

## Planning Commission Staff Report

August 23, 2006

Item 6.c.

**SUBJECT:** PUD-58 and PGPA-11

**APPLICANT/  
OWNER:** Charles Austin and Scott Austin

**PURPOSE:** Application for the following:

- Request to amend the Pleasanton General Plan to change the land use designation of an approximately 30-acre hillside property from Rural Density Residential (1 du/5 ac) to Low Density Residential (< 2 du/ac) on approximately 8 acres with a maximum of 8 units and Agriculture and Grazing land uses on the remaining 22 acres;
- Rezone the subject property from the A (Agriculture) District to the PUD – LDR (Planned Unit Development – Low Density Residential) District on 8 acres and to the PUD – AG (Planned Unit Development – Agriculture and Grazing) Districts on the remaining 22 acres; and,
- PUD development plan approval to subdivide the subject property into 8 custom home sites and to designate the remaining 22 acres for permanent open space.

**GENERAL  
PLAN:** Rural Density Residential

**ZONING:** A (Agriculture) District

**LOCATION:** 3459 Old Foothill Road

**ATTACHMENTS:**

1. Location Map
2. Exhibit “A” including the PUD development plan and the grading/drainage plan dated “Received August 17, 2006”.
3. Exhibit “B”, Draft Conditions of Approval, dated August 23, 2006.

4. Exhibit “C”, Initial Study/Mitigated Negative Declaration, dated July 19, 2006.
5. Exhibit “D”, Proposed General Plan Amendment Map, dated August 23, 2006.
6. Exhibit “E”, Proposed Rezoning Map, dated August 23, 2006.
7. Minutes of the April 26<sup>th</sup> Planning Commission work session meeting.
8. Minutes of the May 11<sup>th</sup> Parks and Recreation Commission public meeting.
9. Computer generated visual analyses on discs.
10. “*Rare Plant Survey Report, Austin Property, Pleasanton, Alameda County, California*”, prepared for Equity Enterprises by WRA Environmental Consultants, dated August 22, 2005.
11. “*Preliminary Tree Report, 3459 Foothill Road, Pleasanton, California*”, prepared for Equity Enterprises by HortScience, dated April 2, 2004.
12. “*Meadowlark Estates Subdivision Site Development and Architectural Review Guidelines*”, dated August 11, 2006, prepared by Gorny & Associates and PGAdesign.
13. “*Landscape Design Guidelines for Meadowlark, Austin Property*”, dated May, 2006, prepared by PGAdesign.
14. “*Due Diligence for the 30-Acre Austin Property in the City of Pleasanton, Alameda County, California*”, dated September 20, 2004.
15. “*Biological Assessment and Jurisdictional Determination for the 30-Acre Austin Property, Pleasanton, Alameda County, California*”, prepared for Equity Enterprises by Sycamore Associates, dated December 3, 2004.
16. “*Supplemental Landslide Investigation, Austin Property, Foothill Road, Pleasanton, California*”, prepared for Austin and Briggs Investments by Berlogar Geotechnical Consultants, dated September 24, 2003.
17. “*Geologic/Geotechnic Investigation, Proposed Eight-Lot Meadowlark Development, Foothill Road, Pleasanton, California*”, prepared for Austin and Briggs Investments by Berlogar Geotechnical Consultants, dated May 25, 2006.
18. “*Responses To Comments and Supplemental Recommendations, Geologic/Geotechnical Investigation Tests, Proposed Eight-Lot Meadowlark Property, Austin Property, Pleasanton, California*”, prepared for Charles Austin by Berlogar Geotechnical Consultants, dated June 14, 2006.
19. “*Laboratory Corrosivity Tests, Proposed Eight-Lot Meadowlark Property, Austin Property, Pleasanton, California*”, prepared for Charles Austin by Berlogar Geotechnical Consultants, dated June 15, 2006.
20. Peer-review comment letters from Dale Marcum of Cotton, Shires & Associates to Marion Pavan dated July 12, 2006.
21. Letter from the U.S. Army Corps of Engineers to Brad Hirst, dated December 5, 2005
22. Emails from neighbors.

## **I. BACKGROUND**

The proposed project will subdivide the 30.4-acre Austin property into eight lots for seven new custom homes and one existing home – that eventually will be demolished and replaced in the future with a new custom home – and will designate the remaining 22 acres as permanent open space. The proposed development plan will preserve the open area surrounding the development portion in perpetuity and presents the opportunity to augment Alviso Adobe Park site. The custom home building and landscape designs are covered by design guidelines.

The proposal will require an amendment to the Pleasanton General Plan, PUD rezoning and development plan approval, and tentative subdivision map approvals. The tentative subdivision map will be forwarded to the Planning Commission under separate application. As a custom lot project, separate design review approvals will be required for each individual lot. Environmental review is administered with an Initial Study/Mitigated Negative Declaration (IS/MND), which covers the General Plan Amendment, PUD rezoning and development plan, and the tentative subdivision map.

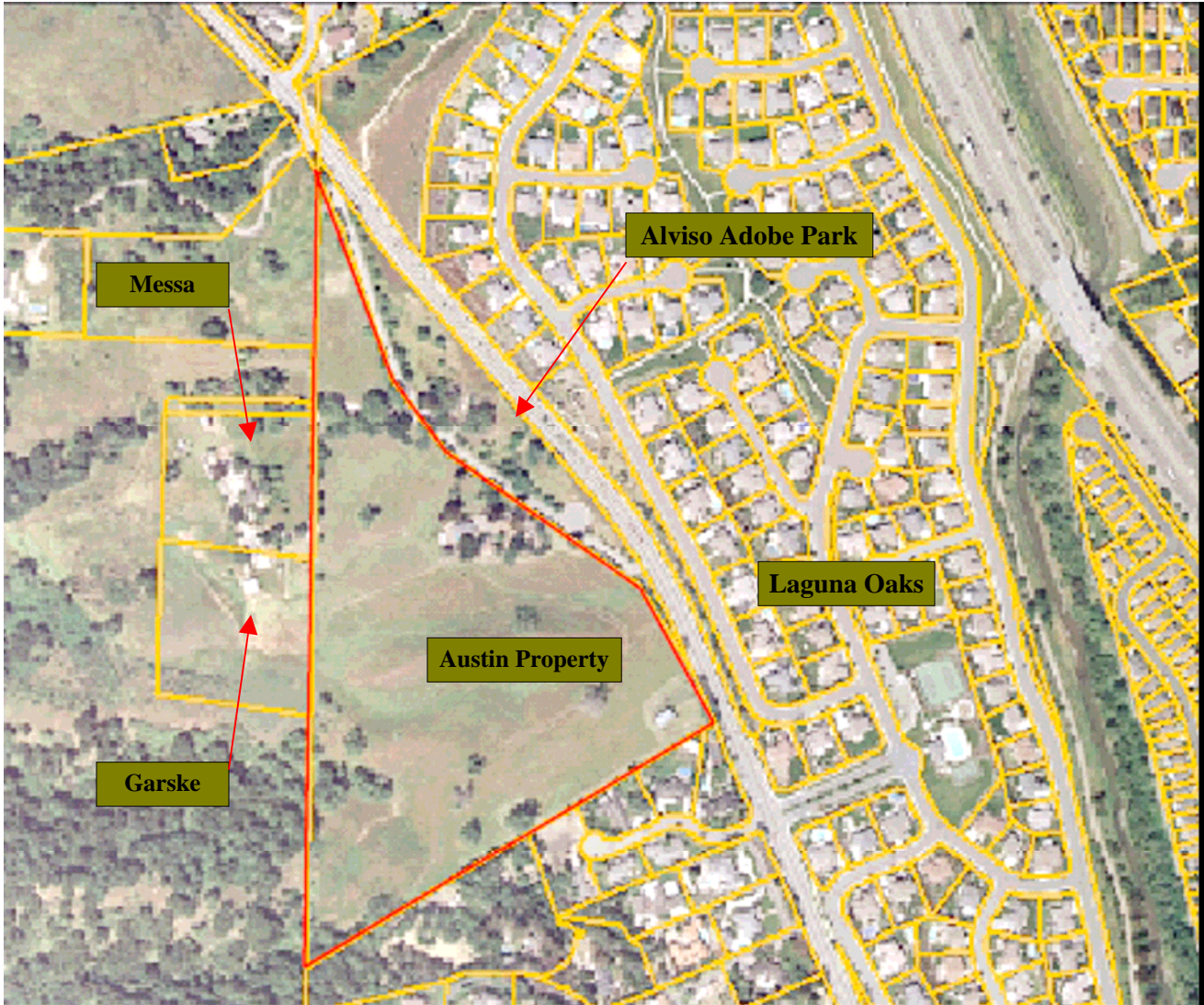
The development of the Austin property raised issues pertaining to land use, grading and design, seismic and geotechnical impacts, urban stormwater runoff, and visual impacts. The Planning Commission reviewed the proposal at a public work session, attended by several Laguna Oaks and Jorgenson Lane neighbors.

Neighborhood interest in the Austin property and the proposed development focused on the following issues:

- Ensure that the open space area to be transferred to the City remains as permanent open space;
- Allow the existing cattle grazing on the open space area to remain; and,
- Limit the open space area to very low intensity public uses, i.e., no picnic tables, etc.

## **II. SUBJECT PROPERTY**

The Austin property consists of one parcel totaling approximately 30 acres in area located at 3459 Old Foothill Road. Figure 1 is an aerial photograph/location map of the site and surrounding area.



**Figure 1: Aerial Photograph/Location Map of the Austin Property and Surrounding Land Uses**

The Austin property was once part of the Meadowlark Dairy facility, owned and operated by the Austin family. Walter Briggs, great grandfather of Charles and Scott Austin, founded the Meadowlark Dairy in 1919. It was, at one time, the primary supplier of dairy products to Oakland's Children's Hospital. In 1925, it became the first California dairy certified for product purity and quality and continued operation until closing in 1969.

### **Project Location**

Overall access to the site is from Foothill Road, a major north/south City arterial. Old Foothill Road provides direct, southerly access to the site from Foothill Road and will provide access to the parking area of the Alviso Adobe Park. All City streets providing access to the Austin property are sized to handle the additional traffic generated by the proposed project.

## Biological Analyses

Based on the site surveys conducted by Sycamore Associates – “*Biological Assessment and Jurisdictional Determination for the 30-Acre Austin Property, Pleasanton, Alameda County, California*” – and by WRA Environmental Consultants (“*Rare Plant Survey Report, Austin Property, Pleasanton, Alameda County, California*”), there are no endangered, threatened, or rare species of flora or fauna known to inhabit the project site, nor is the project site considered to be habitat area for said species.

The tree survey/analysis for this site prepared by HortScience, Inc., is attached. All existing trees on the caretaker’s property will be retained. This site will be subject to its own tree analysis with any application to redevelop this site. Tree #126, shown on Figure 3 on Page 3, is a 59-inch diameter valley oak in poor condition due to decay, “epicormic” sprouts, a huge cavity, etc., and will be removed with development.

## Topography

Moderate to steep terrain with a mix of grassland and native vegetation including coast live oak, valley oak, acacia, and blue gum eucalyptus trees characterize the subject property. The site slopes upward from Old Foothill Road from an elevation of 380 feet to an elevation of 470 feet. From its lowest to highest points, the site slopes upward from 360 feet to 520 feet. The area westerly of the site from its northwest boundary line to Pleasanton Ridge is characterized by steeply sloped, tree-covered terrain. Figures 2 through 4 on the following pages are photographs of the Austin property and the existing caretaker’s home.

A series of ephemeral creels/swales/seeps drain the entire Austin property to the Arroyo De La Laguna and eventually to Alameda Creek and the San Francisco Bay. The three swales/seeps located along the northerly side of Lots 6 and 7, the southerly side of Lots 1 through 5, and between Lots 1 through 5 and the access street are subject to the jurisdiction of the United States Army Corps of Engineers, the California Regional Water Quality Control Board, and the California Department of Fish and Game, and may require permits from these agencies before the City issues grading permits for the project. These swales/seeps are shown on **Figure 6 – Proposed Development Plan**, **Figure 7 – Conceptual Landscape Plan**, and **Figure 8 – Grading/Drainage Plan**.





**Figure 2: Looking westerly from Old Foothill Road.**



**Figure 3: Looking southwesterly from Old Foothill Road. The existing oak tree in the photograph will be removed due to disease.**

### **Existing Uses**

The Alviso Adobe that was once part of the dairy property still exists on the Alviso Adobe Park site between Foothill Road and Old Foothill Road overlooking the Laguna Oaks development. The caretaker's property – one single-family detached home, several accessory structures, and ornamental landscaping – is occupied by the dairy's former caretaker and will remain. The entire site is currently used for cattle grazing, which will be permitted to continue. An existing driveway to the Messa and Graske properties will remain.

Figure 4 on the following page is a photograph of the dairy's caretaker's house, which will remain until vacated by the caretaker. It would then be replaced by a custom home subject to the development plan's design guidelines/standards. Cattle are free-grazing the property and will be allowed to continue. An existing cattle shed, located near the southern side of the property near the Jorgenson Lane properties, will be allowed to remain in conjunction with the cattle grazing.



**Figure 4: Caretaker’s home on Lot 7 and accessed from Old Foothill Road. The house will remain until vacated by the caretaker.**

### III. SURROUNDING AREA

Surrounding land uses and their land use designations are described in the following table:

Direction	Development	General Plan Designation
Northwest	Open space and single-family homes on very large sites.	Rural Density Residential (1 unit per 5-acres)
East	Alviso Adobe Park Site across Old Foothill Road and the Laguna Oaks development across Foothill Road.	Parks and Recreation and then Low Density Residential (< 2.0 du/ac)
South	Single-family custom homes on predominantly half-acre lots.	Low Density Residential (< 2.0 du/ac)





**Figure 5: The Alviso Adobe building**

#### **IV. PLANNING COMMISSION WORK SESSION**

The Planning Commission reviewed the proposal at a work session held on April 26, 2006. The minutes of the meeting are attached. Brad Hirst, representing the applicants, was present to speak in favor of the proposal and to answer questions. The applicants' consultants – Joseph Gorny and Chris Patillo – were present to speak on the proposed development's building and landscape designs. Bill Lide (8001 Jorgensen Lane), Bob Takens (7560 Highland Oaks Drive), Christine Ellis (President of the Laguna Oaks Homeowners Association), Cynthia Atherton (8037 Jorgensen Lane), Dan Garske (3466 Old Foothill Road), Larry Messa (3464 Old Foothill Road), Sandeep Duggal (8019 Jorgensen Lane) were present and spoke on the proposal.

The neighbors present at the meeting spoke in favor of the proposal with some concerns pertaining to:

- The open space area should include the appropriate legal restrictions to ensure that it remains as open space in perpetuity;
- Muted building colors should be used;

- The visibility of the houses on the upper two lots are a concern to the Laguna Oaks neighborhood; and,
- Safety concerns related to the high traffic speeds on Foothill Road.

The Planning Commission complimented the applicants on the overall concept for the proposal and their receptive approach towards addressing the neighbors' concerns, provided their comments, and directed the proposal return to the Planning Commission as a public hearing. The Planning Commissioners comments include the following:

- The Planning Commission supported the overall project concept;
- The Planning Commission believes the proposal conforms to the requirements of the West Foothill Road Corridor Overlay District;
- Retain the open space in perpetuity as open space only and continue to allow grazing;
- Provide photomontages from Foothill Road, the cul-de-sac on Old Foothill Road, the private access road, Jorgensen Lane, and the Alviso Adobe;
- Project fencing should achieve a balance between open fencing and privacy; and,
- The design guidelines should be written in a manner that the individual building designs can be approved by the Zoning Administrator.

## **V. PARKS AND RECREATION COMMISSION**

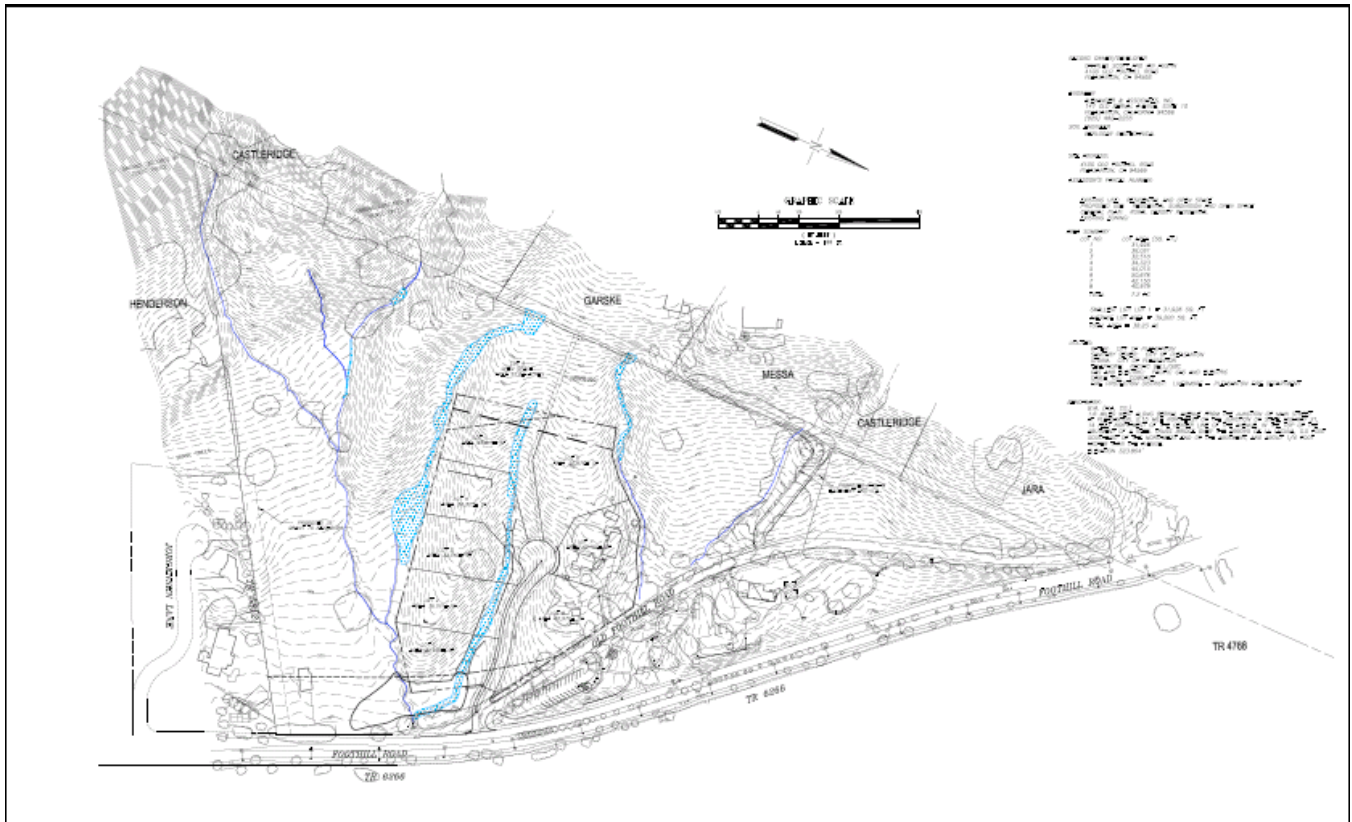
The City's Parks and Trails Master Plan shows a park staging area near the northernmost corner of the Austin property. The proposal was reviewed by the Trails Ad Hoc Committee and by the Parks and Recreation Commission at its April 24<sup>th</sup> public meeting. Meeting minutes are attached. The Parks and Recreation Commission determined unanimously that the Alviso Adobe parking area would function as a park staging area and, therefore, no staging area would need to be located on the Austin property.

## **VI. PROJECT DESCRIPTION**

### **Proposed Site Design**

The proposed site plan includes the following features:

- Eight single-family building sites will be clustered on an approximately 8-acre portion of the Austin property. The applicants will designate the remaining 22-acres and will offer to transfer it to the City as permanent open space. The present cattle grazing taking place on the Austin property will be retained as an allowed use of the open space area.
- The proposed lots will vary in size from 30,462 square feet to 50,928 square feet. The average lot size is 39,791 square feet.



**Figure 6: Proposed Development Plan. The ephemeral swales/seeps are shown in blue.**

- All lots will be accessed from the public street/cul-de-sac connected to Old Foothill Road. Lots 1 and 2, Lots 3 through 5, and Lots 6 and 7 will be accessed from shared access driveways to reduce the number of bridge crossings of the swale/seep area. Lot 8 will be the only lot directly accessed from the public street.
- The applicant will transfer a 35-foot wide strip of land to the rear/side yards of the Jorgensen Lane properties belonging to David and Judith Banks, Larry and Cynthia Atherton, the Lide Family Trust, and to Sandeep and Eena Duggal.

### **Grading/Urban Stormwater Runoff**

All lots will be “cut” into the hillside. The depth of the cuts will vary from seven feet for Lots 1, 3, and 5 up to 11 feet for Lot 4 and Lot 6. All new lots will be designed to drain to a vegetative retention basin to pretreat the runoff before its entry into the City’s storm drain system. All lots feature a combination of contour grading and 3:1 cut/fill slope banks to accommodate building pads and access driveways and to address the differences in pad heights between lots.

### **Proposed Building Design**

The lot-specific house and landscape designs will be controlled by design guidelines. The design guidelines are tailored for this development – eight lots in a hillside setting, overlooking

Foothill Road, backed by the Pleasanton Ridge, and adjoining open space land. They provide detailed and comprehensive landscape and building design standards – diagrams, photographs, and drawings – addressing materials, massing, architecture, planting, etc., for clear guidance to future owners regarding their custom home designs.

### **Public Improvements and Traffic Mitigation**

A northbound left turn pocket will be constructed in Foothill Road to Old Foothill Road with the proposed project. The location of the development’s access from Old Foothill Road will be coordinated with the driveway opening to the Alviso Adobe Park. The central portion of Old Foothill Road will be closed, either with bollards or cul-de-sacs, so as to integrate the Alviso Adobe Park site with the proposed open space area and to prevent through traffic on Old Foothill Road.

### **Construction Phasing**

The proposed project will be constructed in two phases. Phase One will include the public infrastructure including the street and cul-de-sac, mass grading for the lots, bio-retention pond/swales, perimeter landscaping in the open space area, and the shared access driveways. Phase Two will include the custom homes, individually lot-by-lot or mass developed by a single developer.

## **VII. ANALYSIS**

### **General Plan**

The Pleasanton General Plan designates the Austin property for Rural Density Residential land uses, with a maximum and midpoint density of 1.0 du/5.0 acres equaling 6 units for the subject property. However, the proposed gross density for this development is 8 dwelling units, requiring an amendment to the Pleasanton General Plan changing the land use designation from the Rural Density Residential land use designation to Low Density Residential (< 2 du/ac) on 8 acres, with a maximum of 8 units, and Agriculture and Grazing on the remaining 22 acres. Figure 7 on the following page shows the proposed land use changes superimposed on the development plan.

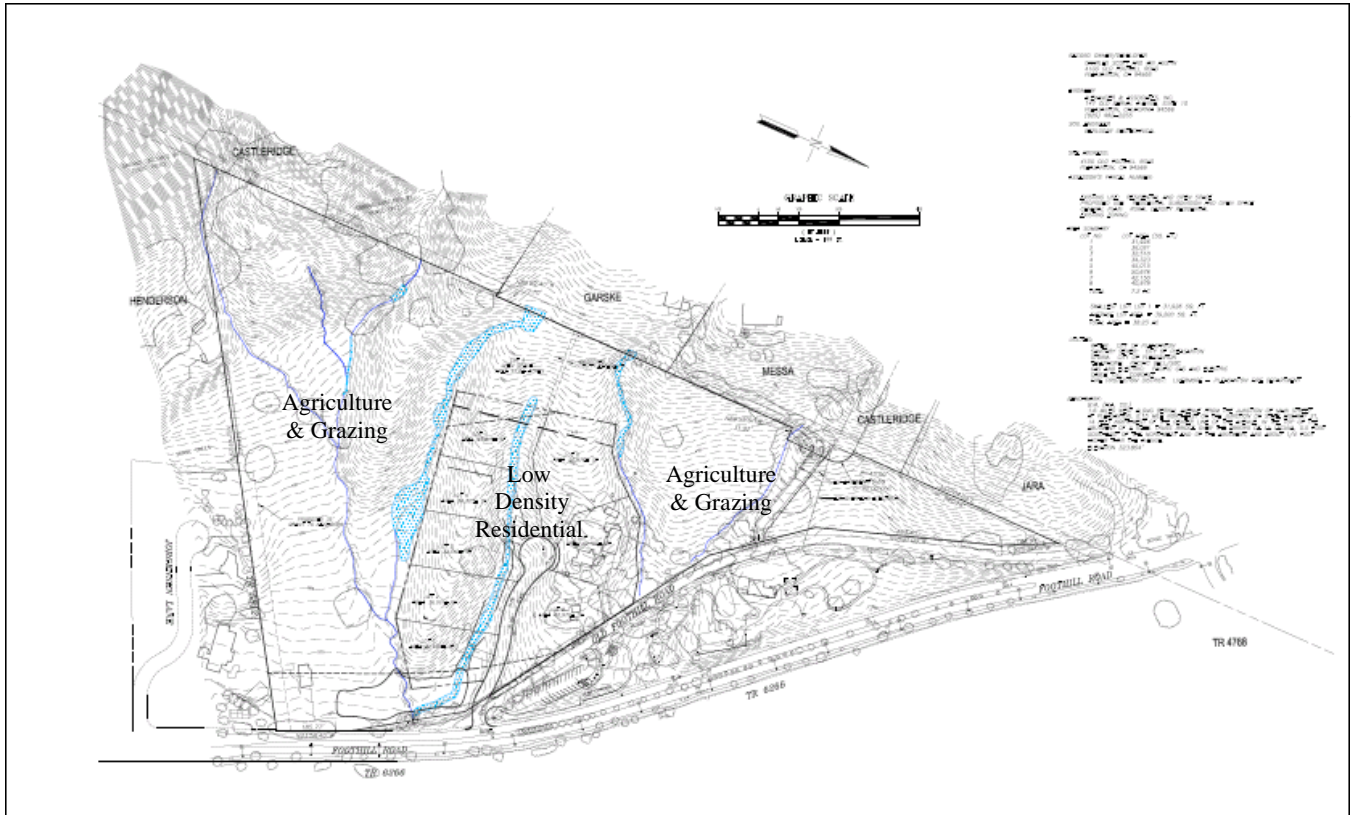
Staff notes that the Planning Commission should make the finding that the proposed amendment to the Pleasanton General Plan conforms to the applicable policies and standards of the Pleasanton General Plan for hillside development. The cluster concept of the proposed development plan fulfills the applicable policies and standards of the Pleasanton General Plan for hillside development for the following reasons:

- Although the Low Density Residential land use designation would allow for a maximum density of 16 dwelling units, this land use designation will be limited to a density of 8 dwelling units. Therefore, any changes of density – for example, increasing the density



beyond eight units – will require a new amendment to the Pleasanton General Plan. Staff notes that the 8-unit density will be shown on the land use map of the Pleasanton General Plan.

- The applicant’s offer to transfer the 22-acre open space area to the City for permanent open space implements the policy of the Pleasanton General Plan to preserve scenic hillside and ridge views of Pleasanton Ridge. Staff considers this an amenity benefiting the City and surrounding neighborhoods as well as the proposed project.

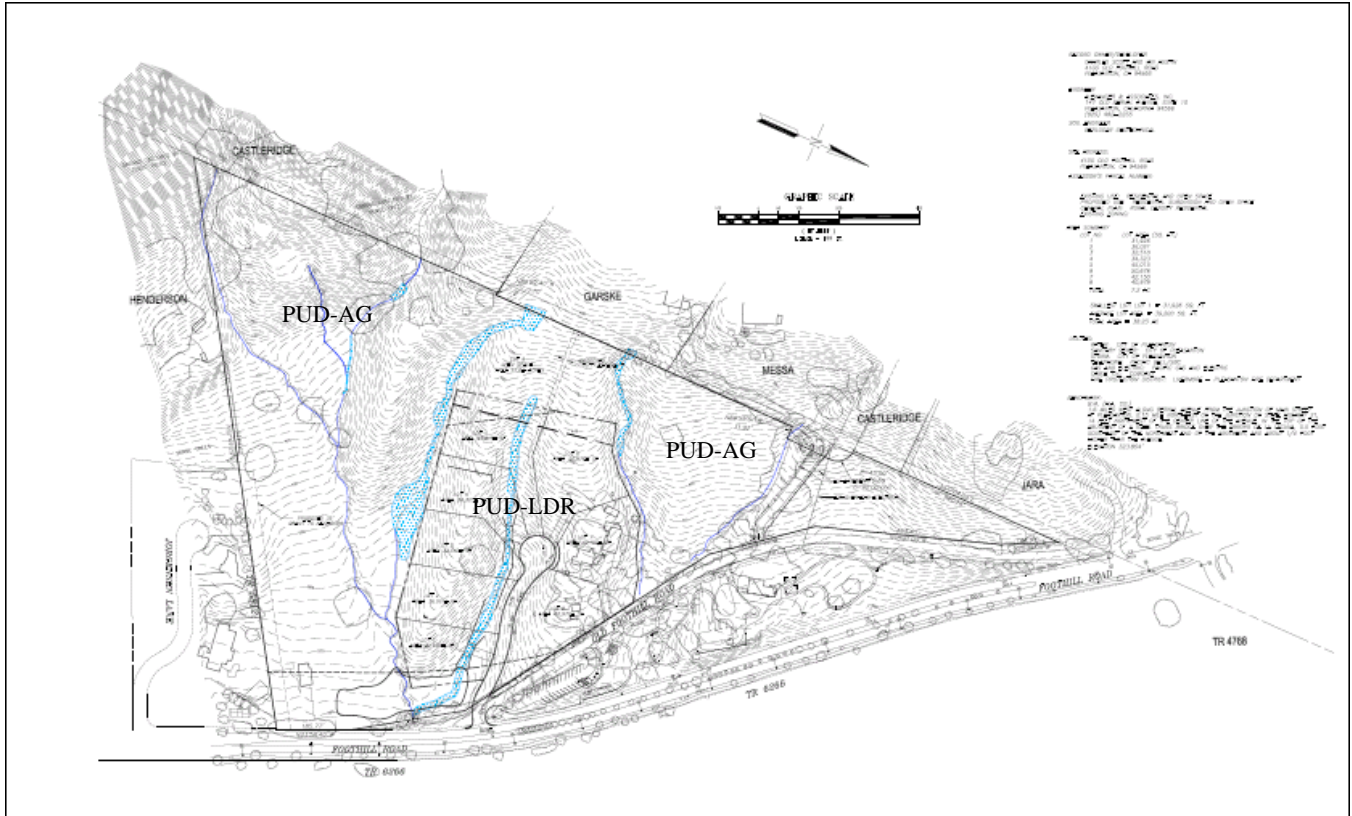


**Figure 7: Exhibit “D”, Proposed General Plan Amendment Map**

## **Zoning**

### **A (Agriculture) District**

The Austin property is zoned A (Agriculture) District. To accommodate the proposed project, the applicants request to rezone the subject property from the A (Agriculture) District to the PUD – LDR/OS (Planned Unit Development – Low Density Residential/Open Space) District. In conjunction with the rezoning, PUD-58 includes a PUD development plan to place the development of the Austin property under unified control, planned and developed as a whole under a single series of development approvals. Figure 8 is the proposed rezoning map superimposed on the development plan.



**Figure 8: Exhibit “E”, Proposed Rezoning Map**

West Foothill Road Corridor Overlay District

The West Foothill Road Corridor Overlay District (WFRCOD), Chapter 18.78 of the Pleasanton Municipal Code, covers the subject property. An analysis of the project’s implementation of the development standards of Sections 18.78.070 and 18.78.080 of the overlay district follows. Please note that the Ordinance does provide flexibility in meeting the subdivision design standards in the West Foothill Road Overlay District.

Sections 18.78.070, Regulations for Lots Adjoining Foothill Road

*WFRCOD: A. “The minimum lot size shall be 30,000 square feet in area. Variation in lot sizes shall be encouraged. Lot width and depth shall be sufficient to allow the main building to be sited in a manner consistent with front and side yard setback and main structure separation requirements.”*

**Response:** All lots exceed the minimum required lot size of the overlay district and lot sizes are varied. Building setbacks are discussed in the **“Site Design”** section of the staff report.

WFRCOD: B. *“No structure shall be located closer than 150 feet to the westerly edge of Foothill Road.”*

Response: The 150-foot setback line is shown on the development plan, grading/drainage plan, and landscape Plan. The proposed building pad setback for Lot 1 is 150 feet from Foothill Road, and for Lot 8 is from 150 feet to 180 feet from Foothill Road.

WFRCOD: C. *“Side yard setbacks shall be a minimum of 25 feet. Main structures with a building elevation facing Foothill Road of between 80 to 100 feet shall have side yard setbacks of a minimum 45 feet. Main structures wider than 100 feet shall have minimum side yard setbacks of 75 feet.”*

Response: This WFRCOD standard applies to houses with their front building elevations facing Foothill Road. Its purpose is to provide building separations proportioned to the houses sizes, which provide view corridors to Pleasanton Ridge from Foothill Road. However, staff does not consider this standard to be applicable to the proposed project: the large separation between these lots and other lots in the area will preserve the views of Pleasanton Ridge and, except for Lot 6, all homes on these lots will have their side building elevations facing Foothill Road.

WFRCOD: D. *“The maximum height for any structure shall be 30 feet, measured vertically from the lowest point of the structure to the highest point of the structure, excluding towers, cupolas, chimneys and other such uninhabitable projections.”*

Response: The proposed building height is 35 feet. Staff does not concur with the applicant’s proposal. Building heights are discussed in the *“Design Guideline”* section of the staff report.

#### Sections 18.78.080, Subdivision Design

WFRCOD: A. *“Lots created along Foothill Road, or any frontage road parallel to Foothill Road, shall be clustered such that natural open space a minimum of 200 feet in width separate lot clusters. No more than three lots may exist in a cluster of lots.”*

Response: Old Foothill Road is a frontage road accessing the proposed project and the Alviso Adobe Park. At its closest points, the proposed development is separated from the Jorgenson Lane properties to the south by 300 feet and from Jerline Place properties – unincorporated – by 1,000 feet. Although eight lots are proposed for this cluster, staff considers their location to make the most sense given the site’s limitations of topography and natural features and the large separation between these lots and other lots in the area. An eight-lot cluster is also comparable with the five-lot clusters approved for the Moller Ranch development.

WFRCOD: B. *“Building sites within lots shall not be allowed if they are located on or near ridges, which do not have a background of Pleasanton or Main Ridges when viewed from Foothill Road. Landscaping in the form of mature trees may be allowable background for such ridgeline sites if the decision-making body finds that the landscaping will preclude the structure from dominating the skyline as viewed from Foothill Road.”*

Response: All eight lots of the proposed project are located below the 445-foot elevation of the site. The height of Pleasanton Ridge due west of Austin property varies from 1,600 feet to 1,800 feet. As shown on Figure 2, the slopes behind the Austin property are predominantly tree covered.

WFRCOD: C. *“Use of individual driveways directly intersecting directly onto Foothill Road should be prohibited; combined, common-access driveways serving more than one lot shall be encouraged where topography, grading and similar considerations make such roadways feasible.”*

Response: Lots 1 through 8 will be accessed from the new public street.

WFRCOD: D. *“Mature, native trees within the district shall be retained to the maximum extent feasible. Where feasible, mature oak and other native species should be relocated to grassland areas planned for development in order to soften the effect of new development within the corridor. New development landscaping shall be predominantly native plant species in areas visible from Foothill Road, with lawn or turf areas in landscape schemes adjacent to Foothill Road either eliminated or hidden by native landscaping.”*

Response: Except for a 59-inch diameter valley oak, which is in poor condition and will be removed with development, all existing trees on the property including the caretaker’s property will be retained. Landscaping is discussed in the “**Landscaping**” section of the staff report.

WFRCOD: E. *“Retaining walls visible from Foothill Road should be faced with materials compatible with the natural setting, such as natural stone or wood. Where feasible, retaining walls should be stepped. Landscaping shall be incorporated to minimize adverse visual impacts, with planting in front of walls, within stepped recesses and/or overhanging the wall.”*

Response: Retaining wall design standards are covered in the proposed building and landscape design guidelines.



*WFRCOD: F. “Open fencing shall be required, except that solid, privacy fencing may be allowed in areas of a lot not required yard areas if it is screened with landscaping.”*

Response: Fence designs are covered in the proposed landscape design guidelines. A fencing plan showing fence locations will be submitted with the tentative subdivision map for review and approval by the Planning Commission.

## **Site Design**

### Overall Site Plan

The proposed site design was determined by several factors:

- input from Jorgensen Lane neighbors,
- orientation to Alviso Adobe Park,
- access onto Old Foothill Road instead of Foothill Road,
- preservation of a large area including existing creeks/swales as permanent open space, and
- creation of a rural character/background for the project.

The development’s cluster concept fulfills the applicable policies and standards of the Pleasanton General Plan and the West Foothill Road Corridor Overlay District, which mandate clustered hillside development as a means of preserving large areas of open space land and natural features. This concept is, in staff’s opinion, successfully carried through for the following reasons:

- Viewsheds of the Pleasanton Ridge and hillside areas from Old Foothill Road, Foothill Road, I-680, and the Jorgenson Lane and Laguna Oaks neighborhoods are maintained.
- The proposed development is separated from existing developments, which maintains the sparsely developed character of the hillside area.
- Cattle grazing of the open area can be continued thereby maintaining the rural character of the site and its surroundings and reflecting the site’s history as part of the former Meadowlark Dairy property.

The applicant will transfer a 35-foot wide strip of land to the rear/side yards of the following Jorgensen Lane homeowners:

- David C. and Judith Blaski Banks (8055 Jorgensen Lane),
- Lawrence and Cynthia Atherton (8037 Jorgensen Lane),
- Lide Family Trust (8001 Jorgensen Lane), and to
- Sandeep and Eena Duggal (8019 Jorgensen Lane).

As conditioned, the 35-foot strip will be zoned PUD – LDR, matching the zoning of the Jorgensen Lane properties, and will be incorporated into the zoning regulations of the Jorgensen Lane sites. The land transfer must be entirely agreed to by these owners prior to the City Council’s approval of the final subdivision map, thereby providing a continuous property line between their properties and the proposed development. Otherwise, this property will remain with the open space area of the proposed development.

### Open Space Area

The proposed General Plan amendment will designate the open space portion of the Austin property for Open Space land uses. The application proposed that the open space land will be owned by the City of Pleasanton. Several neighbors speaking at the previous work sessions requested that the open space area be secured as permanent open space. Staff believes that the City ownership of the open space area accomplished that request and that any further land use changes to this area would require a new General Plan amendment, PUD rezoning and development plan approvals, and environmental review.

Another means, however, to preserve the open space area permanently would be to have the City, as owner, grant an open space conservation easement to an outside agency. The Tri-Valley Conservancy, for example, can hold such an easement and has done so within the vineyard/agricultural areas of the Vineyard Avenue Specific Plan. Because, however, the Conservancy would then have monitoring responsibilities, it would then need to be reimbursed its costs for monitoring the open space areas of the Austin project, the costs of which have not been estimated nor has a determination been made as to the responsibility for paying these costs. Another possibility would be to grant the easement to the East Bay Regional Foundation, which holds open space easements on the Park District sites. Staff believes that additional information needs to be obtained before this matter can be decided, and has conditioned the resolution of this question for the tentative subdivision map.

Several Laguna Oaks and Jorgensen Lane neighbors requested that cattle grazing be allowed to continue on the open space areas and limiting the open space area to very low-intensity public uses, but no picnic tables, etc. The Messa family will support the cattle grazing but will not support any type of picnic area, hiking trails, or any type of staging area or parking lots on any part of the Austin property. As conditioned, up to one-dozen head of cattle can be grazed on the entire, 22-acre open space area at any time and the existing cattle shed located near the southern side of the property is allowed to remain. The type of uses that may be allowed to occur on the open space area would have to be subject to future City review including the Trails Ad Hoc Committee and the Parks and Recreation Commission.

### Wildland Fire Management Plan

A Wildland Fire Management Plan (WFMP) will be prepared with the tentative subdivision map for review by the Fire Marshal and review/approval by the Planning Commission. The WFMP will cover the private lots and open space area. Measures identified in the WFMP will be incor-

porated into the City's management/maintenance plan of the open space area. Staff notes that allowing the cattle grazing to continue will reduce the fuel potential of the open space areas.

### Residential Fire Sprinkler Systems

The homes of this development will be equipped with residential fire sprinkler systems. Lots 4, 5, and 6 are located above the 400-foot grade elevation, where the applicant is required to do the following in order to provide adequate fire flow pressure to these lots

- A 2-inch domestic water line from the City water main to the water meter.
- A minimum 1-inch meter.
- A pressure tank and electric booster pump for each home, which can be located in the garage, on a protected pad outside the home, etc.
- A minimum, sustained fire sprinkler system flow of 60 g.p.m. for 10 minutes in addition to the minimum, domestic water demand of 5 g.p.m.
- The pressure tank and pump system shall be interconnected to the domestic service so that this combination system is used for both the domestic and fire protection systems.

### **Design Guidelines**

#### Review Procedures

The Planning Commission prefers to have staff conduct the design review approval process for these homes. It was suggested at the work session that the home designs be unique to these lots for variety and that there be a limited use of stucco wall materials. To accomplish the Commission's goals, the building and landscape design guidelines provide detailed and comprehensive landscape and building design standards – diagrams, photographs, and drawings – addressing materials, massing, detailing, architectural types, planting, etc., for clear guidance to future owners regarding all aspects of the designs of these homes.

The proposed guidelines also state the design review procedures for these homes. The first review stage is peer review provided by the subdivision architect, Gorny & Associates. After this stage is completed and the subdivision architect has approved the design plans, formal application for design review approval by the Zoning Administrator would then be made to the Planning Department. To inform the Planning Commission of the Zoning Administrator's actions, staff suggests using the procedures being followed with the Mariposa Ranch homes by the Calippe Golf Course. With the notification of the Zoning Administrator's action sent to the Planning Commission, staff will provide the approval letter, conditions of approval, and the plan set including colored building perspectives and building elevations.

#### Development Standards

The proposed development standards for Lots 1 through 8 stated in the building design guidelines match the setback standards of the West Foothill Road Corridor Overlay District. How-

ever, staff believes that the building setbacks for the houses on these lots should factor-in separations from slope banks, swales/seeps, and the geotechnical building setback lines, i.e., the minimum building setback should not allow a house to encroach into these sensitive areas of the site. Therefore, staff recommends the following uses and site development standards for Lots 1 through 8:

- a. The permitted and conditional uses of the R-1 (One Family Residential) District as described under Chapter 18.32 of the Pleasanton Municipal Code.
- b. Development Standards for Primary Structures: The following building setback and height standards shall apply to the primary structures and additions to primary structures including second units on these lots:
  - Frontyard Building Setback – 30 feet from the property line provided that any building is at least 10 feet from the top-of-bank of a swale/seep or slope bank.
  - Interior Sideyard Building Setback – 15 feet from the property line provided that any building is at least 5 feet from the top-of-bank of a swale/seep or slope bank.
  - Street Sideyard Building Setback – 20-feet from the property line provided that any building is at least 5 feet from the top-of-bank of a swale/seep or slope bank.
  - Rearyard Building Setback – 30-feet from the property line provided that any building is at least 5 feet from the top-of-bank of a swale/seep or slope bank.
  - Maximum Height – 30-feet.
  - Maximum Floor Area Ratio (FAR) – 25% or 8,000 square feet, exclusive of 700 square feet of garage area, whichever is less. (Note: Garage floor area over 700 square feet will be added to the building floor area.)

The Zoning Administrator may permit a minor reduction of the setback distance from a swale, seep, or slope bank for houses of high-quality design where the reduced setback is to allow a significant architectural design feature, e.g., a stepped-pad design reflecting the topographic character of the site.

- c. Development Standards for Open Accessory Structures, e.g., Swimming Pools and Spas including, Arbors, Trellises, Open Patios, etc. (Note: These setback standards shall also apply to swimming pools and spas.)
  - Maximum height – One-Story and 15-feet
  - Interior Sideyard – 10-feet for the structure or 5-feet for the swimming pool/spa equipment from the property line provided that any structure is at least 5 feet from the top-of-bank of a swale/seep or slope bank.
  - Street Sideyard for Corner Lots – 20-feet from the property line for the structure and for swimming pool/spa equipment provided that any structure is at least 5 feet from the top-of-bank of a swale/seep or slope bank.



- Rearyard Setback – 15-feet from the property line provided that any structure is at least 5 feet from the top-of-bank of a swale/seep or slope bank.

d. Development Standards for Enclosed Accessory Structures including Second Units:

- Rearyard Setback – 20-feet from the property line provided that any structure is at least 5 feet from the top-of-bank of a swale/seep or slope bank.
- Interior Sideyard – 15-feet from the property line provided that any structure is at least 5 feet from the top-of-bank of a swale/seep or slope bank.
- Street Sideyard for Corner Lots – 15-feet from the property line provided that any structure is at least 5 feet from the top-of-bank of a swale/seep or slope bank.
- Maximum height – One-Story and 15-feet

(Note: The floor area for enclosed accessory structures shall be included in the sites' floor area ratios.)

- e. Architectural projections and bay/oriel windows shall conform to the definitions and standards described under Section 18.84.120 of the Pleasanton Municipal Code.
- f. The maximum height for any primary or accessory structure on Lots 1 through 8 shall be measured vertically from the lowest point of the structure to the highest point of the structure, excluding towers, cupolas, chimneys and other such uninhabitable projections.

The applicant concurs with the staff recommendation.

### Building Height

The applicant proposes a 35-foot maximum building height, measured from the midpoint grade elevation of the site beneath the structure to the midpoint of a sloped roof. Staff does not concur with this proposal. The West Foothill Road Corridor Overlay District (WFCOD) states,

*“The maximum height for any structure shall be 30 feet, measured vertically from the lowest point of the structure to the highest point of the structure, excluding towers, cupolas, chimneys and other such uninhabitable projections.”*

This WFCOD height standard is intended to maintain the building heights of new developments so that the houses are proportioned to the topographic scale of the building site. The developments constructed over the past decade covered by the Overlay District – Presley, Moller Ranch, Kolb ranch, etc. – have maintained the height Overlay District's height standard. Therefore, staff recommends that the height standard of the overlay district be implemented with this project. The applicant concurs with the staff recommendation.

## Building Design

Building designs for the private lots are addressed in the, “*Meadowlark Estates Subdivision Site Development and Architectural Review Guidelines*”, prepared by Gorny & Associates. Mr. Gorny will function as the subdivision architect peer reviewing the custom home designs.

The information contained in the building design guidelines is detailed and comprehensive. The details provide for grading, building massing, detailing, etc., provide the degree of detail needed to ensure the successful translation of guideline statements to physical designs. Staff believes that the proposed guidelines would provide a comprehensive level of detail and direction to the future homeowners regarding all aspects of the designs of their homes.

## Landscape Design

Landscape designs for the private lots and a portion of the open space area surrounding the private lots are addressed in the “*Landscape Design Guidelines for Meadowlark, Austin Property*”, prepared by PGAdesign. PGAdesign is the City’s design consultant for the Alviso Adobe Park. For this reason, the applicants chose PGAdesign as their consultant to ensure continuity between project and the park. Figure 9 on Page 23 is the conceptual landscape plan for the open space areas surrounding the proposed development and the areas flanking the existing drainage swales/ seeps from the design guidelines.

Some of the significant features of the landscape guidelines include:

- No new plantings for the open space area except for the 30-foot wide buffer zone, which will surround the development. The buffer zone will be located on the City-owned open space area but, as conditioned, will be maintained by the homeowners association.
- The buffer zone will serve to blend the project with the open space area and function as part of the Wildland Fire Interface.
- Plant lists emphasizing native plant materials for a specific purpose, e.g., bio-detention/ seep planting.
- Private lot landscaping is divided into two planting zones.
- Open fencing per the Section 18.78.080, F, of the West Foothill Road Corridor Overlay District. Per the Overlay District privacy will be achieved with screen planting.
- Orchard trees will be planted along Old Foothill Road by Lots 1 and 8.
- Retaining walls will be stacked stone, wood timbers, or rustic concrete blocks, matching Section 18.78.080, E, of the West Foothill Road Corridor Overlay District.
- Pervious paving is encouraged for stormwater infiltration.



**Figure 9: Conceptual Landscape Plan**

Staff considers the proposed landscape designs successful to the vision stated in the guidelines: “.....blend the development into the site with minimal visual and environmental impact; .....create a landscape that .....complements and extends (to the) Alviso Adobe park and surrounding oak woodlands and grasslands.....; and .....seek to retain the character of the site as it was during the Meadowlark dairy period.”

## **Geotechnical/Alquist-Priolo Earthquake Fault Zone**

The Alquist-Priolo Earthquake Fault Zone for the Calaveras fault traverses the upper portion of the Austin property near Lots 5 and 6. The site was analyzed by the applicants' consultant, Berlogar Geotechnical Consultants, with their findings peer-reviewed by Cotton, Shires and Associates under supervision by the City Engineer. The analyses determined that the site will support the proposed development in its proposed configuration with standard engineering practices. As shown on the development plan and grading/drainage plan, the geotechnical building setback line encroaches onto the west sides of Lots 5 and 6. All habitable structures must be constructed outside this setback line. Staff notes that the side yard building setback recommended by staff in the "***Design Guidelines***" section of staff report is compatible with the geotechnical building setback line.

The applicants are required to annex this development into the Lemoine Ranch Geologic Hazard Abatement District (GHAD). In addition to the Lemoine development, GHADs cover the Golden Eagle Estates, Kolb Ranch, Moller Ranch, Oak Hill Estates, Oak Tree Farms, and Preserve developments. The project developer will be responsible for preparing the necessary documentation to annex this development to the Lemoine Ranch GHAD including any expenses of the City's geotechnical engineer for the GHAD. Upon recordation of the final subdivision map, the lot owners will be responsible for paying the future annual GHAD assessments for the development.

## **Grading/Urban Stormwater Runoff**

### Grading

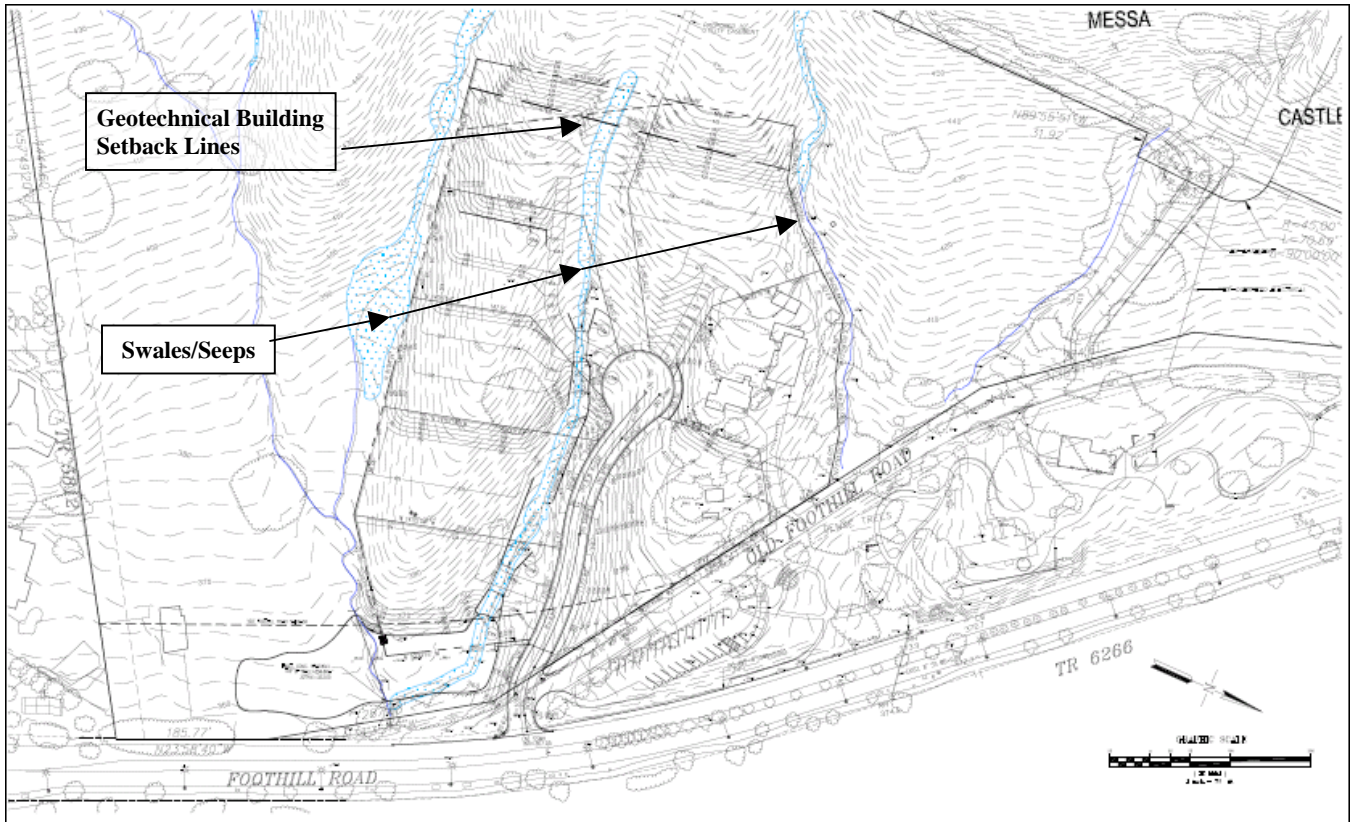
The proposed grading plan – Figure 10 on Page 25 – was determined by several factors:

- To the greatest extent feasible, depress the entire development into the property by cutting into the hillside in order to reduce its visibility to the Laguna Oaks development.
- Preserve the three swales/seeps, which flank and bisect the development. Staff notes that these swales/seeps are subject to the Army Corps of Engineers and the Regional Water Quality Control Board jurisdictions.
- Grading sensitive to the site's topography given its topographic complexities.
- Preserve the existing trees on the caretaker's property, which will become Lots 7 and 8.

The proposed grading plan incorporates the following features to meet these goals:

- All lots will be "cut" into the hillside. The depth of the cuts will vary from an average of seven feet for Lots 1, 3, and 5 up to an average of 11 feet for Lot 4 and Lot 6.
- A retaining wall will be used along the south side of the street, opposite Lots 2 and 3, in order to preserve the swale/seep.
- Lot 4 will be graded with a four-foot split pad.





**Figure 10: Proposed Grading/Drainage Plan**

- A portion of the existing grade level of Lot 8 will be changed to accommodate the public street. Otherwise the existing grade of Lot 8 will be preserved to preserve the existing trees on this lot.
- All lots feature a combination of contour grading and cut/fill slope banks to accommodate building pads and access driveways. All cut/fill slope banks will be graded at a 3/1 slope.
- A six-foot tall retaining wall will be located along the west of Lot 4 to maintain a sufficient building area. The walls design will implement the retaining wall design criteria specified in the landscape design guidelines.

Although staff considers the proposed grading plan to be sensitive to the site's constraints, staff recommends further investigation into using additional retaining walls and/or split pads to reduce the height of the slope banks on the west side of Lot 6 – an overall proposed height of 24 feet – and on the south side of Lot 7 – an overall proposed height of 18 feet – facing the street and Old Foothill Road. Since this issue is isolated to two lots and can be accomplished in the areas of those lots without significantly affecting the overall development, staff believes that this issue can be deferred to the tentative subdivision map for review by the Planning Commission. Staff's recommendation is reflected as a draft condition of approval.



## Urban Stormwater Runoff

The applicant will install a bio-retention pond – approximately 20,000 square feet in area – on the east side of Lot 1 with the first construction phase to pretreat the development's storm water runoff before entering the City's storm system. The bio-retention pond is required to be maintained by the development's homeowners association.

Stormwater runoff from the public street and all lots will be conveyed to the bio-retention pond by "V"-ditch and by underground piping. The applicant's proposal is reflected on the development plan and in the draft conditions of approval. The development's storm water runoff measures will be shown in detail with the tentative subdivision map for review and approval by the Planning Commission.

The project will be required through the grading and building permit and construction processes to incorporate best management practices to control erosion and to prevent discharges into the City's storm drain system resulting from this development.

## Regional Water Quality Control Board

Regional Water Quality Control Board (RWQCB) staff met with City staff and the applicant on the site to discuss the project's grading, existing swales/seeps, urban stormwater runoff mitigation measures, etc. RWQCB staff considered the overall proposal – grading, treatment of swales/seeps, bio-retention areas, etc. – to be sensitive to the site with its impacts reduced to a less-than-significant-level.

The only issue identified by the RWQCB staff requiring further analysis and potential mitigation is the 20 linear feet of fill proposed at the end of the southernmost swale/seep before it enters the culvert on the west side of Foothill Road. However, RWQCB staff believes that this fill may be mitigated by the proposed planting of native trees and habitat planting along the three swales/seeps – totaling approximately 700 linear feet, a 35 to 1 mitigation ratio – shown in the landscape design guidelines. Another potential mitigation measure would be to bypass this area with underground piping, thereby avoiding the proposed fill this area.

Since this issue is isolated to a relatively small, 20-foot section of the existing swale/seep, staff believes that this issue can be resolved by the applicant, City staff, and the RWQCB staff at the tentative subdivision map for review by the Planning Commission. Staff's recommendation is reflected as a draft condition of approval. Based upon the on-site meeting and discussion, the RWQCB staff indicated their comfort with the project going forward to the Planning Commission.

## **View Analyses**

View analyses on discs are attached showing the before/after views of the project from various vantage points. The view analyses include:

- before/after views taken from several viewpoints,
- an aerial perspective of the site,
- the project site plan superimposed on an aerial photograph of the site and surrounding area, and
- tree growth looking up the main access street.

An additional feature is the before/after view looking up the project street, which includes an animation of the tree growth continuously over a 15-year time period. Based upon the view analyses, the project will be most visible looking north from Foothill Road at the intersection of Old Foothill Road, and will be partially visible to portions of the Laguna Oaks neighborhood.

Staff believes that the view analyses provide an accurate modeling of the project. However, staff also believes that the analyses should be revised to include the views of the tree growth – as an animation or at designated time intervals – and re-submitted to the Planning Commission for its review with the tentative subdivision map. The purpose of this re-submittal is to provide to the Planning Commission the opportunity to review the proposed landscaping treatments along the north and south sides of the development to determine their effectiveness at screening the project. The staff recommendation is reflected as draft condition of approval.

Where building designs will be governed by design guidelines, absent actual design plans, the preparation of accurate view studies is difficult. Staff, therefore, has conditioned the proposed project to provide computer generated view studies with the site-specific design plans.

### **Traffic and Circulation:**

Eight dwelling units, generating a total of 80 trips during the 24-hour day and 8 trips during the a.m./p.m. peak commute hour, is considered to be a less-than-significant addition of traffic to the surrounding street system. Therefore, no traffic analysis was required for the proposal.

The project developer will be required to:

- Pay the City and Tri-Valley Traffic Impact Fees;
- Construct a left-turn lane/pocket from northbound Foothill Road to Old Foothill Road;
- Construct a right-turn deceleration lane from southbound Foothill Road to Old Foothill Road; and,
- Reconstruct the Foothill Road/Old Foothill Road intersection to a 90° alignment and standard street intersection to improve circulation.

All proposed access driveways and public streets will be designed and constructed to City standards.

## **Green Building Measures**

The homes covered by this approval shall be covered by the City's adopted green Building Ordinance, which establishes a minimum of 50 points for a home with a minimum of 10 points in each category (Resources, Energy, and IAQ/ Health). As required by the ordinance, the applicant would submit a proposed checklist showing which measures are incorporated in the design of the proposed home addition/remodeling in order to meet this 50-point requirement. Both City and ACWMA staff are available to provide technical assistance to future lot purchasers concerning questions they may have about these green building measures and Green Point rating system.

## **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. Although past demand for "First-Come-First-Serve" units has exceeded supply in the past, that demand has declined since 2000. Staff, therefore, anticipates that there would be adequate building permit capacity for these lots in the future.

## **VIII. PUBLIC COMMENT**

Public notices were sent to all property owners within a 1,000-foot radius of the project site and to all homeowners living in both phases of the Laguna Oaks development. Since the work session, several neighbors have communicated to staff; summaries of their letters and/or emails follow:

1. **Larry and Joyce Messa (3464 Old Foothill Road)**
  - Clustering 8 homes and leaving the remaining land in permanent open space is a good use for this property.
  - 4-H usage of the open space area for project animals is under a very controlled environment with pens and sheltered areas. This would be very unsightly. Support 4-H as a good learning experience for children to raise animals, but believe that this is not the proper location to house 4-H animals. Will support a free range grazing.
  - Will not support any type of picnic area, hiking trails, or any type of staging area or parking lots on any part of the Austin property. The Alviso Adobe Park was approved with limited usage, and the Messas hope that won't change with the acquisition of the open space should the Austin Family donate it to the City.
  - Concern of how the open space will be maintained to alleviate potential fire hazard.
  
2. **Sandeep Duggal and Eena Duggal (8019 Jorgensen Lane)**
  - Property is one of the most heavily impacted of all the homes on Jorgensen Lane.

- Supports the development plan for the reasons outlined below. Neighbors supported the development plan for the same reasons. Therefore, it is critical that these characteristics be maintained or strengthened since they are the basis for this development's popular support among the neighbors.
  - Location of the new homes (a minimum of around 400' away from the Jorgensen Lane homes).
  - The dedication of 22 acres to perpetual open space, enabling the preservation of a wonderful piece of Pleasanton's past and rural character.
  - The lot line adjustments committed to the Jorgensen Lane owners of 35 feet of added space.
  - The addition of a large number of screening trees, approx 50%, which were placed in between the Jorgensen Lane homes and the new proposed homesites, providing both the new and existing homes with an effective screen.
  - The architectural guidelines for the new homes to make them "blend in" with the character of the West Side.
  - A sensitive, inclusive, and considerate review process driven by Brad Hirst and Charles Austin.
  - Were any photo simulations prepared from the Jorgensen Lane homes?

### 3. **Christine Ellis (President Laguna Oaks Homeowner's Association)**

- Concern with the plans for the lands to be donated by the Austin family that surround the new development known as the Austin Property on the ridge.
- We have been given the opportunity to have an addition to the Alviso Adobe Park that is unspoiled, natural and beautiful. Can we protect it, in perpetuity, from any development – no trails, picnic tables, cabins, huts or buildings of any kind, no extension of the parking lot or a petting area?
- Let us keep the beauty unsullied and leave it to the kind attention of the grazing cattle that have maintained a welcome presence over the last many years.
- The Austin family has promised to put in trees and landscaping to lessen the impact of the new houses and maintain the natural look of the area.

As of the writing of this staff report, staff has not received any further verbal or written comments pertaining to this proposal. Staff notes that the applicants' representative has sent two mailings to the Laguna Oaks homeowners and has met with several neighbors.

## **IX. ENVIRONMENTAL ASSESSMENT**

Environmental review for the proposed project is covered by an Initial Study/Mitigated Negative Declaration (IS/MND), which is attached. Staff believes that the project-related impacts are mitigated, with the mitigation measures incorporated in the project's design or referenced with conditions of approval, and that there would be no significant or unmitigated environmental impact. Staff, therefore, believes that the Mitigated Negative Declaration can be issued in confor-

mance with the standards of the California Environmental Quality Act (CEQA). If the Planning Commission concurs with this environmental assessment, it must make the finding that the Mitigated Negative Declaration is appropriate prior to recommending approval of the proposed project.

The IS/MND and Notice of Completion (NOC) were sent to the State Clearinghouse of the Office of Planning and Research on July 19<sup>th</sup> for its CEQA review period. The State Clearinghouse mandated that the 30-day review period end on August 25<sup>th</sup>, extending beyond the August 9<sup>th</sup> date stated on the IS/MND by staff. Comments were received from the Regional Water Quality Control Board (RWQCB) staff, resulting in the meeting on site to discuss the project's grading, urban stormwater runoff mitigation measures, etc. RWQCB staff considered the overall proposal – grading, treatment of swales/seeps, bio-retention areas, etc. – to be sensitive to the site with its impacts reduced to a less-than-significant-level and stated to staff that from its perspective that the project could proceed to Planning Commission. The State Clearinghouse staff stated to staff that the Planning Commission could make its recommendation before the review period ends.

## **X. GENERAL PLAN AMENDMENT FINDINGS**

The Planning Commission should make the finding that the proposed amendment to the Pleasanton General Plan – changing the land use designation from the Rural Density Residential land use designation to Low Density Residential (< 2 du/ac) land uses on 8 acres, with a maximum density of 8 dwelling units, and Open Space land uses on the remaining 22 acres – conforms to the applicable policies and standards of the Pleasanton General Plan for hillside development. Staff suggests:

- The eight lots are grouped into a cluster accessed from a single public street and surrounded on three sides by permanent open space.
- The applicant's offer to convey the 22-acre open space area to the City as permanent open space would be considered an amenity benefiting the City and surrounding neighborhoods as well as the proposed project.
- Land uses and densities are consistent with the densities of adjoining and nearby developments, including the Jorgensen Lane development on the south side of the subject property and the Laguna Oaks development on the east side of Foothill Road, and with the open space character of the areas surrounding the property.

## **XI. PUD DEVELOPMENT PLAN FINDINGS**

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 proposal. The Planning Commission must make the following findings that the proposed PUD development plan conforms to the purposes of the PUD District, before making its recommendation.



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

The proposed project as designed and conditioned meets all applicable City standards concerning public health, safety, and welfare, e.g., vehicle access, geologic hazards (new development not within a special studies zone), and flood hazards. Full public streets and water, storm, and sanitary sewer lines are present to serve the proposed lots on this site. Stormwater runoff will be pretreated in on-site bio-retention swales and ponds before discharge to the City's storm lines. Sensitive riparian habitat areas will be preserved in conformance to Federal and California State standards.

Staff, therefore, believes that this finding can be made.

**2. Whether the proposed development plan is compatible with previously developed properties located in the vicinity of the plan:**

- The proposed development plan incorporates numerous provisions – limitations on building heights, setbacks, maximum floor area, etc., – to integrate the design of the planned buildings on these lots with the nearby single-family homes and surrounding area.
- The proposed public streets are located in a manner which is consistent with City standards, and which provides adequate development access and emergency vehicle access.
- All house construction activities are limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices.

Staff, therefore, believes that this finding can be made.

**3. Whether the proposed development plan is compatible with the natural, topographic features of the site:**

- The proposed development plan is designed to reflect the site's existing topographic condition, to minimize impacts on adjoining properties, to be consistent with the requirements and geotechnical report recommendations that have been prepared for the proposed project, and to minimize grading.
- The location and configuration of the proposed lots and public streets generally follow natural contours.
- All private lots will be designed to drain to bio-retention areas designed to pretreat stormwater runoff before entering the City's storm drain system.

Staff believes that the proposed development's grading has done a good job of balancing the requirements of being sensitive to the site and adjoining properties as well as proposing grading that is needed to create the proposed development. Therefore, staff believes that this finding can be made.

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

- Requirements of the Uniform Building Code – implemented by the City at the Building Permit review – would ensure that building foundations and private street/on-site parking/driveway areas are constructed on satisfactorily compacted fill.
- Erosion control and dust suppression measures will be documented in the final subdivision map and will be administered by the City's Building and Public Works Departments.

Staff, therefore, believes that this finding can be made.

**5. Whether adequate public safety measures have been incorporated into the design of the proposed development plan:**

- Because the subject property is located in an Alquist-Priolo Special study zone for the Calaveras earthquake fault, a geotechnical analysis was conducted of the site that was peer reviewed and found to be complete by the City Engineer. The analysis identified geotechnical setback line for the property that is shown on the development plan will ensure that the future structures will be set an acceptable distance from the fault trace.
- All construction would be designed to meet the requirements of the Uniform Building Code, other applicable City codes, and State of California mandated noise, energy, and accessibility requirements.
- The project site adjoins existing public streets with adequate emergency vehicle access. All streets meet City standards and are adequate to handle anticipated traffic volumes.
- Adequate access is provided to all structures for police, fire, and other emergency vehicles.

Staff, therefore, believes that this finding can be made.

**6. Whether the proposed development plan conforms to the purposes of the PUD District:**

The proposed PUD Development Plan sets forth the parameters for the development of the subject property in a manner consistent with the Pleasanton General Plan, the West Foothill Corridor Overlay District, and with the surrounding area. The proposed PUD Development Plan implements the purposes of the City's PUD Ordinance by providing a combined development consisting of eight single-family custom homes and the transfer of 22 acres of open space land to the City. Through the proposed design augmented by the recommended conditions applied to the proposed PUD Development Plan, the project will substantially conform to the requirements for development specified in the Pleasanton General Plan and the West Foothill Corridor Overlay District.

Staff, therefore, believes that this finding can be made.

**XII. CONCLUSION**

The proposal will create a development consisting of eight custom homes on large lots surrounded by 22 acres or permanent open space area, with the open space area transferred to City ownership as permanent open space. The proposed project is designed in a manner that is sensitive and compatible with the site and nearby developments. Large, unobstructed view sheds of the Pleasanton Ridge are preserved and, by maintaining the present cattle grazing taking place on the site, will preserve the site's history as part of the former Meadowlark Dairy. The proposed project implements the applicable policies and standards of the Pleasanton General Plan and the West Foothill Road Corridor Overlay District. The proposal includes comprehensive building and landscape design guidelines, and it will implement the City's Green Building ordinance for residential structures.

Staff, therefore, believes that the proposed development merits a favorable recommendation from the Planning Commission.

**XIII. STAFF RECOMMENDATION**

Staff recommends the Planning Commission forward Case PUD-58 and PGPA-11 to the City Council with a recommendation of approval by taking the following actions:

1. Find that the proposed project will not have a significant environmental impact and that the Mitigated Negative Declaration is appropriate by adopting a resolution recommending approval of the Initial Study/Mitigated Negative Declaration;
2. Find that the proposed amendment to the Pleasanton General Plan conforms to the goals and policies of the General Plan and adopt a resolution recommending approval of Case PGPA-11, i.e., changing the land use designation of the 30-acre Austin property from Ru-

ral Density Residential (1 du/5 ac) to Low Density Residential (< 2 du/ac) land uses on approximately 8 acres with a maximum density of 8 units and to Agriculture and Grazing land uses on the remaining 22 acres shown on Exhibit “D”, dated August 23, 2006;

3. Find that the proposed PUD rezoning of the subject property, i.e., from the A (Agriculture) District to the PUD – LDR (Planned Unit Development – Low Density Residential) District on 8 acres and the PUD – AG (Planned Unit Development – Agriculture and Grazing) District on the remaining 22 acres shown on Exhibit “E”, dated August 23, 2006, and the PUD development plan, i.e., subdivide the subject property into 8 custom home sites and to designate the remaining 22 acres as permanent open space shown on Exhibit “A”, dated “Received August 18, 2006”, conforms to the purposes of the PUD Ordinance; and,
4. Make the PUD Development Plan Findings 1 through 6 as stated in the staff report and adopt a resolution recommending approval of Case PUD-58 subject to Exhibit “B”, Draft Conditions of Approval.

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