale and character of the area. The project also would provide affordable rental housing (38 units on each site) and help the City to meet its requirements for provision of lower income housing.

Therefore, staff believes that the proposed PUD development plans are 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 subject parcels are designated by the Land Use Element of the Pleasanton General Plan for "Mixed Use and Business Park (Industrial/Commercial and Office" land uses, which allows office, commercial, hotel, institutional, and residential uses. The proposed projects would further several General Plan Programs and Policies encouraging mixed-use and/or higher density development near public transit. The two projects are located near employment centers and public transportation, and are located in an area already developed with adequately-sized infrastructure, meets other General Plan policies and programs such as locating high-density housing near public transit, major thoroughfares, shopping, and employment centers and encouraging residential infill in areas where public facilities are adequate to serve it. The projects also meet the affordable housing objectives stated in the General Plan.

Thus, staff concludes that the proposed development plans are 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 sites are infill properties adjacent to multi-story office buildings, residential developments, and the Dublin/Pleasanton BART station. The building heights would be compatible with the multi-story office buildings adjacent to these sites. 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 in the perimeter planter areas to soften the buildings and help screen the surface parking areas from off-site views. The majority of the two lots are relatively level. Grading conducted on the site will be subject to engineering and building standards prior to any development.

Therefore, staff feels that the PUD development plans are compatible with the previously developed properties and the natural, topographic features of the sites, and staff believes that this finding can be made.

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

Graded areas have been minimized to the extent feasible to preserve the natural topography of the sites. City building code requirements would ensure that building foundations, on-site driveways, and parking areas are constructed on properly prepared surfaces. The proposed developments would provide adequate drainage to prevent flooding. Parking lot and roof

drainage would drain into biofiltration planters that would filter contaminants from the parking lot and roof drainage before entering the arroyos and, ultimately, the bay. Erosion control and dust suppression measures will be documented in the building permit plans and will be administered by the City's Building and Safety Division and Engineering Division. The sites are 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 sites are in a developed area of the City and would not involve the extension of any new public streets. The building and parking areas would be located on level areas of the sites. The proposed buildings will be compatible in size and scale with surrounding structures. New landscaping would be installed to mitigate the loss of the existing trees.

Therefore, staff believes that this finding can be made.

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

The public improvements associated with these projects would be consistent with the TOD Standards and Guidelines and City design standards. The driveway entrances are located and configured to provide adequate line-of-sight viewing distance in both directions perpendicular to the vehicle, and to facilitate efficient ingress/egress to and from the project sites. All on-site drive aisles meet TOD and City standards for emergency vehicle access and turn-around. Adequate access is provided to all structures for police, fire, and other emergency vehicles. Buildings are designed to meet the requirements of the Uniform Building Code and other applicable City codes and all buildings would be equipped with automatic fire suppression systems (sprinklers).

Although the sites are not located within an Alquist-Priolo Earthquake Fault Zone, it would be subject to seismic shaking during an earthquake. The State of California provides minimum standards for building design through the California Building Standards Code. The California Uniform Building Code is based on the UBC and has been modified for California conditions with numerous more detailed and/or stringent regulations. Specific seismic safety requirements are set forth in Chapter 23 of the UBC. The State earthquake protection law requires that buildings be designed to resist stresses produced by lateral forces caused by earthquakes. The City implements the requirements of the California Building Code through its building permit process. The proposed projects will be required to comply with the applicable codes and standards to provide earthquake resistant design to meet or exceed the current seismic requirements. Site specific soils analyses would be conducted in conjunction with the building permit review.

Therefore, staff believes that the plans have been designed to incorporate adequate public safety measures.

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

The proposed PUD development plans conform to the purposes of the PUD district and the TOD Standards and Guidelines. One of these purposes is to insure that the desires of the developer and the community are understood and approved prior to commencement of construction. Another is to provide a mechanism whereby the City can designate parcels and areas requiring special consideration regarding the manner in which development occurs. Staff believes that the proposed projects implements the purposes of the PUD ordinance in this case by providing a mixed use, high-density residential rental housing complexes that are well-designed and sited on the subject properties, that fulfills the desires of the applicant, and that meets the City's General Plan goals and policies, including those which promote mixed use, high-density housing near public transit and encourage the development of affordable housing. Moreover, input from the adjacent property owners and tenants has been sought and obtained through two workshops and hearings at the Housing Commission; further opportunity for public comment will occur at the Planning Commission and City Council hearings.

Staff feels that through the PUD process the proposed projects have provided residents, the developer, and the City with development plans that optimizes the use of these infill sites in a sensitive manner. Therefore, staff believes that this finding can be made.

HACIENDA PARK

Hacienda Park has authority to review and approve the proposed developments before they are formally submitted to the City. Staff notes that the applicant has been in continuous contact with Hacienda Park's General Manager, James Paxson, regarding their proposals. Staff expects to receive a recommendation letter from James Paxson prior to the Planning Commission meeting.

PUBLIC COMMENT

Notices of these applications were sent to surrounding property owners and tenants within a 1,000-foot radius of the site. Staff has provided the location and noticing maps as Exhibit K for reference. At the time this report was published, staff had not received public comments regarding these applications. However, staff has provided four emails from residents that were received prior to the October 17, 2012, Planning Commission work session for the Commission's consideration (please refer to Exhibit L).

ENVIRONMENTAL ASSESSMENT

A Mitigated Negative Declaration has been prepared for the proposed projects. Based on an initial study, staff believes that the project-related impacts are mitigated, with the mitigation measures incorporated in the project's design or required by conditions of approval, and that there would be no significant or unmitigated environmental impacts. Staff, therefore, believes that the Negative Declaration can be issued in conformance with the California Environmental Quality Act (CEQA). If the Planning Commission concurs with this environmental assessment,

it must make the finding that the Negative Declaration is appropriate prior to making a recommendation to the City Council.

CONCLUSION

Staff believes that the site designs are appropriate and efficient for these types of development. Staff feels that the applicant has included an adequate amount of usable open space and landscaped areas within the two projects given the site constraints and transit-oriented type of development. Staff feels that the building designs are attractive and that the architectural style, finish colors, and materials will complement the surrounding developments. The proposed projects would each provide 38 units that will be available to lower income households which would help the City to meet its lower income housing goals.

STAFF RECOMMENDATION

1. Find that the projects would not have a significant effect on the environment and adopt a resolution recommending approval of the attached draft Mitigated Negative Declaration;
2. Adopt a resolution recommending approval to the City Council of the Development Agreement Amendment to extend the term of the Development Agreement to five years from the date of approval of the two Development Plans, filed as Case Nos. PUD-85-08-12D and PUD-81-30-86D; and (b) incorporate approval of the development standards and design guidelines of the Hacienda Transit Oriented Development (TOD) Standards and Guidelines, filed as Case No. P11-0856.
3. Make the PUD findings for the proposed development plans as listed in the staff report;
4. Find that the exceptions to the *Hacienda TOD Standards and Design Guidelines* as listed in the staff report are appropriate for the two sites, and
5. Adopt resolutions recommending approval of PUD-85-08-12D and PUD-81-30-86D, development plan approval to construct two mixed-use, high-density residential/commercial developments, subject to the conditions of approval listed in Exhibit B-1 and Exhibit B-2, and forward the applications to the City Council for public hearing and review.

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