



Planning Commission Staff Report

September 15, 2010
Item 6.b.

- SUBJECT:** PUD-82
- APPLICANT:** David DiDonato, Donato Builders, Inc.
- PROPERTY OWNER:** Robert Molinaro
- PURPOSE:** Application for Planned Unit Development Rezoning of an approximately 1.17-acre site located at 4171 and 4189 Stanley Boulevard from R-1-6,500 (One-Family Residential) District to Planned Unit Development – High Density Residential (PUD-HDR) District and for Development Plan approval to construct 14 detached single-family homes.
- GENERAL PLAN:** The General Plan Land Use designation for the parcels is High Density Residential.
- SPECIFIC PLAN:** The Downtown Specific Plan Land Use designation for the parcels is High Density Residential.
- ZONING:** The current zoning is R-1-6,500 (One-Family Residential) District.
- LOCATION:** 4171 and 4189 Stanley Boulevard
- ATTACHMENTS:**
1. Exhibit A - Recommended Conditions of Approval
 2. Exhibit B - Proposed Plans, FAR Table, Site Development Standards, Green Point Checklist, Tree Reports, and Noise and Vibration Study
 3. Exhibit C - Downtown Specific Plan Land Use Map
 4. Exhibit D - Location Map
 5. Exhibit E - Photographs of the Property
 6. Exhibit F - Preliminary Site Plan from the May 21, 2008, Planning Commission Work Session Meeting
 7. Exhibit G - Minutes of the May 21, 2008, Planning Commission Work Session Meeting

8. Exhibit H - Neighborhood Petition Submitted at the May 21, 2008, Planning Commission Work Session Meeting
 9. Exhibit I - California Department of Parks and Recreation Survey Form-523 Prepared by Architectural Resources Group
 10. Exhibit J - Letter from Linda Garbarino, Pleasanton Heritage Association
 11. Exhibit K - Public Noticing Map
-

I. BACKGROUND

David DiDonato has submitted a PUD rezoning and development plan application for a 14-unit residential development in the Downtown Specific Plan (DTSP) Area. The City Council approved the Downtown Specific Plan in March 2002. The Specific Plan land use designation for the subject site is High Density Residential (please see Exhibit C, Downtown Specific Plan Land Use Map). In conjunction with the adoption of the DTSP, the General Plan Land Use Designations of several properties were changed to make them consistent with the Downtown Specific Plan Land Use Designations. The General Plan Land Use Designation for the subject site was changed from Medium Density Residential to High Density Residential.

PUD rezoning and development plan applications are subject to review and approval by the City Council, following recommendation by the Planning Commission. The Planning Commission's recommendation on the proposed PUD project will be forwarded to the City Council for review and final decision. If the rezoning and development plan are approved, the applicant must next apply for tentative map approval to allow the site to be subdivided in accordance with the development plan. Tentative map applications are subject to review and approval by the Planning Commission.

May 21, 2008, Planning Commission Work Session

In order to receive early feedback from the Planning Commission and any interested individuals regarding the proposed project, a Planning Commission work session was held on May 21, 2008. The Planning Commission provided the following comments on the work session discussion points (additional comments made by the Commission are located in the attached minutes):

1. *Is the proposed density acceptable?*

Some Commissioners stated that the proposed density was too high and believed that a few lots should be removed while other Commissioners believed the density was acceptable. Commissioner Blank stated that a one- to two-unit reduction would be appropriate, but indicated if the floor area ratio (FAR) or layout were different, then it might be a different issue.

The proposed density of 12.0 dwelling units per acre is the same density proposed at the time of the work session. Staff notes that the Planning Commission Work session staff report erroneously indicated that a General Plan Amendment would be required for the proposed density. As noted above, the General Plan Land Use Designation for the subject site was changed to High Density Residential as part of the 2002 Downtown Specific Plan. Therefore, a General Plan Amendment is not required for the project.

2. *Is the proposed site plan acceptable? Are the proposed setbacks acceptable?*

Four Commissioners believed the general site plan layout was acceptable while one Commissioner did not like the site plan. Some of the Commissioners wanted the rear yard setbacks on the east side of the project site increased (one Commissioner mentioned at least a 10 foot setback) while one Commissioner requested the rear setbacks be increased for the entire project.

Five-foot rear yard setbacks were indicated on the preliminary plan provided at the work session. The current application proposes rear yard setbacks of 9 ft. 10 in. or 10 ft. along the eastern boundary (Lot 8 has a minimum 9½ ft. eastern side yard setback), 7 ft. or 10 ft. along the northern boundary, and between 5 ft. to 7 ft. 10 in. along the western boundary. The rear yard setbacks noted above exclude a two-foot fireplace encroachment. Staff notes that the Pleasanton Municipal Code normally allows up to a four-foot encroachment into the rear yard setback for fireplaces.

3. *Is the guest parking acceptable?*

No on-site guest parking was included on the preliminary plan provided at the work session. All Commissioners believed that on-site guest parking should be included in the project, but a specific number was not provided. The current application includes five on-site guest parking spaces.

4. *Is the proposed open space area for the development and for each home acceptable?*

Some Commissioners stated that common open space areas were not necessary for this development while other Commissioners felt it should be provided or be provided if feasible after addressing other comments such as adding guest parking and increasing the rear setbacks. Some Commissioners wanted an on-site tot lot provided while other Commissioners did not believe a tot lot was necessary.

The current application does not include a tot lot or common open space area.

5. *Is the proposed Floor Area Ratio (FAR) acceptable?*

The following house sizes were presented at the work session:

- Plan 1: 1,609 and 1,649 sq. ft.
- Plan 2: 1,764 and 1,789 sq. ft.
- Plan 3: 2,140 and 2,176 sq. ft.

The stated lot sizes on the work session plan ranged from 2,390 to 3,420 sq. ft. Because the individual lot sizes and the specific location of the models were not indicated on the work session plans, staff was unable to determine the FARs for each lot. Staff notes that the work session staff report indicated an average FAR of approximately 70%. Staff believes this figure was in error.

There was general consensus by the Commission that the FARs should be reduced, with some Commissioners noting that the house sizes should be reduced to provide guest parking and larger rear yard setbacks.

The house sizes have been reduced and are currently proposed as follows:

- Plan 1: 1,599 and 1,639 sq. ft.
- Plan 2: 1,720 and 1,757 sq. ft.
- Plan 3: 1,892 and 1,920 sq. ft.

The “net” lot sizes on the current plan vary from 2,603 to 3,965 sq. ft. and the proposed FARs range from 48% to 67% (please see the “Project Description” and “Analysis” sections of this report for additional discussion on the lot sizes and FARs).

6. *Is the proposed architecture acceptable?*

Four Commissioners stated the architecture was acceptable, with one Commissioner requesting more building articulation. One Commissioner indicated it would be nice to see some one-story homes.

The proposed house designs are substantially the same as the work session plans. Larger front elevations have been provided to allow the Commission to better view the building articulation.

Work Session Public Comment

Six members of the public spoke at the meeting. Adjacent neighbors expressed concerns regarding density, parking, traffic, house setbacks, loss of views and light, building heights, drainage, and tree loss. One resident spoke in favor of the project noting that developments like this provided needed housing. A petition signed by 62 residents was submitted by one speaker

(please see Exhibit H). The petition requested that the Planning Commission not rezone the property, that 15-ft. minimum setbacks be provided from existing property lines, and that as many trees as possible be retained.

Specific comments made by the public can be found in the attached minutes (Exhibit G).

II. SITE DESCRIPTION

Subject Property and Surrounding Area

The project site, comprised of five parcels, is located on the north side of Stanley Boulevard (please see the aerial photograph of the site and surrounding area below, which was taken in 2005). The plans indicate that the project site is 52,510 square feet (1.21 acres). However, this measurement includes an approximately 1,375-square-foot parcel within Stanley Boulevard that was dedicated to the City in 1980. The project site measures approximately 51,135 square feet (1.17 acres) without the Stanley Boulevard parcel. The site topography is relatively flat and contains an existing single-family dwelling built in 1908 (see photograph on the following page) and a variety of trees, shrubs and grasses.



2005 Aerial of the Subject Property

The property is bordered on the east by a single-family home and the Del Valle Manor townhome development. Window-ology (window covering sales office and warehousing) borders the site to the west. The Union Pacific Railroad borders the site to the north. Single-family homes in the Jensen Tract neighborhood are located on the opposite side of the railroad tracks. Pleasanton Mobile Home Park and single-family homes are located to the south of the subject site, opposite Stanley Boulevard.



2010 Photograph of the Existing House at 4189 Stanley Boulevard

III. PROJECT DESCRIPTION

Rezoning

The General Plan Land Use Designation of the subject property was changed from Medium Density Residential to High Density Residential in 2002 to make it consistent with the new Downtown Specific Plan. However, the zoning of the property was not changed to reflect the new General Plan and Downtown Specific Plan Land Use Designations. Therefore, the applicant is requesting to rezone the property from R-1-6,500 (One-Family Residential) District to Planned Unit Development – High Density Residential District to make the zoning consistent with the General Plan and Downtown Specific Plan Land Use Designations.

Proposed Development Plan

The applicant proposes to construct 14 detached single-family homes. The project features are summarized below:

- A private road off Stanley Boulevard would provide access to the development. The street section would measure 20-feet wide (curb-to-curb) with no parking allowed. A fire truck turn around would be provided as required by the Fire Department. No internal sidewalks would be provided; a new sidewalk will be installed along the project frontage as part of the City’s Stanley Boulevard reconstruction project (please see the “Traffic and Circulation” section of this report for additional information regarding the reconstruction project).
- Net lot areas would range from a minimum of 2,603 square feet to a maximum of 3,965 square feet in area (net area excludes the access easement area generally containing the private street and guest parking areas). Gross lot areas including the access easement would range from a minimum of 2,842 square feet to a maximum of 5,028 square feet in area.
- Three house models would range in size from approximately 1,599 square feet to 1,920 square feet. All of the models are two-stories tall. The homes would measure between 26 ft. 1 in. to 27 ft. 9 in. in height, depending on the model and elevation type (note: height measured from the grade adjacent to the house to the tallest roof ridge). There would be two different architectural styles for each house model type: Spanish and Andalusian. The site plan shows the proposed house model for each lot. The applicant is requesting flexibility with respect to the elevation type used on each lot. The table below lists the lot sizes, the model proposed on each lot, the house size, and the floor area ratios (FARs).

Lot Number	Net Lot Size ¹	House Model	House Size	FAR ²
1	3,040 sq. ft.	Plan 1	1,599 or 1,639 sq. ft.	53 or 54%
2	2,695 sq. ft.	Plan 2	1,720 or 1,757 sq. ft.	64 or 65%
3	2,648 sq. ft.	Plan 1	1,599 or 1,639 sq. ft.	60 or 62%
4	2,603 sq. ft.	Plan 2	1,720 or 1,757 sq. ft.	66 or 67%
5	3,365 sq. ft.	Plan 3	1,892 or 1,920 sq. ft.	56 or 57%
6	3,280 sq. ft.	Plan 3	1,892 or 1,920 sq. ft.	58 or 59%
7	2,612 sq. ft.	Plan 2	1,720 or 1,757 sq. ft.	66 or 67%
8	3,965 sq. ft.	Plan 3	1,892 or 1,920 sq. ft.	48%
9	2,826 sq. ft.	Plan 2	1,720 or 1,757 sq. ft.	61 or 62%
10	2,815 sq. ft.	Plan 1	1,599 or 1,639 sq. ft.	57 or 58%
11	3,241 sq. ft.	Plan 1	1,599 or 1,639 sq. ft.	49 or 51%
12	2,650 sq. ft.	Plan 2	1,720 or 1,757 sq. ft.	65 or 66%
13	2,813 sq. ft.	Plan 1	1,599 or 1,639 sq. ft.	57 or 58%
14	3,115 sq. ft.	Plan 2	1,720 or 1,757 sq. ft.	55 or 56%

¹Lot area excluding the access easement area.

²FAR calculated using the net lot area. The FARs range from 32-62% using the gross lot area.

- The proposed house setbacks vary from lot to lot. The rear yard setbacks are: 9 ft. 10 in. or 10 ft. along the eastern boundary; 7 ft. or 10 ft. along the northern boundary; and between 5 ft. to 7 ft. 10 in. along the western boundary. Lot 8 has a minimum 9½ ft. eastern side yard setback as measured from the closest corner of the home (staff notes the plan erroneously indicates a 7½ ft. setback) and the side yard setback increases up to 18 ft. at the rear corner. Five to 7 ft. minimum interior side yard setbacks are proposed elsewhere in the development. Ten-foot street side yard setbacks along Stanley Boulevard are proposed for Lots 1 and 14. Since the front property lines of the lots would extend into the private street, a measurement to the front property line does not provide a good indication of the front yard setbacks. Therefore, staff measured the front landscaped yard areas between the house and street or driveway; these vary from 5 ft. 1 in. (Lots 7 and 9) to 11 ft. 4 in. (Lot 2).
- No additions would be allowed on any of the homes. Site development standards have been created to establish setback, height, etc. regulations for accessory structures such as decks, patio covers, sheds, etc. (please see Exhibit B).
- Private courtyard areas would be created for Lots 1, 3, 10, and 13. The courtyard areas for these lots would utilize a portion of the adjacent lots' (Lots 2, 4, 9, and 14, respectively) side yard area. In return, a portion of the rear yard of Lots 1, 3, 10, and 13 would be used by Lots 2, 4, 9, and 14, respectively. Easements would be created to allow the lot owners to use and make certain improvements on the adjacent lots and to allow the lot owners to access and maintain the sides of their homes. The landscape plan shows typical courtyard improvements for Lots 1, 3, and 13.
- Two garage parking spaces would be provided per unit. In addition, residential driveways would be at least 18-feet long to accommodate parked vehicles with the garage door in a closed position. Five guest parking spaces would be provided on site.
- The existing single-family dwelling would be demolished to accommodate the proposed development.
- All 20 of the existing trees on the subject property would be removed to accommodate the proposed development, including 12 heritage-sized trees (as defined by the Municipal Code). A fruitless mulberry tree in the City right-of-way along the project frontage will also be removed as part of the City's Stanley Boulevard reconstruction project. Two nearby trees located in the Union Pacific Railroad corridor would be preserved. Front yard landscaping would be installed for each lot. Landscaping would also be installed along the Stanley Boulevard frontage.

IV. ANALYSIS

Land Use

Conformance with the General Plan and Downtown Specific Plan

The site's General Plan and Downtown Specific Plan Land Use Designation of "High Density Residential" requires projects to have densities greater than eight dwelling units per acre (DUA). Any housing type (detached and attached single-family homes, duplexes, townhouses, condominiums, and apartments) is allowed as long as it meets the density requirement. The proposed detached single-family residential housing development with a density of 12.0 units per acre is consistent with the General Plan and Downtown Specific Plan land use designation for the site. The proposed project would also further the following General Plan and Downtown Specific Plan Programs, Policies, and Objectives:

General Plan

Land Use Element

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.

Policy 7: Continue to implement adopted specific plans along with relevant rezoning.

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

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.

Housing Element

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

Goal 14: Provide adequate locations for housing of all types and in sufficient quantities to meet Pleasanton's housing needs.

Policy 2: At a minimum, maintain the amount of high-density residential acreage currently designated on the General Plan Map.

Downtown Specific Plan

Land Use Objective 1: To retain the small-town scale and physical character of the Downtown through the implementation of appropriate land use and development standards.

Design and Beautification Goal 1: Encourage attractive building architecture and signs which reinforce the traditional, pedestrian-oriented design character and scale of the Downtown.

Please see the “Demolition of the Existing Dwelling” section later in this report for a discussion of the relevant General Plan and Specific Plan policies relating to the demolition of the existing structure.

Zoning and Uses

The existing zoning designation for the subject parcel is R-1-6,500 (One-Family Residential). The proposed PUD-HDR zoning is consistent with the General and Specific Plan land use designations of High Density Residential. Regarding uses, staff believes that the uses of the R-1 District should be established for the lots and has included a condition to reflect this recommendation.

Site Plan

A PUD development plan allows flexibility in applying Municipal Code standards in order to achieve a better overall plan for the site and the area. The current site plan was developed through several discussions with staff and the applicant and input from the Planning Commission and neighbors at the work session. Staff worked with the applicant to position the homes to provide adequate setbacks from the property lines, street frontages, and neighboring homes while maximizing the usability of the private yard areas. The applicant has responded to the Commission’s and neighbors’ requests to increase the five-foot setbacks at the perimeter of the site: the setbacks were increased to 7 ft. or 10 ft. along the northern boundary; between 9 ft. 6 in. to 10 ft. along the eastern boundary; and between 5 ft. to 7 ft. 10 in. along the western boundary. Staff notes that the adjacent Del Valle Manor townhomes are set back a minimum of 15 ft. from the shared property line with the subject project. Staff finds the proposed setbacks to be acceptable and similar to other small-lot PUD developments that the City has approved, some of which are located in the Downtown.

A Downtown Specific Plan Design Policy indicates that the established size and spacing of buildings in residential neighborhoods should be protected by avoiding excessive lot coverage and maintaining appropriate separations between buildings. The property is surrounded by office and warehouse buildings, townhomes, single-family homes, and a mobile home park.

Since all of these buildings vary in size, shape, and setbacks, staff did not find an established size or spacing of buildings to use and believes the project should be reviewed on its own merits.

Staff believes that the proposed siting, massing, and size of the units are appropriate and would result in an attractive development. The smaller Plan 1 and 2 homes would be located along Stanley Boulevard and would be in keeping with the scale and massing of the smaller homes on Stanley Boulevard. The largest Plan 3 home has been sited on Lots 5, 6, and 8, which would minimize impacts on surrounding residential neighbors. Please see the “House Sizes and Floor Area Ratio” section below for further discussion on the house sizes and FARs.

Demolition of the Existing Dwelling

The existing single-family home built in 1908 would be demolished. The home is not included in the Historic Neighborhoods and Structures table of the General Plan nor was it included in the Downtown Historic Resource List and Map that was created for the 2002 update of the Downtown Specific Plan to identify individual properties and neighborhoods that contain outstanding examples of heritage structures. The project site is also not located in one of the four Heritage Neighborhoods that are identified in the Downtown Design Guidelines.

Although the property is not specifically listed in the General Plan or Downtown Specific Plan as an historic resource, the General Plan, Downtown Specific Plan, and Downtown Design Guidelines contain policies regarding the City’s preservation goals. The General Plan has a policy which states: Preserve and rehabilitate those cultural and historic resources which are significant to Pleasanton because of their age, appearance, or history. The Downtown Specific Plan has a policy that states: Require the completion of the State of California Department of Parks and Recreation (DPR) Survey Form-523 to develop and document a statement of historic significance prior to the issuance of demolition permits for any historic resource older than 50 years. Evaluate these properties using the State of California criteria for the California Register of Historic Resources. The Specific Plan also has the following policy: Prohibit the demolition of any building found to be historically significant with regard to the California Register criteria unless such building is determined by the Chief Building Official to be unsafe or dangerous, and if no other reasonable means of rehabilitation or relocation can be achieved. The Downtown Design Guidelines indicate that demolition of buildings over 50 years of age is generally discouraged and that remodeling is encouraged over replacement.

Staff does not believe the existing residence is currently unsafe or dangerous, although it does show signs of disrepair. In order to determine the historic significance of the structure, the structure was analyzed and a DPR Survey Form-523 was prepared by Architectural Resources Group (ARG), a company that specializes in historic research, historic architecture, and historic preservation (Exhibit I). In order to be considered eligible for listing in the California Register, the structure must meet one or more of the following California Register criteria (the National Register criteria are similar to the State criteria):

1. It is associated with events or patterns of events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.
2. It is associated with the lives of persons important to local, California, or national history.
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values.
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, state or the nation.

As described in the study, ARG found the structure does not meet any of the criteria listed above and the structure is not eligible for listing in either the California Register of Historical Resources or the National Register of Historic Places. Therefore, demolishing the structure would not be contrary to the City's historic preservation policies. Furthermore, demolishing the structure would not create a significant effect on the environment as defined by the California Environmental Quality Act (CEQA).

While staff finds the structure to be somewhat quaint, it has been significantly altered over time, its condition appears dilapidated, and staff does not find it to be a good example of a craftsman style bungalow. Furthermore, the structure has been determined to have no historical significance through a DPR-523 survey conducted by experts in the field of historic preservation. Therefore, staff supports demolition of the structure.

The application and historic survey were referred to the Pleasanton Heritage Association (PHA) for comments. The PHA has provided a letter with their comments (please see attached letter, Exhibit J). In that letter, the PHA indicates it is concerned about the reduction of "heritage" homes in Pleasanton and believes every effort should be made to retain and renovate the existing house. The PHA prefers detached single-family housing at this location rather than apartments or condominiums and believes the density should be reduced. Regarding house design, the PHA believes that the new homes should have Craftsman style architecture based on the original look of the existing house. The PHA also recommends that the windows that are visible from the street and the front of each home be wood or high-quality fiberglass framed windows with raised, authentic mullions and framing.

Traffic and Circulation

Vehicular access to the development would be provided from a single private street off Stanley Boulevard. The private street section would measure 20-feet wide (curb-to-curb) with no on-street parking or sidewalks. The homes' driveways would not have direct access to Stanley Boulevard, which is preferred from a traffic safety and flow standpoint as cars backing onto Stanley Boulevard could create traffic hazards and/or restrict traffic flow.

The Pleasanton General Plan requires site-specific traffic studies for all major developments which have the potential to exceed Level of Service (LOS) “D,” and requires developers to implement the mitigation measures identified in these studies. Exceptions are made for the Downtown where the LOS D standard may be exceeded since the streets were built prior to modern road standards and they lack the necessary right-of-way for major roadway improvements. Furthermore, the types of traffic improvements required (e.g., removing on-street parking, adding additional travel lanes, reducing sidewalk width, etc.) would be inconsistent with the desired pedestrian character for Downtown.

The proposed project, generating approximately 11 AM and 14 PM peak hour trips and approximately 140 daily trips, is considered a small-scale project, is located in the Downtown, and, therefore, does not require a traffic study. In addition, an Environmental Impact Report (EIR) was prepared for the Downtown Specific Plan in which it was anticipated that the project site would be developed as high-density residential. Impacts and mitigations were addressed in this EIR. The residential use and proposed site layout are not anticipated to create any unique traffic or circulation circumstances. The applicant would be required to pay the City and Tri-Valley traffic fees as part of the project.

The City’s Stanley Boulevard reconstruction project will modify and improve Stanley Boulevard. The project includes: construction of a new roadway street section with an 11- to 13-ft. wide travel lane in each direction; an eight-ft. wide parking lane on the north side of the street; five- to six-foot wide bike lanes on each side of the street; concrete curbs, gutters, and five-foot wide sidewalks on both sides of the street; landscaping; decorative street lighting; and sewer and storm drain improvements. In addition, the City Council will determine in Spring 2011 whether to include undergrounding the existing overhead utility lines along Stanley Boulevard in conjunction with the street reconstruction project. If the City Council decides not to include undergrounding the overhead utilities, the street reconstruction project could start Summer 2011. If the City Council decides to authorize the undergrounding of the overhead utilities, undergrounding would start Spring 2011 and be completed Spring 2012; the street reconstruction project would then start Spring 2012 and be completed Spring 2013.

The applicant will be responsible to pay a pro-rata share of the City’s planned street improvements along Stanley Boulevard.

Sidewalks

The City will install sidewalks on both sides of Stanley Boulevard as part of its Stanley Boulevard reconstruction project. Given the limited number of homes and length of the street, staff does not believe sidewalks are necessary within the development for pedestrian safety. Vehicle speeds within the development will be low and the numerous driveways along the private street will provide adequate “shelter” for pedestrians should they need to step out of the private street in the event that two vehicles are passing each other in opposite directions. In

addition, a sidewalk would require the removal of a substantial portion of the front yard landscaping, some of which is being used for stormwater treatment.

Parking

Two garage parking spaces would be provided per unit. In addition, residential driveways would be at least 18-feet long to accommodate parked vehicles in front of the garage. Five guest parking spaces would be shared by the development. Currently, general public parking is allowed on both sides of Stanley Boulevard as long as vehicles are parked off of the pavement. As part of the Stanley Boulevard reconstruction project, a paved parallel parking lane will be provided on the north side of the street with no parking allowed on the south side of Stanley Boulevard.

Since there would be no on-street parking within the development, staff believes it is important to provide guest parking, and the applicant has provided five spaces. Staff believes the five guest spaces should be adequate for the project provided that the garages are not modified by the residents or used for storage in a manner that would interfere with the ability to park two cars within the garage, that residents park their vehicles in the garages, and that the driveways are free of boats, trailers, campers, etc. to provide additional parking for guests and any additional vehicles owned by the residents. A condition of approval requires that the parking restrictions be recorded as restrictive covenants that will “run with the land” and be binding on all future property owners. With this condition, staff believes that there would be adequate parking provided in the development for both residents and guests.

Noise and Vibration

External noise sources that could affect the site include noise from the railroad to the north and traffic on Stanley Boulevard to the south. For single-family housing projects, the City’s General Plan generally requires that private yard areas excluding front yards not exceed 60 day/night average decibels (dB L_{dn}) and that indoor noise levels not exceed 45 dB L_{dn} . In addition, if the noise source is railroad, an exterior noise level up to 70 dB L_{dn} is allowed and indoor noise levels cannot exceed a maximum instantaneous noise level (L_{max}) of 50 dB in bedrooms and 55 dB in other rooms. A noise study was prepared to ensure that the project will meet General Plan noise standards.

In order to meet the General Plan noise standards, the noise study indicates the following mitigation is required:

- Install an 8-ft. tall acoustically effective barrier along the rear property lines of Lots 5, 6, 7, and 9 and along the rear and eastern side property lines of Lot 8. The applicant is proposing to install an 8-ft. tall precast concrete soundwall at these locations (see the fencing exhibit, Sheet L2, for the proposed design). Staff notes that the soundwall heights on the fencing exhibit need to be modified to conform to the height requirements of the noise study. A

condition of approval addresses this item.

- Install a 6-ft. tall acoustically effective barrier along the rear and street side yards of Lots 1 and 14. The applicant is proposing to install a 6-ft. tall wood sound fence at these locations.
- Install doors and windows with minimum Sound Transmission Class (STC) ratings of 28 to 46 depending on lot, floor level, and occupancy of the room/area (see Table I of the noise study for specific requirements).
- The homes would need to be provided with forced air mechanical ventilation (i.e., air conditioning) so that windows and doors may be closed at the discretion of the occupants to control noise.

Staff notes that the above mitigations address train engine/wheel noise and exclude full mitigation for train whistles as these short, very loud events would require mitigation measures that would be infeasible and/or unacceptable from a design and neighborhood impact standpoint: install a 29-ft. tall soundwall along the project boundary adjacent to the railroad and flanking the sides of the project for 93 ft. The flanking wall heights would then step down in increments from 25 ft. to 15 ft. all the way to the Stanley Boulevard right-of-way. The General Plan indicates that the City Council will evaluate the requirement to achieve the General Plan noise standards on a case-by-case basis in the Downtown and, in this case, staff believes that there isn't a feasible mitigation for the train whistle noise. Therefore, staff supports the mitigation measures as outlined in the noise study and a condition of approval requires that the applicant comply with the recommendations of the noise study.

Noise Impacts on Adjacent Properties

The development of residential uses on the property will generate added urban noise, such as traffic, landscape maintenance activities, etc. However, noise levels will not change substantially from that currently experienced in the area. Ambient noise levels could actually decrease for some of the adjacent properties due to the shielding of train and traffic noise by the proposed soundwalls, fencing, and buildings.

Short-term construction noise would be generated during any new construction of this site. The City normally allows construction hours from 8:00 a.m. to 5:00 p.m., Monday through Friday, with Saturday construction allowed if there are no nearby residents that could be impacted by construction noise or activities. Since there are existing residences directly adjacent to the proposed project site, staff is not recommending that Saturday construction be allowed. Staff is recommending a condition that would allow the Director of Community Development to approve earlier construction "start times" or later "stop times" only for specific construction activities (e.g., concrete pouring) if it can be demonstrated to the satisfaction of the Director of Community Development that that the expanded construction hours are necessary (e.g., the concrete foundations need to be poured early due to weather conditions). Construction

equipment would be required to meet DMV noise standards and be equipped with muffling devices.

Vibration

As required by the General Plan, the noise study includes an analysis of railroad-induced ground vibration. The General Plan requires that the project demonstrate that it would be compatible with the vibration impact criteria established by the Federal Transit Administration (FTA). This vibration study indicates that the homes closest to the railroad (Lots 6, 7, and 8) would exceed the FTA's criteria and mitigation will be required for these lots. The study indicates that the homes on these lots will need to have spread footing or post/beam foundations rather than slab on-grade foundations. Staff notes that the study also identifies an alternative mitigation of slowing passing trains to no more than 15 mph within 100 ft. of the site to reduce vibration to acceptable levels. However, since the City and the applicant/future homeowners cannot control train speed, this alternative mitigation is not feasible.

Grading Plan

The subject property generally has flat terrain. Site grades generally range from an elevation of approximately 348 feet at the northwest corner of the site to an elevation of approximately 350 feet at the southern border. Grading for the proposed project would be limited to that required for preparation of the building pads and foundations, streets, and utilities. Retaining walls from 6 inches to 1.6 feet in height would be installed adjacent to the rear property lines of Lots 4-7 to provide proper slope for drainage. Staff finds the proposed grading to be minor and acceptable.

Drainage Plan

In order to reduce stormwater runoff and pollutants from the site, drainage from the roofs and lot surface drainage would be conveyed to and treated by vegetated swales between the homes and the private street. A landscape-treatment area would also be located adjacent to the guest parking spaces. These are types of stormwater runoff measures that are supported by the Regional Water Quality Control Board and local agencies like Pleasanton implementing the urban clean water runoff program.

Utilities

Water, storm drain, and sanitary sewer lines would be extended from existing City mains in Stanley Boulevard up the private street to serve the new homes. All new on-site utilities to serve the proposed development (i.e., power, phone, cable TV, etc.) will be installed underground in joint utility trenches. Staff finds the preliminary utility plan to be acceptable.

The City Council will determine in Spring 2011 whether it wants to underground the existing utility lines along Stanley Boulevard in conjunction with the Stanley Boulevard reconstruction

project. The applicant will be responsible for paying a pro-rata share of undergrounding the overhead utility lines along Stanley Boulevard.

Architecture and Design

The project proposes three different plans that are all two-story homes with two elevation styles each. The elevation styles are Spanish and Andalusian (a variant of the Spanish style). Six different color schemes generally comprised of off-white, earthtone, and other colors consistent with the architectural styles are proposed for exterior paint, brick, and roofs. Copies of the proposed color and material board for each house have been included with the Commission's packet. The color and material boards with the original color paint chips will be available at the hearing for the Commission's viewing.

The Spanish style of architecture is an acceptable style for Downtown and would be compatible with existing Spanish style buildings found Downtown. The design guidelines adopted for the Downtown stress the use of traditional materials, finishes, colors, and detailing. Staff finds the stucco and brick wall materials, Spanish tile roofing, wood garage doors, and wrought-iron railings of the buildings to be consistent with the guidelines. Window treatments (sills, trim, and wrought-iron grills) meet the guidelines' suggestions for traditional details in such features. Staff also believes that the proposed color schemes are appropriate for the buildings. The applicant has provided sufficient architectural detailing and accent relief on all four building elevations to break up the two-story façades and provide visual relief.

The applicant has proposed to use quality vinyl windows. In the Downtown, staff prefers that traditional wood-framed/sashed windows be used. Staff acknowledges the cost of these windows and generally supports the use of quality fiberglass- or vinyl-framed/sashed windows provided they have a similar frame and sash thickness as found on a traditional wood-framed/sashed window. Furthermore, when simulated mullions (grids) are used, staff prefers that the mullions be raised on the exterior of the window rather than located between the glass panes. For this project, many of the windows will require high STC ratings to mitigate train noise and staff acknowledges that it may be difficult for the applicant to find windows that comply with these window requirements. Therefore, staff's recommended condition requires that the proposed vinyl windows have a similar frame and sash thickness as found on a traditional wood-framed/sashed window and that raised exterior mullions be used unless the required noise mitigation for this project prevents compliance with this condition.

The Downtown Design Guidelines state that detached garages are preferred and should be placed at the rear of lots. All of the homes would have attached garages located at the front of the home. Staff believes that the garages, although attached and located at the front of the homes, meet the intent of the guideline in that they would not be highly visible from Stanley Boulevard.

Overall, staff believes that the building designs are attractive, and that the architectural style, articulation, finish, colors, and materials are appropriate for the Downtown, comply with the Downtown Design Guidelines, and would complement the existing buildings on Stanley Boulevard and other areas in the Downtown.

House Sizes and Floor Area Ratio

The lots would range in size from 2,603 square feet to 3,965 square feet (net area) and the homes would range in size from approximately 1,599 square feet to 1,920 square feet. The resulting FARs would range from 48 to 67 percent. While the FARs are higher than the 40% maximum allowed for the R-1-6,500 Zoning District (which requires a minimum lot size of 6,500 sq. ft.), the proposed FARs are not exceptionally large when compared to FARs on similarly sized lots in recent PUD projects in the Downtown.

For comparison purposes, the table below lists the lot sizes, house sizes, and FARs of the proposed project and some other small-lot single-family developments that were approved in the Downtown.

Project¹	Lot Sizes	House Sizes	FAR Range
PUD-82 (Proposed Project), 4171/4189 Stanley Boulevard 14 detached single-family homes	2,603 to 3,965 sq. ft. (net lot areas excluding access easement)	1,599 to 1,920 sq. ft.	48% to 67%
PUD-90-08, 201-297 Del Valle Court 13 units (1 existing single-family home, 6 new detached single-family homes, and 6 new attached single-family homes)	3,947 to 6,647 sq. ft. (excluding attached single-family homes)	<u>Existing House:</u> 1,735 sq. ft. ² <u>New Detached Single-Family Homes:</u> 1,628 to 1,993 sq. ft.	<u>Existing House:</u> 26% <u>New Detached Single-Family Homes:</u> 33% to 48%
PUD-37, 520 St. John Street 6 units (4 single-family homes and a 2-unit apartment)	1,960 to 2,274 sq. ft. (excluding apartment lot)	1,221 sq. ft. (excluding apartment unit)	54% to 62% (excluding apartment unit)
PUD-55, 225 W. Angela Street 5 units (1 existing single-family home and 4 new single-family homes)	1,156 to 3,187 sq. ft. (gross lot areas including the private drive)	<u>Existing House:</u> 1,036 sq. ft. <u>New Homes:</u> 1,117 to 1,586 sq. ft.	<u>Existing House:</u> 33% <u>New Homes:</u> 75% to 97% ³
PUD-64, 4238 First Street 5 units (1 existing single-family home and 4 new single-family homes)	2,018 to 4,606 sq. ft. (gross lot areas including the private drive)	<u>Existing House:</u> 1,210 sq. ft. <u>New Homes:</u> 1,713 to 1,919 sq. ft.	<u>Existing House:</u> 26% <u>New Homes:</u> 81% to 89% ³
PUD-72, 4693/4715 Augustine St. 6 units (3 existing single-family homes and 3 new single-family homes)	2,010 to 3,820 sq. ft. (net lot areas excluding private drive)	<u>Existing Homes:</u> 878 to 1,844 sq. ft. <u>New Homes:</u> 1,630 to 2,360 sq. ft.	<u>Existing Homes:</u> 29% to 53% <u>New Homes:</u> 66% to 81%

¹PUD-90-08 and PUD-37 are currently the only projects constructed.

²House size at the time of PUD approval; a 1,233 sq. ft. addition was later added.

³FARs would be higher if net lot areas used, which were not available.

Because townhomes typically do not have front or side yards included in the lot areas and typically have FARs exceeding 100%, a comparison of the proposed project's FARs with the adjacent Del Valle Manor townhome project would not be helpful. Staff has provided on the table below a comparison of the combined total FAR of the subject site (total square footage of all of the homes divided by the total land area of the development) and the adjacent Del Valle Manor townhouse development.

Project	Total Project Area	Combined Total House Area	Total Project FAR
Proposed Project PUD-82 14 detached single-family homes	51,135 sq. ft.	23,991 to 24,497 sq. ft.	47% to 48%
Del Valle Manor Townhomes PUD-85-07 36 townhomes	112,454 sq. ft. ±	49,080 sq. ft. ±	44%

Staff finds the proposed lot sizes, house sizes, and FARs to be acceptable and consistent with the pattern of approved residential development within the Downtown.

Site Development Standards

The applicant is not proposing house additions be allowed; therefore, there are no site development standards for future additions to the homes. Staff finds the proposed homes to be adequately sized. In addition, there would be limited yard area to accommodate additions and neighbors have already expressed concerns regarding the proposed house setbacks. Therefore, staff concurs that additions should not be allowed in the development. A condition of approval addresses this item.

The proposed accessory structure site development standards are generally satisfactory and similar to standards created for other small-lot developments in the City. Staff is recommending that the standards be modified to address the following items:

- a) Indicate that setbacks for covered patios, trellises, sheds, etc. shall be measured from the farthest architectural projection.
- b) Indicate that decks and patios shall not interfere with the rear or side yard drainage installed by the developer.
- c) Specify how setbacks are measured for the lots with the courtyards and easement areas (Lots 1-4, 9-10, and 13-14).
- d) Indicate that the wall material for detached and attached patios that are enclosed on two or more sides be limited to glass, screen lattice, or similar type of construction. Solid

base walls of wood, stone, or stucco would be permitted up to four feet from finished grade. Enclosed patios shall only be non-conditioned space.

Green Building

The City's Green Building Ordinance requires new single-family homes exceeding 2,000 sq. ft. qualify for at least 50 points on Alameda County Waste Management Authority's "Single-Family Green Building Rating System." Since the proposed homes will not exceed 2,000 sq. ft., the applicant is not required to comply with this requirement, but has voluntarily proposed to incorporate a considerable number of green building measures into the project, providing approximately 75 points. Some of the proposed green building measures include: using engineered lumber in the beams, headers, and floors and oriented strand board (OSB) for the subfloor and wall and roof sheathing; installing recycled-content insulation; insulating all hot water pipes; installing high-efficiency bathroom faucets and toilets; installing high-efficiency air conditioning; exceeding Title 24 state energy conservation requirements by 15%; installing Energy Star[®] bathroom fans and dishwashers; and utilizing low volatile organic compound (VOC) emitting wall/ceiling paints. Please see the attached Green Building checklist for the complete list of the proposed green building measures. Staff appreciates the applicant's willingness to incorporate a substantial number of green building measures into the homes.

The State's Green Building Standards Code (CALGreen), which becomes effective on January 1, 2011, will require that all new single-family homes regardless of size be built with similar green building measures as the City's Green Building Ordinance currently requires.

Common and Private Open Space

No common open space/recreation areas are proposed. Private, individual open space would be provided in the yard areas of the lots. Being a small-scale, infill project located in the Downtown, staff does not believe it would be feasible to accommodate a common open space area or tot lot within the project. The General Plan indicates that parks should be located within one-half mile of the residential area they serve. The project site is located within one-half mile of the following parks: Amador Valley Community Park, Kottinger Village Community Park, Delucchi and Lions Wayside Parks, Veterans Plaza Park, and Main Street Green. Staff acknowledges that some of the above-listed parks would entail crossing an arterial to reach them, making them less desirable for day-to-day use by residents. Overall, staff is satisfied that the private yards and surrounding parks will substantially meet the residents' park and open space needs.

Landscaping and Fencing

Front yard landscaping would be installed for each lot. Although not indicated on the plans, the applicant has stated that he may install landscaping for all yard areas around the house. At least one street tree would be provided per lot. Staff finds the proposed landscape design, densities,

and species to be acceptable. Staff notes that the landscaping shown along the Stanley Boulevard frontage and private street entrance cannot be installed as shown since Stanley Boulevard will be widened and a new sidewalk will be installed. A condition of approval requires the frontage landscaping be adjusted to accommodate the City's planned Stanley Boulevard street improvements.

Fencing and soundwall elevations and locations have been shown on the fencing exhibit, Sheet L2 (the soundwall heights on the fencing exhibit need to be modified to conform to the height requirements of the noise study). An 8-ft. tall precast concrete soundwall would be installed along the rear property lines of Lots 5, 6, 7, and 9 and along the rear and eastern side property lines of Lot 8. A 6-ft. tall wood sound fence would be installed along the rear property lines and street side yards of Lots 1 and 14. Standard 6-ft. tall solid wood "good neighbor" fencing would be installed along the rear property lines of the other lots. Standard 6-ft. tall solid wood "good neighbor" fencing or 4-ft. solid wood fencing with 2-ft. of lattice on top would be installed along the side property lines and side fence returns. The street side fences on Lots 1 and 14 facing Stanley Boulevard would be setback five feet from the back of the future City sidewalk in order to provide adequate room for frontage landscaping. Evergreen vines would also be installed along the southern side of these street side fences. Staff finds the fence and soundwall designs and locations to be acceptable.

Driveway Material

The landscape plan shows scored concrete material for the driveways while the civil plans indicate that asphalt will be used. In order to reduce the impervious area of the project, delineate the driveway areas from the drive aisles, and improve the aesthetics of the project, staff has included a condition that scored permeable paving or decorative concrete pavers be used for the driveways.

Tree Removal

A tree report has been prepared that specifies the species, size, health, and value of the existing trees on the site that exceed six-inches in diameter. A total of 20 trees would need to be removed to accommodate the development, including 12 "heritage-sized" trees (i.e., a tree which measures 35 feet or greater in height or which measures 55 inches or greater in circumference). Tree species to be removed include deodar cedar, Italian stone pine, Douglas fir, CA black walnut, English walnut, coast live oak, Canary Island date palm, glossy privet, almond, orange, and lime. A fruitless mulberry tree in the City right-of-way along the project frontage will also be removed as part of the Stanley Boulevard reconstruction project. Two nearby trees located in the Union Pacific Railroad corridor would be preserved.

In July 2010, the current property owner requested to remove the three heritage-sized deodar cedar trees due to safety concerns with large falling branches. The City hired an arborist to conduct a thorough examination of these trees. The attached report by HortScience dated July

16, 2010 (Exhibit B), indicates that all three trees are healthy and unlikely to fall over, although each had some defects in structure. Tree no. 62 (the middle tree) has had several large branch failures over the years and has an asymmetric form and the arborist recommended removal of this tree. The City's Landscape Architect agreed with the arborist's findings and approved the removal of the tree. At the time this report was written, the property owner had not yet removed the tree.

In the past, the Planning Commission and/or City Council have attempted to discourage tree loss in developments by adding an extra requirement to contribute the value of removed trees to the City's Urban Forestry Fund. The Urban Forestry Fund is used to plant new trees in the City as well as conservation, promotion, and public education in regard to Pleasanton's street trees, park trees, and trees on private property. The arborist has valued the trees to be removed at \$65,050, which excludes the value of the mulberry tree along Stanley Boulevard that will be removed for the Stanley Boulevard reconstruction project. Staff normally tries to mitigate tree removal by requiring additional trees be planted on the site beyond what is normally required in production home developments (i.e., street trees and other trees installed in the front yards). In some developments, tree mitigation is required at a 6:1 ratio for each tree removed with a certain percentage of those trees being box-sized. Given the lack of common open space areas and the small size of the lots, staff does not believe there is adequate room to install additional trees, particularly if a 6:1 ratio is used for the 20 trees to be removed. Therefore, staff has included a condition that the applicant pay the appraised value of the trees to be removed into the City's Urban Forestry Fund. Staff believes that the value of tree no. 62 (\$16,000) should not be included since the City has already approved the removal of this tree. The value of the trees to be removed is \$49,050 if tree no. 62 is excluded. The applicant has indicated that he may install landscaping for all yard areas around the homes. Should the applicant decide to install landscaping for all yard areas, staff would credit the applicant for the cost of the trees installed in the rear and side yard areas beyond that currently shown on the development plan.

Growth Management Allocations

Development of this property would fall under the "First-Come-First-Serve" category of the City's Growth Management Program, which has an annual, non-transferable allocation of 100 units. Recent demand for "First-Come-First-Serve" units has not exceeded supply and staff anticipates that there would be adequate building permit capacity for these 14 lots.

V. PUD CONSIDERATIONS

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

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

The proposed project, as conditioned, meets all applicable City standards concerning public health, safety, and welfare. The subject development would include the installation of all required on-site utilities with connections to municipal systems in order to serve the new lots. The project will not generate volumes of traffic that cannot be accommodated by existing City streets and intersections in the area. The structures would be designed to meet the requirements of the Uniform Building Code, Fire Code, and other applicable City codes. The proposed development is compatible with the adjacent uses and would be consistent with the existing scale and character of the area. Adequate setbacks would be provided between the new dwellings and the existing structures on the adjacent properties.

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

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

The site's General Plan and Downtown Specific Plan Land Use Designation of "High Density Residential" requires projects to have densities greater than eight dwelling units per acre. Any housing type is allowed as long as it meets the density requirement. The proposed detached single-family residential housing development with a density of 12.0 units per acre is consistent with the General Plan and Downtown Specific Plan land use designation for the site. The proposed project would further several General Plan Programs and Policies encouraging new housing to be developed in infill and peripheral areas which are adjacent to existing residential development, near transportation hubs, or local-serving commercial areas and for the City to attain a variety of housing sizes, types, densities, designs, and prices which meet the existing and projected needs of all economic segments of the community.

Staff concludes that the proposed development plan is consistent with the City's General Plan and Downtown 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 project site is surrounded by a variety of uses: single-family homes, townhomes, a mobile home park, offices, and warehousing. As conditioned, staff believes that the proposed residential lots and homes would be compatible with the surrounding uses. The homes have been sited to minimize impacts on surrounding neighbors to the extent feasible and have been designed to reduce their mass and not overpower the site. The

subject property generally has flat terrain. Grading of the site will be limited to the creation of the pads for the future homes and to achieve proper drainage. The new homes are generally at the same elevation as the existing structures on the adjacent properties.

Therefore, staff believes that this finding can be made.

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

As described above, the site is flat with minimum changes in grades proposed. Erosion control and dust suppression measures will be documented in the improvement plans and will be administered by the City's Building and Public Works Divisions. The site is not located within an Alquist-Priolo Earthquake Fault Zone. The flood hazard maps of the Federal Emergency Management Agency (FEMA) indicate that the subject property is not located in a flood hazard zone.

Therefore, staff believes that this finding can be made.

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

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

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

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

As conditioned, the private street entry off Stanley Boulevard would be located and configured to provide adequate line-of-sight viewing distance and to facilitate efficient ingress/egress to and from the project site. The private street is designed to provide adequate circulation for fire, police, and other emergency vehicles. The new homes would be equipped with automatic residential fire sprinklers. The homes would be required to meet the requirements of the Uniform Building Code, Fire Code, other applicable City codes, and State of California energy and accessibility requirements.

Therefore, staff believes that this finding can be made.

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

The proposed PUD development plan conforms to the purposes of the PUD district. One of these purposes is to 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 high-density single-family housing project 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 Downtown Specific Plan goals and policies. Moreover, input from the adjacent property owners and tenants has been sought and obtained through a Planning Commission work session; further opportunity for public comment will occur at the Planning Commission and City Council hearings.

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

VI. PUBLIC COMMENT

Public notices were sent to all property owners and tenants within a 1,000-foot radius of the project site. As noted earlier, public testimony and a petition were received during the work session. At the time this report was written, staff has not received any additional comments or concerns from the adjacent owners or tenants.

VII. CONCLUSION

Rezoning the site from R-1-6,500 to PUD-HDR would be consistent with the General and Downtown Specific Plan land use designations of High Density Residential. The subject infill development has been designed in conformity with the General Plan and Downtown Specific Plan. Infill developments, especially those in the Downtown, have various challenges and site constraints requiring often times the flexibility allowed by the Planned Unit Development zoning process. Development of this site must relate to the design standards of the Downtown residential area while respecting the concerns of and minimizing the impacts on nearby residents. Staff believes that the project blends in with the Downtown's character and that impacts to the adjacent residents have been minimized through increased setbacks, modest house heights for two-story structures, and prohibition of future additions. Residents who live in the development will be able to walk to Downtown to shop and eat, thus adding to the economic viability of Downtown.

VIII. ENVIRONMENTAL ASSESSMENT

A Final Environmental Impact Report (EIR) was approved by the City Council for the Downtown Specific Plan in conformance with the standards of the California Environmental

Quality Act (CEQA). The California Environmental Quality Act (CEQA) specifies that residential development projects that are proposed pursuant to the requirements of an adopted specific plan for which an EIR has been prepared and certified are exempt from additional environmental review provided: 1) there are no substantial changes to the project or to the circumstances under which the project is being undertaken that involve new significant environmental effects or that substantially increase the severity of previously identified effects; or 2) that new information of substantial importance which was not known at the time the previous EIR was certified shows the project will have one or more significant effects not discussed in the EIR. Staff does not believe that there are any changes in the project, circumstances, or new information causing new significant environmental effects. Thus, staff recommends this project be reviewed without any additional CEQA review or process.

IX. STAFF RECOMMENDATION

1. Find that there are no new or changed circumstances or information which require additional CEQA review of the project;
2. Find that the proposed PUD rezoning and development plan are consistent with the General Plan and Downtown Specific Plan;
3. Make the PUD findings for the proposed development plan as listed in the staff report; and
4. Adopt a resolution recommending approval of Case PUD-82, PUD rezoning from R-1-6,500 (One-Family Residential) District to PUD-HDR (Planned Unit Development – High Density Residential) and development plan approval to construct 14 detached single-family homes, subject to the conditions of approval listed in Exhibit B, and forward the application to the City Council for public hearing and review.

For questions or comments about this proposal, please contact: Steve Otto, Senior Planner at 925-931-5608 or sotto@ci.pleasanton.ca.us.