

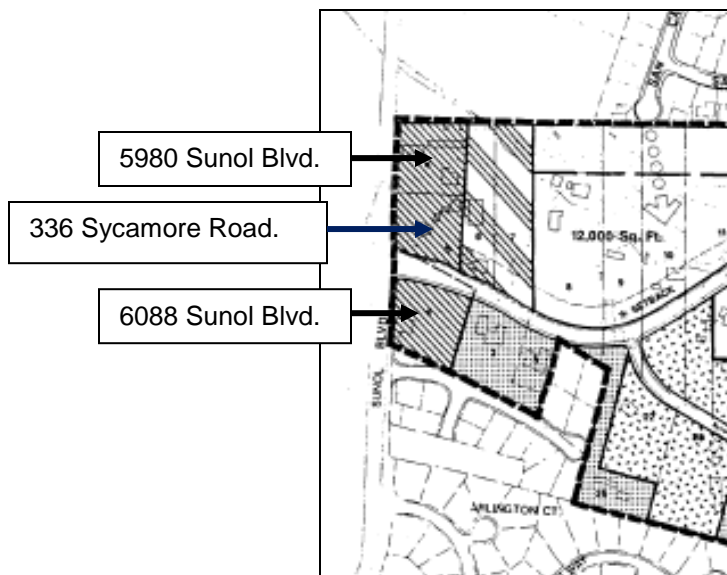
Planning Commission Staff Report

October 12, 2011
Item 6.b.

- SUBJECT:** PSPA-04/PUD-65-01M
- APPLICANT:** Nick Kavayiotidis, Petra Realty Investors, Inc.
- PROPERTY OWNER:** Nick Kavayiotidis
- PURPOSE:** Applications for: (1) an amendment to the North Sycamore Specific Plan and Planned Unit Development (PUD) Major Modification to allow a memory care/assisted living facility as a permitted use and (2) PUD Development Plan to construct an approximately 21,481 square foot, one-story memory care/assisted living facility containing 46 beds. Also consider the Negative Declaration prepared for this project.
- LOCATION:** 5980 and 5998 Sunol Boulevard
- GENERAL PLAN:** Retail, Highway, and Service Commercial; Business and Professional Offices.
- ZONING:** Planned Unit Development – Office (PUD-O) District.
- EXHIBITS:**
- A. Recommended Conditions of Approval
 - B. Written Narrative, Proposed Plan, and LEED Checklist
 - C. Draft Amendment to the North Sycamore Specific Plan
 - D. Ordinance 1958, Approving PUD-65, and the Approved Plans
 - E. June 27, 2007 Planning Commission Meeting Staff Report and Minutes (Excerpt); and Resolution No. PC-2007-32 (PUD-65)
 - F. July 17, 2007 City Council Meeting Staff Report and Minutes (Excerpt)
 - G. Nssp Land Use Map
 - H. Public Comments
 - I. Draft Negative Declaration
 - J. Location Map
 - K. Notification Map

I. BACKGROUND

The subject project consists of two contiguous parcels on the east side of Sunol Boulevard. The southern parcel, 5980 Sunol Boulevard, is located within the North Sycamore Specific Plan (NSSP) area. The City Council adopted the North Sycamore Specific Plan (NSSP) in June, 1992. In September of 1992, the NSSP area was pre-zoned with several PUD designations reflecting the NSSP land use plan but without a PUD development plan for any portion of the Specific Plan. The Specific Plan area was annexed to the City in June of 1993. Zoning for this property as specified in the North Sycamore Specific Plan is the Planned Unit Development – Office (PUD-O) District. The NSSP designated three parcels for office development (see partial land use map below). The subject development plan application is the second submitted for one of these office designated parcels. The 6088 Sunol Boulevard office building, located at the southeast corner of Sunol Boulevard and Sycamore Road, was the first office development in the NSSP area.



Partial NSSP Land Use Map

The northern parcel, 5998 Sunol Boulevard, is not within the NSSP area. It was originally zoned Office District. In 2007, a Planned Unit Development Plan (PUD-65)¹ was approved for a two-story office building to be constructed on 5980 and 5998 Sunol Boulevard. With the PUD-65 approval, 5998 Sunol Boulevard was rezoned from O District to PUD-O (Planned Unit Development – Office) District, consistent with the zoning designation of 5980 Sunol Boulevard.

¹ The approval of the PUD-65 development plan has since expired but the zoning did not expire. The applicant did not elect to renew the development plan as the current market is no longer in favor of office building development.

In addition, all three parcels (5980 Sunol Boulevard, 366 Sycamore Road, and 6088 Sunol Boulevard) are currently on a list of potential sites for rezoning to high density multiple-family residential development as part of the Housing Element update.

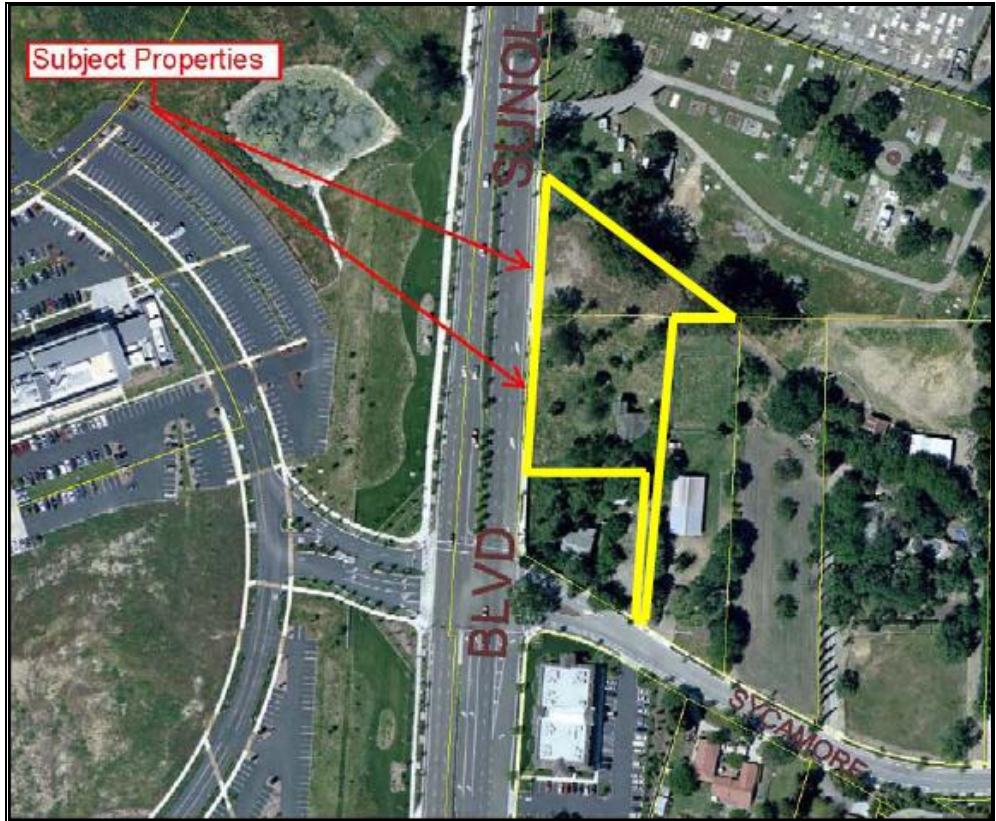
The property owner/applicant, Nick Kavayiotidis (who was also the applicant for the PUD-65), wishes to construct a 46-bed memory care/assisted living facility and related site improvements at 5980 and 5998 Sunol Boulevard instead of the previously approved two-story office building. Memory care/Assisted living facility is a use that is not currently allowed in the North Sycamore Specific Plan or included in the allowed uses approved with PUD-65. Thus, an amendment to the NSSP is necessary to add such use and a major modification to the approved PUD is required to allow such use. A PUD development plan is required to construct the facility and related site improvements. As the project site contains two separate parcels, a lot line adjustment application to merge the two properties into one parcel was approved in conjunction with the previous office proposal. The applicant will need to record the parcel merger prior to the issuance of a building permit.

The Specific Plan Amendment, PUD major modification, and PUD development plan are subject site is subject to the review and approval by the City Council, following recommendation by the Planning Commission.

II. SITE DESCRIPTION

The subject site is currently vacant. The southern parcel, 5980 Sunol Boulevard, is a flag-shaped property that used to contain a residence and several accessory structures that were removed in 2008 following the approval of PUD-65. Vehicular access to this site was provided by two driveways off Sunol Boulevard. The “flag pole” portion is a narrow strip of land approximately 10 feet in width, not wide enough to be used for vehicular access that connects this parcel to Sycamore Road. The 5998 Sunol Boulevard parcel is a triangular-shaped property located to the immediate north of 5980 Sunol Boulevard. It used to be occupied by an office building and a parking lot, which were demolished/removed in 1997. An existing driveway off of Sunol Boulevard provides vehicular access to this site. Sycamore Creek traverses the northern portion of the site. The parcels have flat to gently sloping terrain. Several trees are located on the properties². Solid wood, chain link, and hogwire fencing are located along the boundaries of the properties.

² After the approval of PUD-65, the applicant removed 35 trees that were approved to be removed as a part of PUD-65.



Project Site

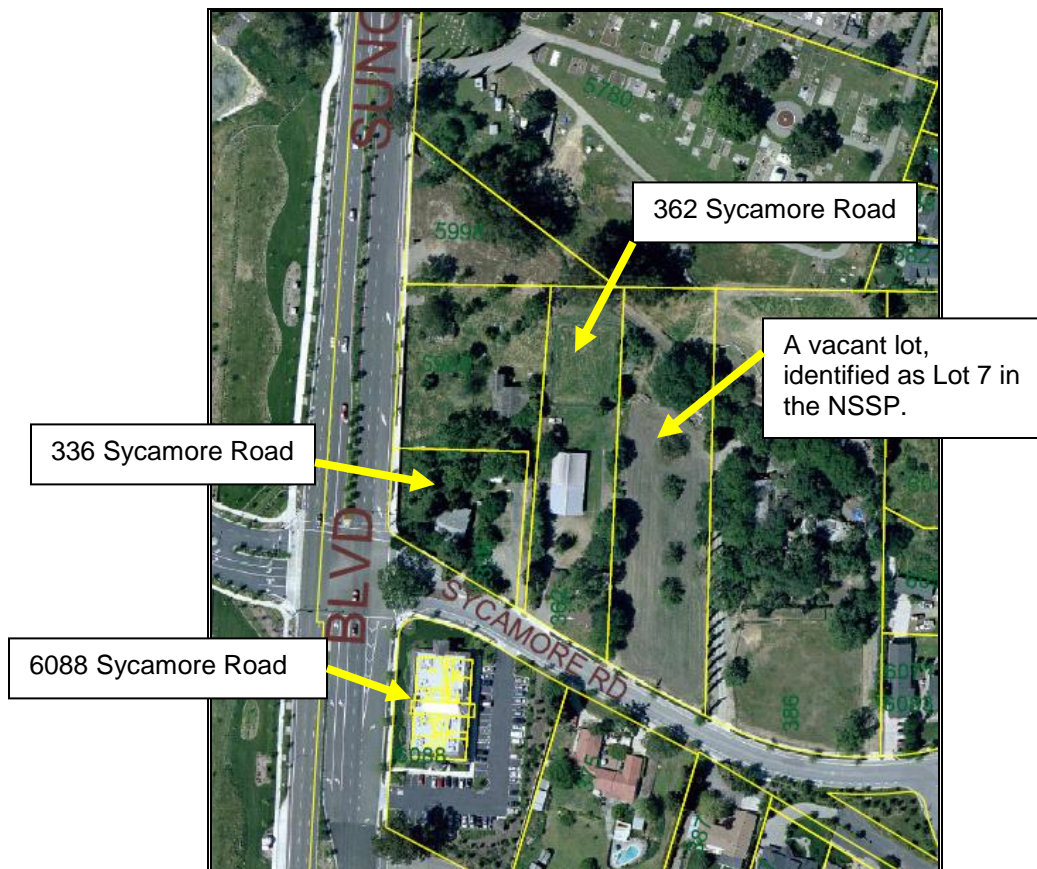
The existing fence located near the front property line would be removed. A six-foot high masonry (or similar material) sound wall is proposed along the east and south property lines to alleviate potential noise to the adjoining residential uses. The existing intermittent seasonal creek at the northern portion of the site would be retained. Other fencing on the property perimeter would be retained.



Pictures of the Site

Properties adjacent to the project site include: Life Technologies' (formerly Applied Biosystems) campus to the west, across Sunol Boulevard; the City-owned Pleasanton Pioneer Cemetery (formerly Pleasanton Memorial Gardens) to the north; and single-family residences to the south and east. A two-story office building (6088 Sunol Boulevard) is located further to the south, across Sycamore Road. The adjacent parcel to the south (336 Sycamore Road) is zoned to allow office development.

The two parcels to the east (362 Sycamore Road and a vacant parcel, see map below) are subject to a special condition in the NSSP which stipulates that if they are developed jointly, they may be developed with office use. However, if they are developed separately, they must be developed with residential use.



Surrounding Properties

III. PROJECT DESCRIPTION

The proposed development, Westmont of Pleasanton³, is a 23-room, 46-bed⁴ residential assisted living/memory care facility, providing 24-hour oversight to cognitively impaired or physically limited persons aged 59 and over who require assistance with the activities of daily living. The facility will provide daily meals, healthcare, and offer personal and supportive services.

With a 24/7 operation, the facility provides three shifts of staff, as follows:

	Shift Time	Staff Allocation
Morning Shift	6:30 a.m. - 2:30 p.m.	12-14
Afternoon/evening shift	2:30 p.m.- 10:30 p.m.	8 -12
Night shift	10:30 p.m. - 6:30 a.m.	1- 2

The proposed project includes the following:

1. An amendment to the NSSP to include memory care/assisted living facility as an allowed use (as shown in Exhibit B);
2. A modification to the previously approved PUD (PUD-65) to allow memory care/assisted living facility;
3. Construction of an approximately 21,481 square foot 46-bed/23-room memory care/assisted living facility on a combined site area of 1.67 acres and related site modifications/improvements, including grading, tree removal, and installation of new paving and landscaped areas. The existing intermittent seasonal creek at the northern portion of the site would be retained and enhanced with riparian landscaping.

In addition, the applicant will be required to record the approved lot line adjustment to combine the two parcels prior to the issuance of a building permit.

Amendment to the North Sycamore Specific Plan

Uses for the PUD-Office district were limited by the NSSP to the following:

- Administrative and Business Offices

³ The proposed memory care/assisted living facility will be operated by Westmont Living. Westmont Living has facilities in California and Oregon. It provides a full spectrum of living options, from independent and assisted retirement living to memory care.

⁴ The proposed facility will accommodate a maximum of 46 beds if and when there is no private room offered.

- Design
- Insurance
- Investment
- Legal Services
- Medical and Dental
- Real Estate
- Research Services

The proposal is to add a memory care/assisted living facility to this list. Thus, the third paragraph of page 34 of the NSSP will be amended to read as follows (note, new language is underlined):

In general, types of uses envisioned for the study area are those used identified as permitted uses for the Office District and include administrative and business offices, and the following kinds of offices: design, insurance, investment services, legal services, medical and dental, real estate and research service. In addition, memory care/assisted living facilities are a permitted use.

The Proposed PUD Major Modification

PUD-65 allowed the following use on the subject sites:

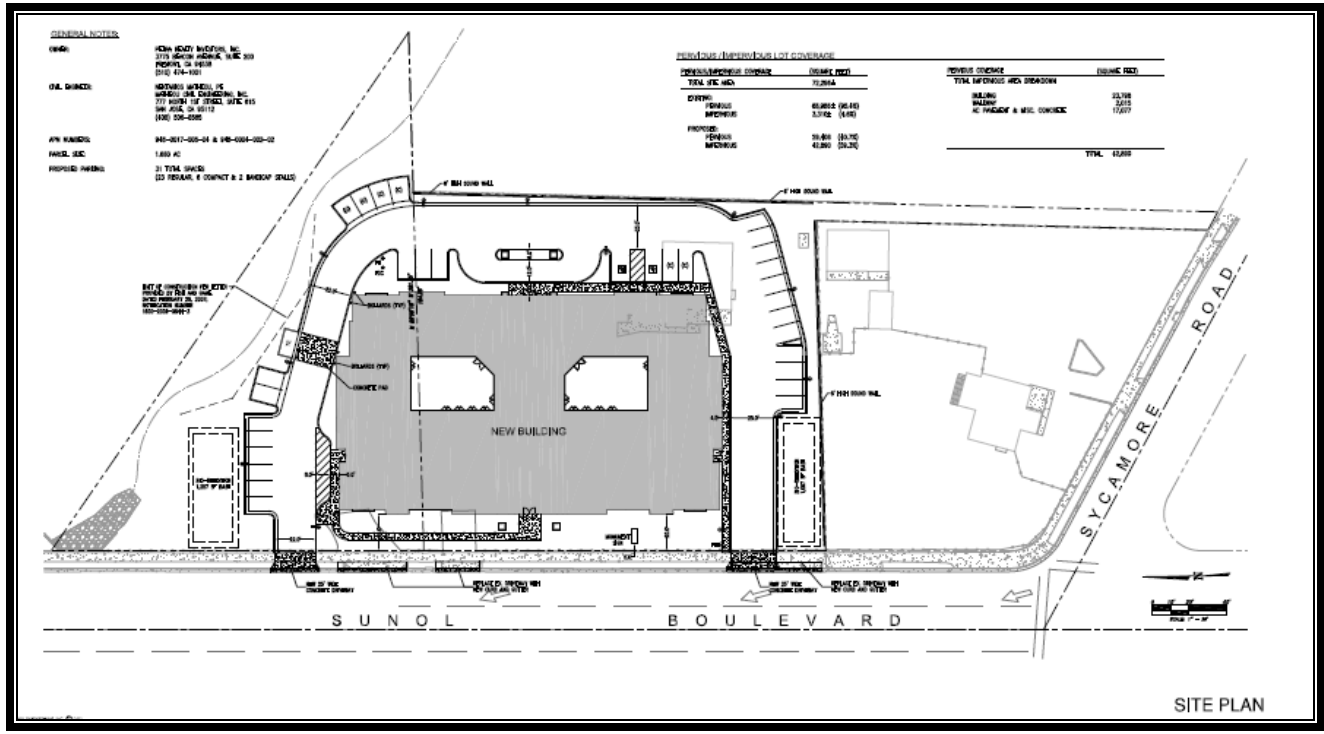
- Administrative and Business Offices
- Design-Related Offices
- Insurance Offices
- Investment Services
- Legal Services
- Medical and Dental Offices
- Real Estate Offices
- Research Services

As the current PUD allowed use list does not include the proposed Memory care/Assisted living facility, a major modification to the approved PUD is required to include and to allow such use.

PUD Development Plan for the Memory Care/Assisted Living Facility

The proposed 46-bed/23-room facility would be in a rectangular-shaped building, setback 20 feet from the front property line (Sunol Boulevard). The facility includes a combination of double- and single occupancy rooms. The existing driveways off of Sunol Boulevard would be removed and two new driveways would be installed to provide access to the proposed development. The two new driveways, one near the north end of the site and other near the south end, would form an upside down “U” shaped drive aisle with parking along it. A total of 31 parking spaces are proposed, including two parking spaces for persons with disabilities. The long, narrow access off of Sycamore Road, used in the past by the residents of the

property would remain undeveloped and not used as an access to the street. This portion of the land would be used for underground utility connections.

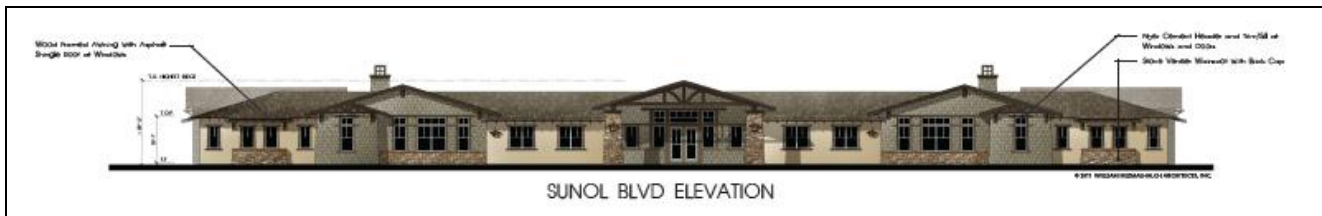


Proposed Site Plan

Landscaping, a combination of trees, shrubs, and groundcovers, is proposed along the site perimeter except for the seasonal creek area. Two stormwater retention basins are proposed near of the driveways. The retention basin on the south side would be located between the drive aisle and southern property line; and the retention basin on the north side would be located immediately north of the parking spaces outside the seasonal creek. A roofed trash enclosure would be located adjacent to the northern drive aisle.

The proposed building would have a low pitched roof measuring approximately 17'-8" tall from grade to the roof peak. The exterior elevations would have cement plastered wall, stone veneer wainscot with brick cap, shake siding, and divided light single hung windows with wood trim. A porte-cochere is proposed in the center of the east elevation with a gable design to emphasize the building entrance. This porte-cochere is supported by two tapered square columns with stone veneer and wood cap. Gable element, wall inserts and projections are

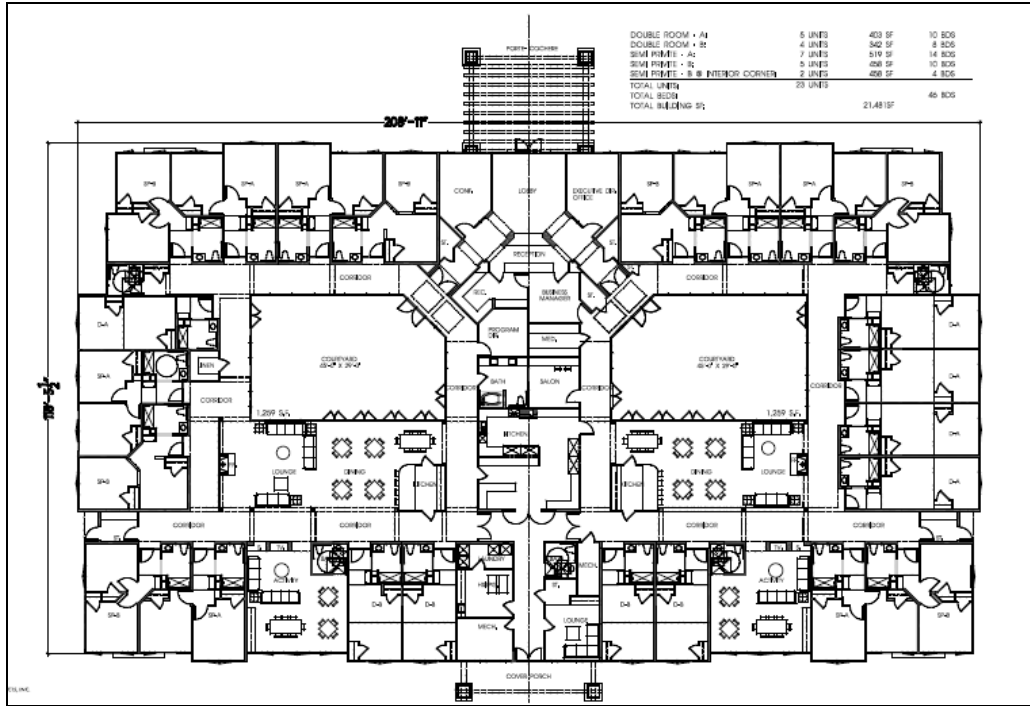
also included on other parts of the building to help break the building’s linear appearance. The proposed building colors include “oak harbor” for body; deep brown for eaves, fascia trims and rafter tails, dark chocolate for accents; “Verona Hillstone” for stone, Khaki for brick, and barkwood for roof.



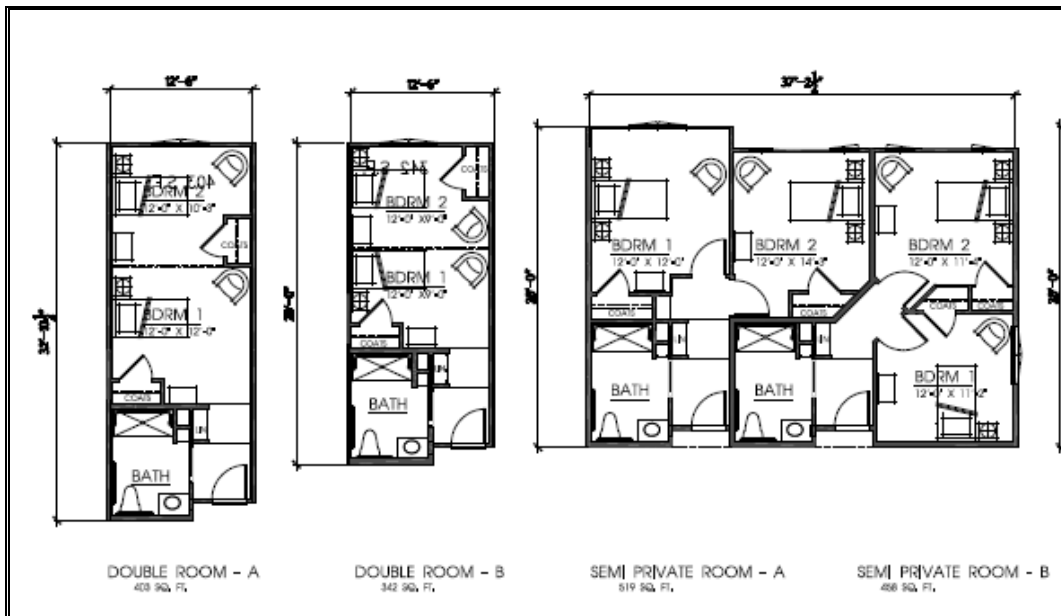
The proposed memory care/assisted living facility would have 23 rooms with a maximum of 46 beds. The facility is designed so that the southern half and the northern half of the building are a mirror-image of each other in that each section would have the following:

- a courtyard located in the middle of the building;
- a dining room/lounge area;
- an activity room;
- a kitchen area;
- access directly to the parking area.

The facility would also have a reception area, administrative offices, a beauty salon and a medical office for the residents.



Facility Layout



Typical Double and Semi Private Room Layout

During the original PUD-65 review period in 2007, a tree survey and analysis for the then proposed office building was prepared by John Traverso, a Certified Arborist with Traverso Tree Service. The report surveyed 48 existing trees and concluded 13 of them should be preserved (see map in Exhibit B regarding retained trees). Since approval of the office proposal, the applicant has removed 35 trees that were to be removed. Among the removed trees, 22 were heritage sized trees; 13 were in good condition; four were in fair condition; one was in poor condition; and four were dead/dying.

The Landscaping plan, prepared by Reed Associates, shows a variety of new trees, shrubs, and groundcovers would be planted with the proposed development. Crape myrtle, Yeddo hawthorn, Hybrid flax and heavenly bamboo will be planted on the east-side of the property. Crape myrtle, Laurel sumac along with escallonia, Spanish lavender, variegated tobira, New Zealand tea tree, etc., will be planted along the south-side of the property. Crape myrtle, Yeddo hawthorn, and Hybrid flax would be planted along the east side. London plane trees would be planted on the west side (front) of the property along with a mixture of shrubs and groundcover including escallonia, New Zealand tea tree, and white carpet rose to accent the site and to visually enhance the streetscape. Two internal courtyard areas are proposed for the use by its residents. Please refer to Exhibit B for detailed planting scheme.

A double-sided monument sign is proposed in the landscaped area near the southern driveway. The monument sign will have the facility's name and address. No sign design or details have been provided.

IV. ANALYSIS

General Plan and North Sycamore Specific Plan Land Use Conformity

The subject parcels are designated by the Land Use Element of the Pleasanton General Plan for "Retail/Highway/Service Commercial; Business and Professional Offices" land uses, which allows commercial and office uses. The proposed project, a memory care/assisted living facility, is consistent with this land use. The General Plan allows a range of intensity from 0-60 percent floor area ratio (FAR) for the "Retail, Highway, and Service Commercial/Business and Professional Offices" land use designation, with a midpoint density of 35 percent. The proposed 21,481 square feet of building area would result in a 29.53% FAR for the 1.67-acre site, meeting the FAR limit for commercial properties specified by the Pleasanton General Plan.

The proposed development contains two parcels. The 5980 Sunol Boulevard property is located within the North Sycamore Specific Plan (NSSP) area. The NSSP land use designation for the subject property is "PUD-Office" and is generally subject to the purposes and uses of the City's O (Office) District. The NSSP PUD-Office section further states that "In general, types of uses envisioned for the study area are those uses identified as permitted uses for the office District and include administrative and business office and the following kinds of offices: design, insurance, investment service, legal services, medical and dental, real

estate and research service.” (page 34). The proposed use would be a compatible with the adjacent uses.

Conformity with NSSP Requirements

New construction in the NSSP must conform to the specialized Development Standards and Design Guidelines contained in the NSSP. Although only the 5980 Sunol Boulevard property is located in the NSSP area, staff has reviewed the entire project for compliance with the NSSP regulations. The proposed project conforms to the applicable NSSP Development Standards and Design Guidelines as follows:

Height

The NSSP indicates a maximum height of two stories (30 feet). The proposed building is a one-story, 17'-8" in height. It is well under the height limited specified by the NSSP. Therefore, staff finds that this NSSP development standard has been met.

Coordinated Site Planning and Design Continuity

The NSSP indicates that the office parcels should be jointly planned to coordinate future site layouts, vehicular access, parking buffering, architecture, and landscaping prior to approval of the first parcel development plan. However, the NSSP also indicates that coordinated development may not be possible due to separate ownership and, if this is the case, then the first design approval should set the standard for subsequent development.

The 6088 Sunol Boulevard office building, located at the southeast corner of Sunol Boulevard and Sycamore Road, was the first office building constructed in the NSSP area. It was allowed to develop independently of the other office parcels since the office parcels were under separate ownership and the other property owners were not interested in developing their properties at that time.

The applicant has in the past contacted the property owner of 336 Sycamore Road, located immediately south of the proposed project, to purchase the land. The property owner decided not to sell the property. Staff believes that the proposed site and building design, discussed in greater detail below, follows the high standards of development established by the 6088 Sunol Boulevard property.

Site Access

The NSSP indicates that office site entrances should be located off of the new collector street (Sycamore Road) with Sunol Boulevard access limited to right-turn only ingress/egress, subject to approval by the City Traffic Engineer.

The 5980 Sunol Boulevard property's long, narrow corridor of land connecting to Sycamore Road is too narrow to accommodate a driveway. Therefore, there would be no access to this

development from Sycamore Road. However, future access to Sycamore Road might occur for the subject development when the adjacent 336 Sycamore Road property is developed. Therefore, staff requested that the applicant not preclude future vehicular connection to the 336 Sycamore Road property by placing permanent structures near the southeast corner of the property, which the applicant agreed to do.

The project would include two new right turn only (ingress/egress) driveways on Sunol Boulevard. The City's Traffic Engineer believes that the proposed right turn ingress/egress driveways on Sunol Boulevard would be acceptable.

Building Design

The NSSP requires variation in massing, setbacks, and height. In addition, it requires well articulated facades with building volume broken into smaller components to decrease its apparent mass and volume (e.g., create insets or projections, step back second floor, vary roofline height, etc.). Also, building forms should reflect the outlying residential character (e.g., sloping roofs).

The proposed building includes many features to break up the mass and volume of the building: building projections are included on all four elevations, gable designs, Porte-cochere element, and the roofline of the building varies in height to add interest and break up the building's volume. Staff also believes that the building is well articulated and is compatible with the surrounding residential character. Therefore, staff believes that the building complies with these NSSP requirements.

Landscaping

The NSSP indicates that an adequate rear yard landscaped setback should be provided along the perimeter of properties abutting residential districts to provide visual protection to adjacent uses, with the actual width of this landscape setback to be determined on a case-by-case basis through the PUD review process. Dense landscaping is required in this setback with plant material sized and spaced so that a lush and mature appearance will be attained within two years of planting. The guidelines further state that a six foot tall masonry wall should be installed at the residential property line (i.e., eastern property line). The development plan show a sound wall along both the east and south property lines to reduce potential noise onto the adjoining residential uses.

The proposed landscaping plan shows a narrow two-foot wide planting strip along the east property line opposite to the proposed compact parking spaces. This planting strip width could be increased by approximately two feet as the required drive aisle width is 25 feet. As shown on the site plan, the drive aisle width between the planting strip and the compact parking spaces is approximately 27 feet wide. Staff has previously discussed this revision with the applicant and the applicant agreed to this revision. A condition has been included to address this item.

Parking Location and Layout

The NSSP (page 45) states that parking areas should be broken into smaller components and located behind the buildings. It further states that parking between the building and the main street frontage (Sunol Boulevard) should be avoided whenever possible.

The proposed parking areas are broken into smaller components as they are located in three areas. There is no parking proposed between the building and Sunol Boulevard. Therefore, the parking lot design meets the NSSP regulations.

Service Areas

The NSSP indicates that trash receptacles should be screened from public view and located for convenient access by service vehicles. The roofed trash enclosure is to be located in the parking area in the northern portion of the site. It would have landscaping to screen it. Staff believes that the proposed location and screening of the trash enclosure meets this NSSP guideline.

Consistency Finding

The North Sycamore Specific Plan mandates that a consistency finding be made prior to approving any new development in the Specific Plan area. As conditioned, staff believes that the design, size, and location of the proposed office building and related site improvements are appropriate and conform to the intent and design standards contained within the Specific Plan.

Site Plan

As noted in the table below, the proposed development would meet the site development standards of the NSSP and Office District with respect to building setbacks, FAR, and height limits.

SITE DEVELOPMENT STANDARD:	REQUIREMENTS:	PLAN PROPOSES:
Floor Area Ratio	30% max.	29.53%
Building Height:	30 ft. max. @ roof	17'-8" to the top of the roof
Setbacks:		
Front (Sunol Blvd.) -	20 ft. min.	20 ft. min.
North Side -	10 ft. min.	50 ft. min.
South Side -	10 ft. min.	52 ft. min.
Rear (east) -	10 ft. min.	47 ft. min.

Staff believes that the proposed positioning of the building towards Sunol Boulevard with parking located on the sides and rear of the building presents an attractive appearance from Sunol Boulevard. Furthermore, the building location provides substantial setbacks from the adjacent residences. In addition, as noted above, staff believes that the proposed location of the parking areas complies with the NSSP requirements. The proposed 29.53 percent FAR would meet the FAR of the NSSP.

As conditioned, staff believes that the proposed site plan, positioning of the building, height, and FAR are appropriate for the subject property.

Traffic and Circulation

The proposed development would have two driveways and a looped drive aisle around the building to facilitate traffic access and on-site circulation. The day shift would have a maximum of 14 employees and the night shift would have a maximum two employees. The shift changes occur in the morning around 6:30 a.m. which is outside the morning peak commute hours. The office traffic for the 5980 Sunol Boulevard parcel was included in the traffic analysis and mitigations for the North Sycamore Specific Plan (NSSP) and Environmental Impact Report (EIR). The NSSP EIR assumed 13,378 square feet (30% FAR) of office use traffic from the 5980 Sunol Boulevard parcel. The 13,378 square feet of office use would have generated 21 AM Peak Hour trips and 20 PM Peak Hour trips. The City Traffic Engineering Division has reviewed the proposal, and based on the proposed building floor area of 21,481 square footage, per the Institute of Transportation Engineers (ITE) Parking Generation Manual 4th Edition, there will be 13 am peak hour trips and 18 pm peak hour trips. The Traffic Engineering Division also reviewed the trip generation based on the number of beds. With the proposed 46 beds maximum, there will be 8 am peak hour trips and 10 pm peak hour trips. The peak traffic volume generated from the proposed project, either based on the facility's floor area or based on the number of bed in the facility, is below the assumed the trip number analyzed in the NSSP EIR. Therefore, the City's Traffic Engineer determined that the project would have negligible traffic impacts and that a traffic report was not necessary.

The project would include two new 25-foot wide driveways, right turn ingress/egress only driveways on Sunol Boulevard. The applicant has also been conditioned to modify the existing and/or install new signing/stripping on Sunol Boulevard, as determined by the City Traffic Engineer, to ensure the two new driveways do not create a traffic safety hazard.

Regarding on-site vehicular circulation, the Livermore Pleasanton Fire Department reviewed the proposed circulation around the building and found that it is designed to allow the anticipated emergency vehicle access on and off the site efficiently and safely.

Parking

A total 31 parking spaces are proposed for the development, including two spaces for persons with disabilities. It yields a parking ratio of 1.34 spaces per unit or 0.67 parking spaces per

bed. The City's Municipal Code does not specify a parking ratio for memory care/assisted living facilities. The operator advised City staff that there will be 14 employees on site during the maximum shift. The facility would have 9-passenger van on site for transporting residents to medical appointments, field trips, etc. Assuming that each employee commutes separately to and from work, that would leave 16 spaces for residents and guests. The operator of this proposed facility has care facilities in California and Oregon. Based on the operator's experience in operating similar facilities in both states, it was indicated to City staff that visits to these facilities are dispersed throughout the week, although most visits tend to occur on weekends and weekday evenings. Assuming a conservative scenario of one third of the residents, or 15 residents, would have visitors at the same time, the remaining 16 spaces could handle that visitor demand.

City staff surveyed existing senior care facilities in the City in order to determine an appropriate parking requirement for the proposed use. The senior living facility on 4115 Mohr Avenue was approved at 0.66 parking spaces per room with a restriction prohibiting residents from keeping vehicles at the site. Parkview care facility on Valley Avenue provides different levels of assisted living including 19 dementia residents. The facility was designed at least 0.5 parking spaces per bed. The recently approved Continuing Life Communities at Staples Ranch provides a parking ratio of 0.66 parking spaces per bed in its 114-unit, 153-bed assisted living facility.

The Traffic Engineering Division has also reviewed the proposed facility and its parking. Per ITE Parking Generation Manual, 4th Edition, the parking ratio recommended for memory care/assisted living is 0.5 parking spaces per bed. Using this parking ratio, 23 parking spaces would be required for the proposed facility. The City Engineer has found that this parking ratio is appropriate to be used by the proposed memory care/assisted living facility. The City Traffic Engineer, however, encouraged additional on-site parking spaces to handle parking demand during holiday or special events at the facility as there is no on-street parking on Sunol Boulevard. Additional on-site parking would help prevent overflow parking into nearby residential neighborhoods. As proposed, the project would have eight more parking spaces than the 0.5 space/bed ratio would require.

Based on this analysis, City staff concludes that the proposed 31 parking spaces will be adequate to serve the needs of the facility. However, in order to further ensure that the adjacent properties would not be impacted by overflow parking, staff would recommend that conditions of approval be included with the project that prohibit the residents from keeping cars on the site and that RVs, boats, trailers, campers, and inoperable (i.e., non-operating or non-registered) vehicles be prohibited from being stored at the site. The applicant has agreed to these conditions.

Grading and Drainage

The subject site is generally flat. The northern perimeter of the site near the seasonal creek has gently sloping terrain. Grading for the proposed project would be limited to that required for preparation of the building pad and foundation, parking lot, drive aisles, and stormwater

retention basins. Staff finds the proposed grading to be minor and acceptable.

The parking lot and drive aisles would drain into shallow on-site storm water retention basins. The basins would then hold the stormwater and gradually release it to the storm drain system. This retention method is supported by the Regional Water Quality Control Board and staff in implementing the urban clean water runoff program.

One of the stormwater retention basins is located in the north portion of the site, near the seasonal creek. To ensure that the slope bank of the seasonal creek will not be affected by the proposed development, staff has included a condition requiring no on-site improvement including grading be allowed within the seasonal creek setback area.

Building Design

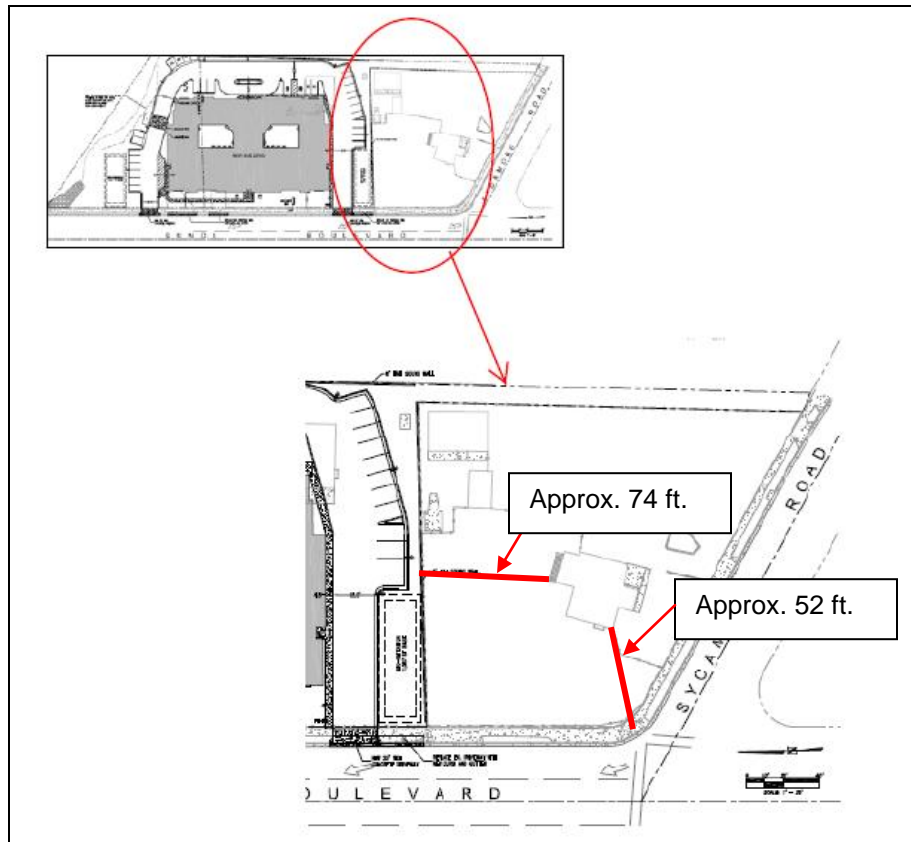
The subject site is a sensitive one due to its proximity to the adjacent residences and its frontage on a major City thoroughfare. Therefore, staff worked with the applicant to design a building with high quality architecture and materials. Although the building entrance is on the rear (east) elevation, its west elevation incorporates design details, such as stone columns and a centered, gabled projecting area with a large window which provides visual entry on the Sunol Boulevard frontage. Having the building entrance on the east side avoids parking and drive aisle between the building and Sunol Boulevard ; therefore, satisfies the design criteria of the NSSP concerning parking location. Staff believes that the building is attractive and contains design elements, described earlier, which break up its volume. Staff also believes that the building is well articulated and would be compatible with the surrounding buildings. The colors and materials of the building will complement the building architecture and would be compatible with other buildings in the area. Staff also finds the building height to be acceptable and compatible with the surrounding structures.

Noise

The proposed facility is a care facility with 46 beds. The facility is required to meet the noise standards applied to multiple family dwellings. Noise standards for multiple family dwellings need to generally maintain a 45 dBA L_{eq} interior standard of the Pleasanton General Plan. Although the project site is not in proximity of a railroad, it abuts a major thoroughfare and is within one-half mile of I-680. Policy 5 of the General Plan requires the development to “Protect schools, hospitals, libraries, religious facilities, convalescent homes, and other noise-sensitive uses from noise levels exceed those allowed in residential areas.” To ensure that the proposed project would meet the noise criteria for both indoor and outdoor, the project is conditioned to have a noise study conducted by a licensed professional prior to the issuance of a building permit and the construction of the facility to incorporate recommended mitigation measures. Staff has discussed this requirement with the applicant who agreed to it.

The adjacent property owner to the south (336 Sycamore Road) has expressed concerns about potential noise impact of the proposed facility. Although the adjoining property is zoned PUD-O (Planned Unit Development – Office), there is an existing legal non-conforming

residence. The noise concerns are directly related to the proposed southern drive aisle and parking spaces near along the common property line.



The existing residence on the adjoining property is located approximately 74 feet from the common property line and approximately 52 feet from the corner of Sunol Boulevard and Sycamore Road. There is a detached structure located on the northeast of the site. The applicant mentioned to staff that he was informed by the adjoining property owner that this building located at the northeast corner of the site is also being used as a living quarters. In researching building permit records, staff found a permit for one sewer connection in September 1999. Staff could not find any permit/approval showing this back building was approved for residential use. As the subject property was annexed to Pleasanton in 1993, staff does not have records prior to the annexation date.

To address the noise concerns, the applicant proposes the following:

- 1) Construct a six-foot high sound wall along the southern property line to reduce potential noise onto adjacent property; and,
- 2) Require night-shift staff (2 persons at maximum) to use the northern portion of the parking lot.

Staff believes that a sound wall would be able to substantially block noise from vehicles passing through the parking lot, closing of vehicle doors, starting engines, etc. during the day time. At night time, the number of vehicles entering/exiting the parking lot would be greatly reduced as no visitors are allowed during nighttime (except during an emergency), and night-shift employees would be required to park on the north side.

Additionally, the trash enclosure is located to the north of the building. As such, trash pick-up should not impact the residential use to the south.

Emergency service related to 911 calls may also create noise. Staff has contacted Livermore-Pleasanton Fire Department who provided the following information about calls for service to similar facilities:

	Calls Received by Livermore-Pleasanton Fire from 01/01/07 -09/21/11	Yearly Calls (Average)	Monthly Calls (Average)
100 Valley Avenue (125 bed assisted living facility)	387 calls	81 calls	6.7 calls
300 Neal Street (139 bed skilled nursing facility)	475 calls	99 calls	8.2 calls

Based on the number of beds in the proposed facility, this data would yield an estimated average monthly number of calls of 2.58, or rounded up to three calls per month.

The applicant provided emergency call information from Westmont Living’s Operation Director. Based on the operations from the existing Westmont facilities, it is estimated that there would be two to three calls per month for the proposed 46-bed facility.

Green Building

The City’s Green Building Ordinance requires projects containing 20,000 square feet or more of conditioned floor area to meet a LEED™ “Certified” level, which is equal to a score of 40 or more credit points on the LEED Green Building Checklist. Since the proposed building is 21,481 square feet, it is required to meet a “Certified” rating. The applicant has proposed to incorporate green building measures into the project to allow the project to qualify for 40 credit points and meet a LEED “Certified” rating as required by the City’s Green Building Ordinance. Some of the proposed green building measures include using a highly reflective roof surface to reduce a heat island effect; installing high efficiency toilets to reduce water consumption; using recycled content building materials; and utilizing low volatile organic compound (VOC) emitting materials.

The LEED checklist also claimed point for using low emission, fuel efficient vehicles for the facility. Staff assumes that this refers to the facility vehicle. To ensure that the proposed facility would meet the LEED Certified rating, staff has included a condition requiring the applicant specify how each green point is to be achieved on the construction plans submitted for building permit

Signage

A monument sign location is proposed near the southern driveway. It would be a double-faced sign identifying the facility. No specific design has been submitted. A condition has been included that requires the applicant to submit sign design review prior to installation of any signs.

Landscape Plan

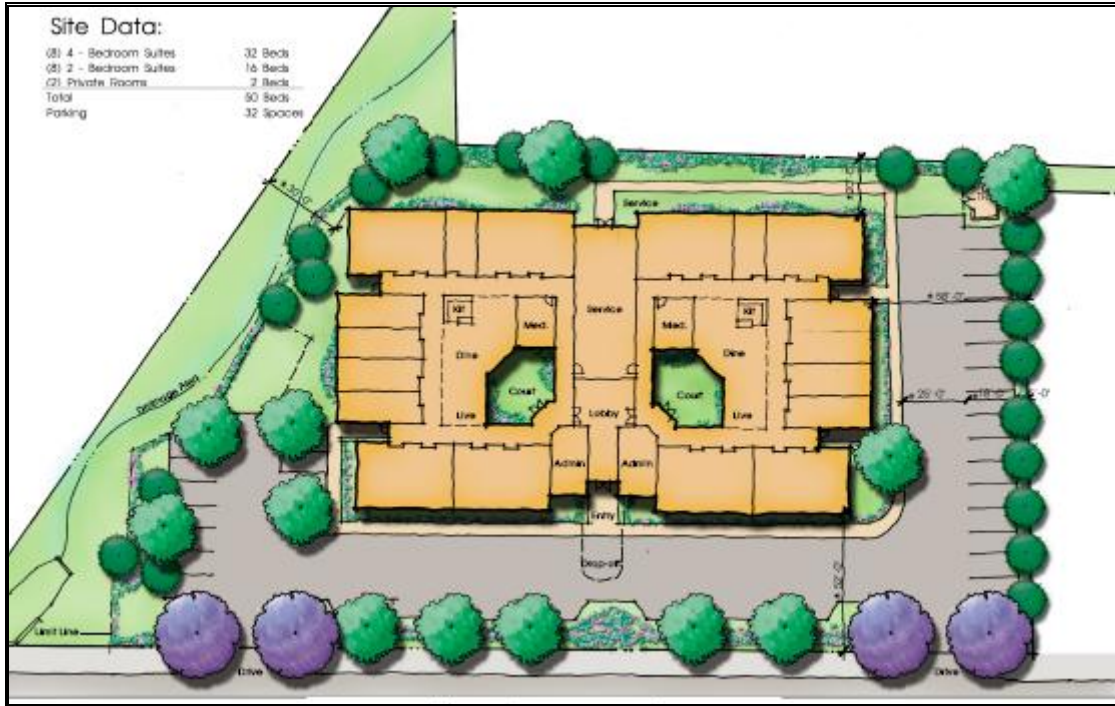
The landscape plan will provide a variety of trees, shrubs, and groundcover on the project site. Staff believes that the proposed landscape plan is attractive and contains sufficient landscape area around the perimeter of the building, parking areas, and along the street frontage. Staff also believes that the density and species of trees and shrubs indicated on the plan are generally appropriate.

As previously discussed, a condition has been added requiring the width of the eastern planting strip be increased. Thus, the final landscape plan would be subject to the review and approval by the Community Development Director.

Alternative Plans

As previously discussed, the adjoining property owner to the south (336 Sycamore Road) has expressed concerns regarding potential noise impact from the proposed facility, the placement of the front entrance of the facility, and suggested that the applicant consider an alternative site plan that does not have a looped drive aisle, rear entrance, and parking stalls near the southern property line.

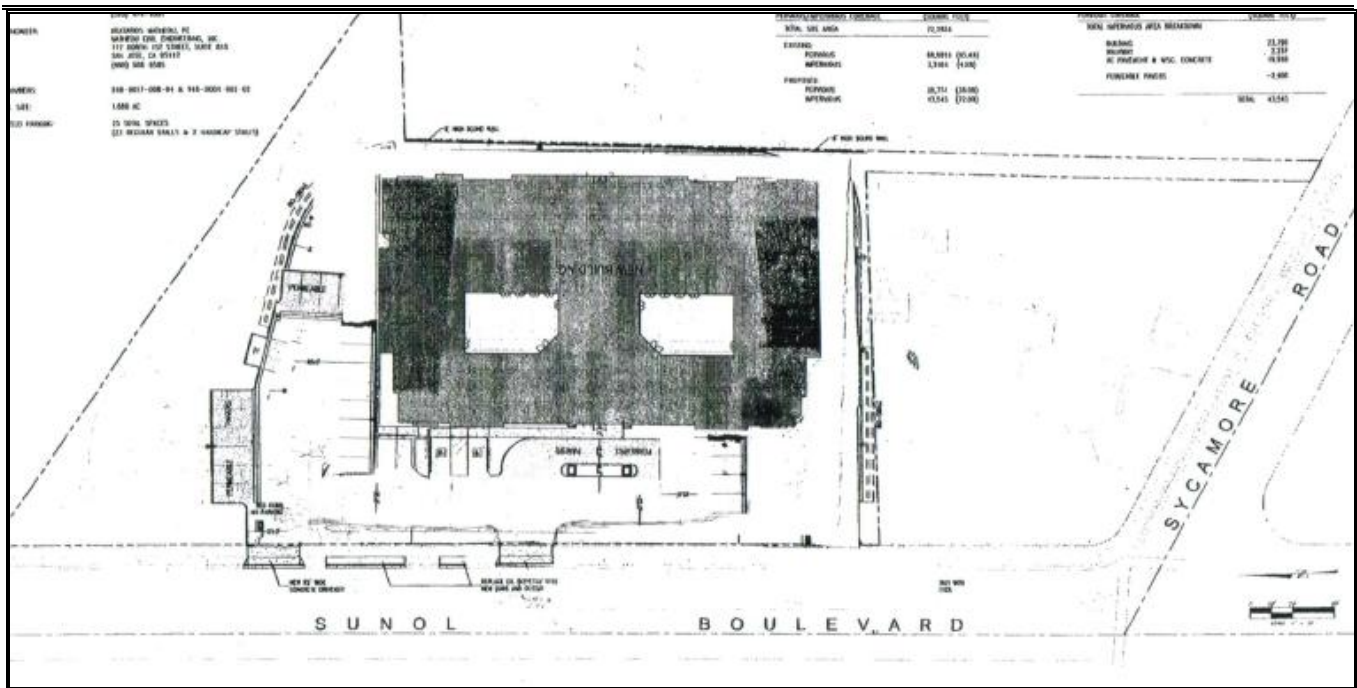
Alternative Plan 1: This alternative site plan was proposed by the applicant at a preliminary review stage of the project. It showed the entrance to the facility is in the front; and the drive aisles terminate at the eastern end, instead of looping around the building.



This plan was reviewed by Livermore-Pleasanton Fire Department which believes this site design provides adequate emergency service access. However, this site design creates a drive aisle between the building and Sunol Boulevard, which would not be consistent with the NSSP as it states that parking between the building and the main street frontage (Sunol Boulevard) should be avoided whenever possible. Further, although it addresses the concern regarding the front entrance of the building, it retains parking on the southern end of the site.

Alternative Plan 2:

This preliminary sketch is suggested by the adjoining property owner at 336 Sunol Boulevard who believes that this plan would not only address the noise and front entrance concerns, but also meet the parking and circulation requirements.



This plan was also reviewed by Livermore-Pleasanton Fire Department with the following comments:

- The south driveway would need to be relocated further south to allow fire access to the front drive aisle.
- Driveways would need to be sized to accommodate LPFD apparatus.
- Relocation of the south driveway would eliminate the need for a modified hammerhead.

Staff compared the current proposal with this alternative plan. This alternative does not provide adequate on-site parking spaces (it showed a total of 17 parking spaces); thus, may result in overflow parking into residential areas. Additionally, it would locate parking between the building and Sunol Boulevard, which would not conform to the NSSP design guideline which states that placing parking between the building and main street frontage should be avoided whenever possible.

North Sycamore Specific Plan Cost Responsibilities

Area-wide roadway improvements, storm drainage, water, wastewater, and other public services for the NSSP were installed by Greenbriar Homes, one of the “Funding Developers,” in conjunction with its NSSP project. The Specific Plan requires individual property owners who subdivide their properties to reimburse the Funding Developers based on their pro-rata lot shares. Since the office properties would not subdivide, lot shares for the PUD-Office properties were based on two shares per acre. Therefore, the applicant’s 5980 Sunol

Boulevard property was assigned two lot shares for reimbursement. The applicant will also be required to join the NSSP Maintenance Association which maintains the improvements in the common areas of the NSSP. Conditions of approval address these items.

V. NEIGHBORHOOD MEETING

On June 13, 2011, staff hosted a neighborhood meeting at the City's Senior Center. Three residents attended the meeting. Questions concerning the operation of the facility were raised.

The applicant responded that the facility is for those who have lost the ability to live independently. It is a "delayed egress" facility⁵ to prevent residents exiting the building without being noticed. For the safety of the facility residents, there would not be strolling around the residential neighborhood. If a field trip is scheduled, residents will be transported to and from trip destination. Additionally, the facility is not subsidized by the State; thus, the facility residents would be supported by private funding.

VI. PUBLIC NOTICE

Notice of the proposed project was mailed to the surrounding property owners and tenants within 1,000 feet of the subject property. At the writing of this report, staff had not received any written or verbal comments pertaining to the proposal, aside from those listed above.

Suzan Dingman, 387 Sycamore Road, wrote staff opposing the proposed amendment to the NSSP. Ms Dingman stated that the proposed facility would have a negative impact on the existing rural neighborhood; it would have noise and traffic impacts, and the possibility of residents escaping the facility. The applicant has responded to Ms. Dingman's concern by further explain the scope and operation of the project. A copy of the response is attached.

Mr. Art Dunkley, property owner of the adjoining parcel to the south at 336 Sycamore Road, contacted staff, expressing his concerns on the site plan, the noise generated from vehicle traveling through the site and closing of vehicles' doors.

VII. PUD DEVELOPMENT PLAN MAJOR MODIFICATION FINDINGS

The Zoning Ordinance of the Pleasanton Municipal Code sets forth the purposes of the Planned Unit Development (PUD) District and the considerations to be addressed in reviewing a PUD Development Plan and any major modification of an approved development plan. The Planning Commission must make the following findings that the proposed modification of the PUD-65 conforms to the purposes of the PUD District, before making its recommendation.

⁵ "Delayed Egress" is a means of delaying people who try to exit the building. Delayed Egress systems are used in facilities that care for Alzheimers patients across the country, where a delayed egress system helps to keep patients from wandering off while maintaining a margin of safety for egress in legitimate panic situations.

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

The project would include the installation of private utility systems to connect to the public systems in order to serve the memory care/assisted living facility. Adequate storm drain, sanitary sewer, and water service utilities are present in the area surrounding the development and are sufficient to serve the new building. All on-site infrastructure would be installed by the project developer with connections to municipal systems in order to serve the site. As conditioned, drive aisles and driveways will be designed and constructed to City standards. Adequate access would be provided to the structure for police, fire, and other emergency response vehicles. The building would be designed to meet the requirements of the Uniform Building Code and other applicable City codes. Stormwater run-off from the site will be treated before leaving the site. Construction hour limits and dust suppression requirements will minimize construction impacts on the surrounding residents and tenants.

Therefore, staff believes that the proposed 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:

The proposed commercial facility conforms to the "Retail, Highway, and Service Commercial/Business and Professional Offices" Land Use Element designation for the project site. A portion of the project site is located within the North Sycamore Specific Plan. The Specific Plan programs, policies, and land use designation are regarded as a more refined, detailed version of the General Plan. The Specific Plan's "PUD-Office" land use designation for the 5980 Sunol Boulevard site is generally subject to the purposes and uses of the City's O (Office) district. The Nssp PUD-Office section further states that "In general, types of uses envisioned for the study area are those uses identified as permitted uses for the office District and include administrative and business office and the following kinds of offices: design, insurance, investment service, legal services, medical and dental, real estate and research service." (page 34). The proposed use would be compatible with the adjacent uses.

Therefore, staff believes proposed development plan is consistent with the City's General Plan and North Sycamore Specific 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 subject property is surrounded by industrial, office, and residential uses on large parcels. The uses for the site would be compatible with the surrounding uses. The proposed facility would be generally sited towards Sunol Boulevard with ample setbacks from the adjacent residences to minimize view and privacy impacts. The building has

been attractively designed and would be compatible with the design of the surrounding structures. New landscaping would be installed in the perimeter planter areas to help screen the development from off-site views. In addition, a proposed six-foot tall sound wall along a portion of the eastern and southern property lines would further help screen views of the development from the parcels to the east and south. Therefore, impacts on the adjacent developed properties would be limited. The proposed development would require limited grading for the construction of the building and other site improvements. Grading conducted on the site will be subject to engineering and building standards prior to any development.

Therefore, staff believes that the plan is compatible with the previously developed properties and the natural, topographic features of the site, and 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.

The site topography is generally flat to slightly sloping and there are no known landslides on the property. Grading for the proposed project would be limited to that required for preparation of the building pad and foundation, parking lot, and drive aisles. Erosion control and dust suppression measures will be documented in the building permit plans and will be administered by the City's Building and Public Works Division. 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 within a 100-year flood zone. Therefore, staff believes that this finding can be made.

5. Whether streets, buildings, and other manmade structures have been designed and located in such manner 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 building and parking areas would be located in an area of the site where the grades are not steep. The proposed building will be compatible in size and scale with surrounding structures. The trees that are currently on site, except for one, will be retained. New landscaping would be installed to mitigate the loss of the existing tree as well as the trees removed with the previous PUD-65 approval. 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 this project would be consistent with City design standards. Adequate access would be provided to the building for police, fire, and other emergency vehicles. The building would also be equipped with automatic fire

suppression systems (sprinklers) and an on-site fire hydrant would be installed.

Although the site is 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 Code through its building permit process. The proposed project 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 plan has been designed to incorporate adequate public safety measures.

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 insure 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 building that is well-designed and sited on the subject property, that fulfills the desires of the applicant, and that meets the City's General Plan and North Sycamore Specific Plan goals and policies. The PUD process allows for ample input from the public and for an ultimate decision by the City Council regarding appropriateness of the proposed uses and development plan.

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

VIII. ENVIRONMENTAL ASSESSMENT

An Environmental Impact Report (EIR) was prepared and certified for the North Sycamore Specific Plan. The California Environmental Quality Act (CEQA) specifies that individual development projects that are prepared pursuant to the requirements of an adopted specific plan, for which an EIR has been prepared and certified, are exempt from additional environmental review. Since the subject development is also proposed on the 5998 Sunol Boulevard property, which wasn't part of the NSSP or its EIR, and an amendment is proposed to the NSSP, a draft Negative Declaration accompanies this report to address the potential

environmental impacts. Based on an initial study, staff believes that approval of Cases PSPA-4 and PUD-65-01M would not have any significant adverse effects on the environment. If the Commission concurs with this environmental assessment, The Commission must make the finding that the Negative Declaration is appropriate prior to taking action on the project.

IX CONCLUSION

Staff believes that the proposed building meets all applicable requirements of the Pleasanton Municipal Code, North Sycamore Specific Plan, and General Plan as conditioned. In the opinion of staff, the project's building and site design, as proposed and conditioned, is appropriate for the surrounding area, conforms to the purposes of the PUD Ordinance, and is superior to the alternative site plans. However, if the Planning Commission believes the neighbor's concerns merit a more detailed exploration of the site plan alternatives, staff has provide an option.

X. STAFF RECOMMENDATION

Staff recommends that the Commission take the following actions:

1. Find that the project would not have a significant effect on the environment and adopt a resolution recommending approval of the attached draft Negative Declaration;
2. Adopt a resolution finding that the amendment to the North Sycamore Specific Plan is consistent with the General Plan and recommending approval of Case PSPA-4 and forward the amendment to the North Sycamore Specific Plan to the City Council for public hearing and review;
3. Find that the proposed major modification to PUD and the PUD Development Plan are consistent with the General Plan, the NSSP, and the purposes of the PUD Ordinance;
4. Make the findings as identified in the staff report ; and,
5. Recommend approval of PUD-65-01M subject to the Conditions listed in Exhibit A and forward the PUD major modification and PUD development plan to the City Council;

If the Planning Commission wish to explore site plan alternatives in ore detail, the Planning Commission may direct the applicant to prepare detailed design based on either Alternative Plan 2.

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