

**Planning Commission
Staff Report**

October 10, 2012
Item 6.a.

- SUBJECT:** PUD- 88
- APPLICANTS/
PROPERTY OWNERS:** Sherman D. and Cheryl Balch
- PURPOSE:** Application for Planned Unit Development (PUD) development plan approval to subdivide an approximately 10-acre lot into two single-family residential lots: (1) an approximately 3.5-acre parcel containing the existing residence, detached garage, and sport court; and (2) an approximately 6.5-acre lot which would include the construction of an approximately 4,000-square-foot single-story home and attached garage, a 1,200-square-foot detached second, and two detached garages.
- GENERAL PLAN:** Low Density Residential – One dwelling unit per 2 gross acres; and Open Space-Public Health & Safety.
- HAPPY VALLEY
SPECIFIC PLAN LAND
USE:** Semi-Rural Density Residential and Agricultural/Open Space (PUD-SRDR & A/OS)
- ZONING:** Unincorporated (Prezoned: Planned Unit Development - Semi-Rural Density Residential and Agricultural/Open Space)
- LOCATION:** 6010 Alisal Road
- EXHIBITS:**
- A. Draft Conditions of Approval
 - B. Narrative, Floor Plans, Site Plan, and related material dated “Received, March 27, 2012”
 - C. Fault Rupture Hazard Investigation (Geotechnical) Report dated “Received, March 27, 2012”
 - D. Tree Report, prepared by HortScience, Inc. dated “Received, March 27, 2012”
 - E. Location Map & Noticing Map

BACKGROUND

The City of Pleasanton adopted a Specific Plan for Happy Valley in 1998. The Specific Plan covers an 860-acre area, which includes the 10 acre parcel (Lot 75) owned by Mr. and Mrs. Balch. The Specific Plan was adopted in conjunction with a pre-zoning of the 860-acre area to allow for the development of a municipal golf course, residential housing, open space, and agricultural uses.

The creation of the Specific Plan pre-zoned this parcel as PUD-Semi-Rural Density Residential and PUD-Agricultural/Open Space. This zoning allows for single-family detached housing as a permitted use and maximum density of one house per two acres on the portion of the parcel within the PUD-SRDR area.

The annexation request for this parcel is being processed at this time and is expected to be reviewed by the Pleasanton City Council in October 2012. The City Council will consider the adoption of a resolution initiating the annexation process and agreeing to the exchange of property tax revenue with the County for the proposed annexation. An Alameda Local Agency Formation Commission (LAFCo.) hearing is estimated to occur in January 2013. Additional information regarding the annexation process is provided in the Annexation of Unincorporated Parcels section of this report.

SITE DESCRIPTION

The parcel is located south of Minnie Road (Private), with frontage on Alisal Road, and the northerly property line is the boundary of the current City limits, as shown in Figure 1.1. The site is surrounded by low density, single-family residential developments and agricultural uses. The City limit line is indicated in the burgundy colored dashed line and the Urban Growth Boundary (UGB) line is indicated by the solid blue line. The double yellow lines indicate the boundary of the Alquist-Priolo Earthquake Fault Special Study Zone (SSZ) associated with the Verona Fault. The UGB and SSZ are discussed more in the Analysis section of this report. Photos of the subject site are provided on the following page.



Figure 1.1 City Limits, UGB, SSZ, View Lines

The western portion of the parcel is flat with the back half of the parcel having a steep topographic incline with slopes greater than 20%. The site is currently developed with a single-family residence and an existing barn structure at the top of the grade. Additionally, there are two horse corrals, a basketball court, and related site improvements (3 water tanks, 2 wells, solar arrays, etc.) throughout the parcel.

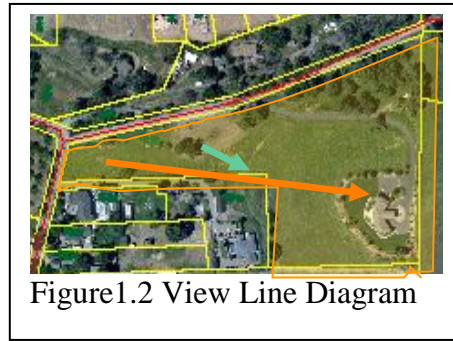


Photo 1.1- View Line

Photo 1.2- View Line

Access to and from the property is via Alisal Road. The existing driveway terminates at the main residence at the top of the grade and contains an existing fire truck turnaround area.

A low split rail fence separates the driveway from the neighboring driveway, and a solid wall (Photo 1.3) runs along the majority of the southern property line with the remaining fencing being standard split rail fencing.



PROJECT DESCRIPTION

The applicants are proposing to retain the existing single-family residence of approximately 4,000 square feet and existing 1,190 square-foot garage/barn structure, and to subdivide the approximately 10.14 acre lot into two parcels of 6.49 acres and 3.65 acres respectively. Future proposals to develop the properties would be subject to the standards listed in the *Site Development Standards* section of this report.

The proposal also includes a development plan for the following:

- Construct a new 4,000 square-foot, two-story, single-family residence with an 864 square-foot, attached garage;
- Construct a new detached 1,195 square-foot, second unit with a detached, 480 square-foot, garage;

- Construct a second detached garage of 960 square feet for storage of agricultural equipment;
- Installation of stormwater improvements; and
- Installation of related landscaping improvements.

The proposed development would have minor grading associated with the foundation work and utility trenching for the new structures. The site contains existing flat pad areas for construction. All previous grading was done with permits and approvals from Alameda County.

Both lots would continue to utilize Alisal Road and the existing driveway for access.

After approval of the PUD Development Plan by the City Council, the applicants will follow with an application for a minor subdivision map to subdivide the property from one approximately 10.14 acre parcel into two separate parcels. All approvals that are done by the City prior to the approval by LAFCo for annexation will be contingent on the LAFCo annexation approval and recordation, as stated in the recommended conditions of approval.

ANALYSIS

General Plan Land Use Conformity

The proposed project is consistent with the General Plan land use designations, which are Low Density Residential – Happy Valley Specific Plan (one dwelling unit per two gross acres) and Open Space-Public Health & Safety.

The project would have one main residence on each lot, which is within the allowed range of one dwelling unit per two gross acres for semi-rural development and the allotment of the existing density on the portion of the lot designated as Open Space-Public Health & Safety.

General Plan Policies and Programs

The General Plan has various Goals, Policies, and Programs by which the growth of the City is shaped and evaluated. Staff has identified some of the General Plan Policies and Programs applicable to the proposed project:

Land Use Element

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

Program 4.2: While mid-points and maximum densities/floor area ratios are used to calculate holding capacity for planning purposes, these numbers are not entitlements. The appropriate density and intensity will be determined based on General Plan policies, Specific Plans where appropriate, site conditions, project design, and other considerations.

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

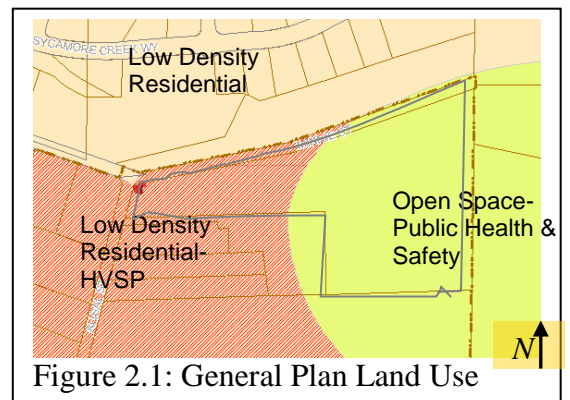


Figure 2.1: General Plan Land Use

Policy 22: Maintain a permanent Urban Growth Boundary (UGB) beyond which urban development shall not be permitted.

Program 22.1: Permit only non-urban uses beyond the Urban Growth Boundary.

Program 22.2: Extend urban services only to areas within the Urban Growth Boundary, with the following possible exceptions for selected urban services: (1) areas beyond the boundary where the public health and safety present overriding considerations; [...].

Program 22.4: Encourage lower intensity uses immediately inside the Urban Growth Boundary, as necessary, to prevent potential land use conflicts with outlying non-urban uses.

Public Safety Element

Policy 2: Investigate the potential for seismic hazards during the development review process, and implement soils engineering and construction standards which minimize potential danger from earthquakes.

Program 2.1: Require site-specific soils, geologic, and/or geotechnical engineering studies prior to development approval of structures for human occupancy for any project proposed within areas shown on current Alquist-Priolo Earthquake Fault Zones Maps. For development within areas identified as severe through violent seismic shaking amplification (Figure 5-3: Relative Intensity of Ground Shaking) outside of the Alquist-Priolo Earthquake Fault Zone, the site-specific soils and/or geotechnical report shall address the impacts of seismic ground shaking on proposed structures, infrastructure, and ground stability.

Program 2.2: Design and construct all structures to address potential seismic and geologic hazard conditions according to the *California Building Code (CBC)* standards or more stringent standards. All structures and facilities not addressed by the CBC shall be designed and constructed to mitigate potential seismic and geologic hazards as recommended by site-specific soils, geologic, and/or geotechnical engineering studies.

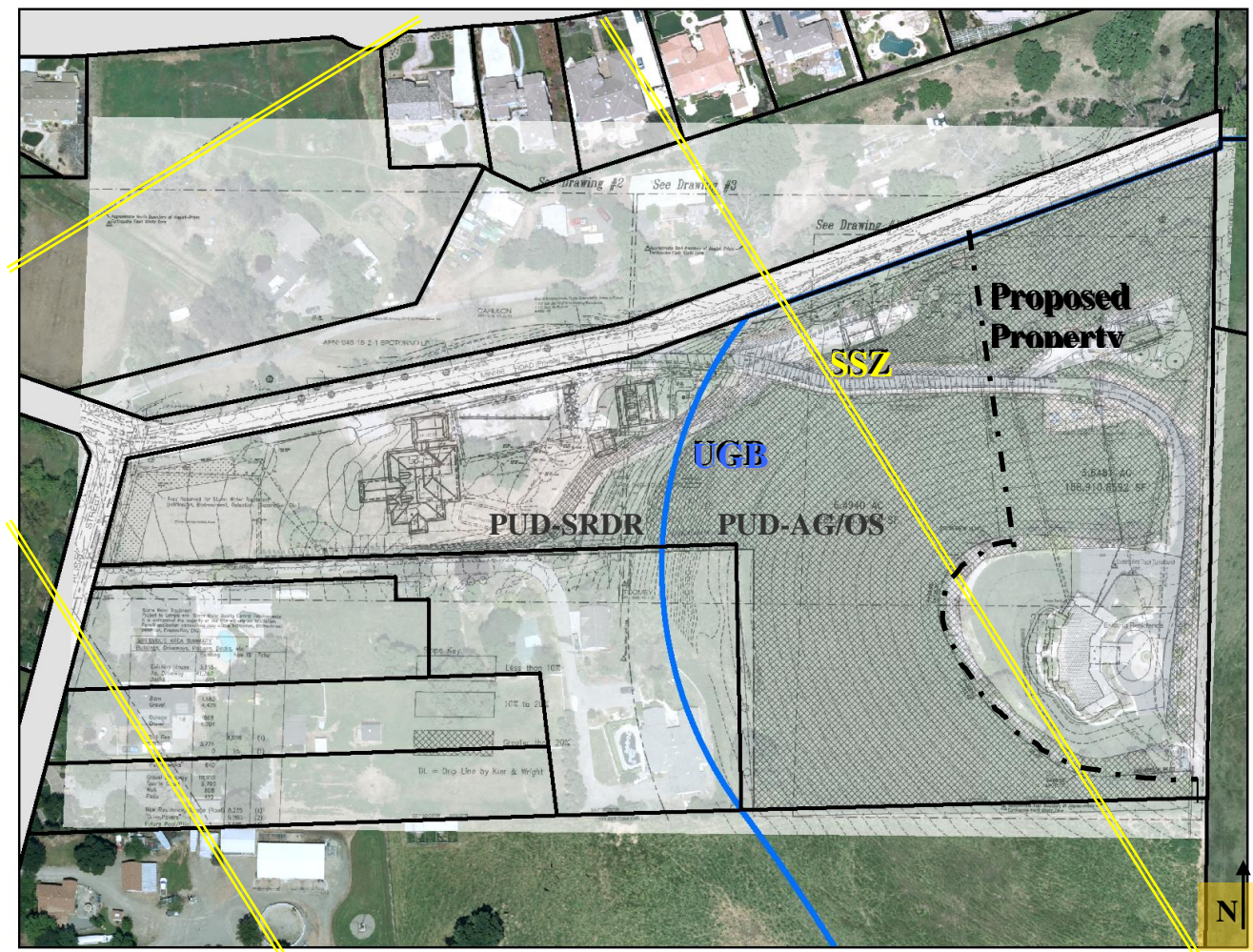
Program 2.5: Require technical review and analysis of soils, geologic, and geotechnical studies by a qualified consulting engineering geologist reporting to the City of Pleasanton. Incorporate the recommendations of the City's consulting engineer into the project design.

Program 2.6: Require professional inspection of foundations, piers, excavation, earthwork, and other aspects of site development during construction. Ensure that all mitigations recommended by the City's consulting engineer are incorporated into the project construction.

Urban Growth Boundary

The General Plan Map designates an Urban Growth Boundary (UGB) line around the edge of land planned for urban development. The line distinguishes areas generally suitable for urban development where urban public facilities and services are provided from those areas not suitable for urban development. Areas outside the Urban Growth Boundary are generally suitable for the long-term protection of natural resources, large-lot agriculture and grazing, parks and recreation, public health and safety, subregionally significant wildlands, buffers between communities, and scenic ridgeline views. The Urban Growth Boundary is intended to permanently define the line beyond which urban development will not occur.

Figure 2.2: Proposed Site Plan Overlaid With the UGB and SSZ Notations

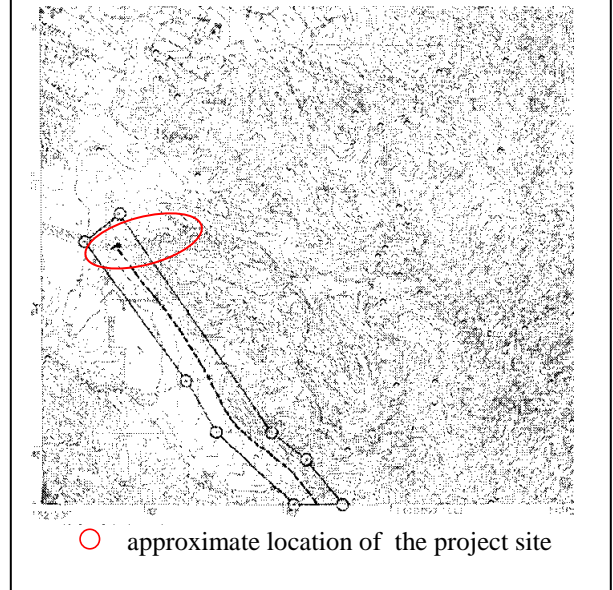


Staff believes that the proposed project is consistent with the General Plan based on the development of the new residence occurring within the Urban Growth Boundary; the new garage structure that is being proposed outside of the UGB is considered by staff to be a non-urban type of structure and is therefore allowed to occur outside of the UGB. The extension of City services beyond the boundary would be to provide services to the existing home and is consistent with similar approvals where providing such services was considered as a public health and safety overriding consideration.

Alquist-Priolo Earthquake Special Studies Zone

As stated previously, the western portion of the site is located within a Special Study Zone (SSZ) associated with the Verona Earthquake Fault (Figure 2.3). The Alquist-Priolo Earthquake Special Studies Zones (APSSZ) Act of 1972 was established to mitigate the hazard of surface fault rupture. Responsibilities for carrying out this Act are shared by state agencies and local government. Specifically, the State Geologist is responsible for delineating regulatory tools such as Special Studies Zones to encompass hazardous faults, while cities and counties affected by the zones must regulate certain development “projects” within the zones. Local government must withhold development permits for sites within the SSZ until geologic investigations demonstrate that the site is not threatened by surface displacement from future faulting. Regulation of projects is accomplished by requiring geologic investigations of individual sites in order to avoid siting proposed structures astride active faults.

Figure 2.3: SSZ Map



The General Plan defines the four fault trace types:

1. A well-located fault trace is unambiguous, easily discerned, and accurately located.
2. An approximately located fault trace may be eroded or modified. The fault-trace location is uncertain within a distance greater than 50 feet.
3. An inferred fault trace is not clearly related to surface faulting, or the surface does not indicate where the fault is located such that subsurface data are used to project its location and therefore the General Plan recommends a 100-foot habitable building setback.
4. A concealed fault has surface deposits – alluvium, colluvium, or landslide – covering the surface trace of the fault, burying it.

The General Plan requires a 100-foot habitable building setback for an inferred fault trace and the Pleasanton Municipal Code requires that the setback from an active fault trace be 50 feet (Section 17.12.040). Most surface faulting is confined to a relatively narrow zone from a few to tens of feet wide, making avoidance (e.g., building setbacks) the most appropriate mitigation method. The geologist’s setback recommendations could differ from a simple 50 feet from a given fault, and should consider the style and complexity of faulting at the site and the accuracy of the fault location. Although there is general agreement on a 50-foot setback for buildings adjacent to a known fault trace, the appropriate setback for habitable buildings adjacent to an inferred or concealed (hidden) fault trace is not as clear (as stated in the General Plan, pg. 5-12).

Due to the uncertainty of the exact location of the Verona Earthquake Fault a Special Study Zone was created to address the need for further investigation to determine the suitability of

development. As such, a Fault Rupture Hazard Investigation report was prepared for the proposed project (Exhibit C).

Fault Rupture Hazard Investigation (Geotechnical) Report and Peer Review

A site specific Fault Rupture Hazard Investigation (Geotechnical) report was prepared by BSK Associates, a geotechnical consulting firm (Exhibit C). The report concludes that the site is suitable for the proposed development. The report was peer reviewed by Alan Kropp and Associates, one of the City geotechnical consultants, who concurred with the report conclusions. Recommendations for site preparation and construction were indicated in the report. Those recommendations are incorporated into the recommended conditions of approval.

Per the Fault Rupture Hazard Investigation report, the Fault Evaluation Report (CDMG, FER-104, March 31, 1981) identified an inferred trace of the Verona Fault crossing the site. The location of the fault is based upon tonal lineations from aerial photographs and geomorphic evidence. The primary evidence for the existence of the Verona Fault is based on the existence of north-northeast dipping thrust shears along the northern Vallecitos Valley. Mechanisms which could explain the thrust shears included large scale landsliding and thrust faulting. Per the Fault Rupture Hazard Investigation report, evidence for both explanations was not conclusive.

The Fault Rupture Hazard Investigation report indicates that fault study trenching encompassed an area 50 feet beyond the proposed building areas. The report concluded that evidence of surface rupture due to active faulting was not observed in the exploration trenches. The evaluation took into consideration the age of soils exposed in the exploration trench and the absence of fault related features, and concluded that an active fault capable of surface fault rupture is not present within 50 feet of the proposed building area. The report provided the opinion that the potential for surface rupture, from the Verona fault, is low in the trench study area. The report further specified that the site may be subject to one or more seismic events which may cause moderate to intense shaking and suggested that buildings and the building foundations be designed to withstand such shaking. As conditioned and per Building Code, the proposed structures will be designed appropriately.

Based on the findings of the Fault Rupture Hazard Investigation report, staff believes that the proposed project is consistent with the General Plan's seismic policies and programs based on the geotechnical investigative report that was submitted with the project and peer reviewed by a consultant selected by the City. The report found no evidence of an active fault capable of surface rupture, within 50 feet of the proposed buildings. Because the site is located in an area with numerous faults that have the potential to produce intense shaking the report also included recommendations for building and foundation design to withstand such shaking. These are incorporated by reference in the proposed conditions of approval.

Happy Valley Specific Plan

The Happy Valley Specific Plan (HVSP) assigned two land use designations for the project site: PUD-SRDR (Planned Unit Development – Semi-Rural Density Residential) and PUD-AG/OS (Planned Unit Development – Agriculture/Open Space). These land use designations are approximately in the same location as the UGB line, which also bisects the parcel.

Currently, the PUD-SRDR land use portion of the site is approximately 2.6 acres of the parcel and the PUD-AG/OS portion is approximately 7.5 acres. When the subdivision is completed the front parcel will contain 2.6 acres of PUD-SRDR land use and 3.9 acres of PUD-AG/OS land use and the back parcel will contain 3.65 acres of PUD-AG/OS land use.

The purpose of the PUD-SRDR District is to guide future development in such a way as to maintain the semi-rural character of the Greater Happy Valley. The ranchette lotting pattern, ranch style architecture, informal landscaping, and the keeping of farm animals are all components of the character of this area. Additionally, the purpose of the PUD-AG/OS District is to provide for public health and safety; protect the agricultural, open space, scenic, and wildlife habitat qualities of the hills which border Happy Valley; and provide public access to some of these areas by way of an integrated system of public trails.

The proposed project conforms to the purposes of both of these Land Use Districts based on the proposed residential development occurring only on the portion of the lot designated as PUD-SRDR and the accessory (garage) structure occurring on the PUD-AG/OS portion of the proposed front parcel.

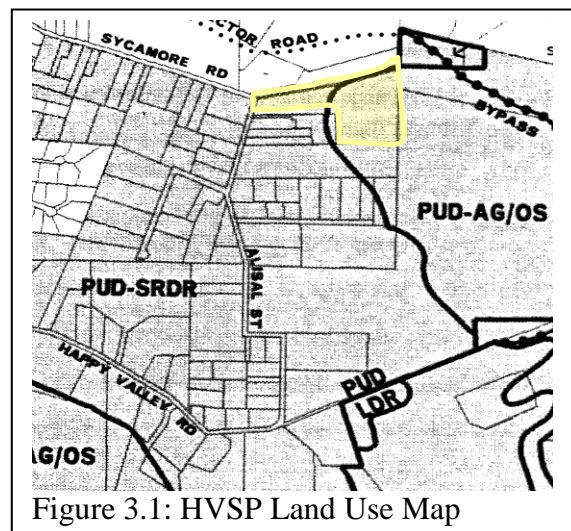
The HVSP allows a maximum density of one dwelling unit per two gross acres of lot area on the PUD-SRDR portion of the lot and allows one (1) residence on a parcel with a PUD-AG/OS designation (the existing density). The proposed development meets the site density requirements for both the PUD-AG/OS portion and the PUD-SRDR portion of the property. The Happy Valley Specific Plan also outlines the development standards for minimum lot sizes and dimensions. The HVSP sets a minimum lot size of one acre and a minimum width and depth of 175 feet for properties located in the PUD-SRDR district. Further discussion is provided in the *Parcel Configuration* section of this report.

The HVSP also specifies that second units are subject to a Conditional Use Permit; however, subsequent to the adoption of the Specific Plan the State passed legislation that restricted local jurisdictions' ability to require Conditional Use Permits for second units. The proposed second unit is being reviewed under this application for setbacks and design, but is not subject to a Conditional Use Permit.

Parcel Configuration

The applicants worked with consultants and City staff on various options for development plan configurations. The proposed lot design is the most appropriate for the parcels given the development potential of the area designated as PUD-SRDR, the prohibited development potential of the area designated as PUD-AG/OS, and the topography of the lot. The existing 10.14 acre lot would be divided into two lots of 6.49 acres for the front lot and 3.65 acres for the rear lot.

The HVSP site development standards state that the minimum parcel dimensions of the PUD-AG/OS



portion of the site are to be the same as the existing PUD-AG/OS area dimensions.

Although the applicants are proposing to place the property line separating the two lots at a location that doesn't follow the limits of the PUD-AG/OS land use designation, the land use designations are not being modified, and the proposal places the new property line such that there is no increase in the allowable number of units for the individual sites.

Additionally, the HVSP also states that the site development standards (lot size, dimensions, building setback, etc.) may vary for "unusual site conditions as long as any new standards are consistent with the intent of the Specific Plan." (page 26).

Staff believes that the proposed lot configuration can be supported because it does not result in any additional development potential of the area designated for agriculture and open space use, thus the intent of the Specific Plan is being upheld.

Site Plan

The plans that are provided as Exhibit B indicate the development plan with the resulting parcel sizes, proposed structures, intended placement of future structures, existing driveway and related site information. Access to both parcels would continue to be provided by the existing driveway and the existing home and detached garage structure located at the rear of the property would remain with no further improvements proposed.

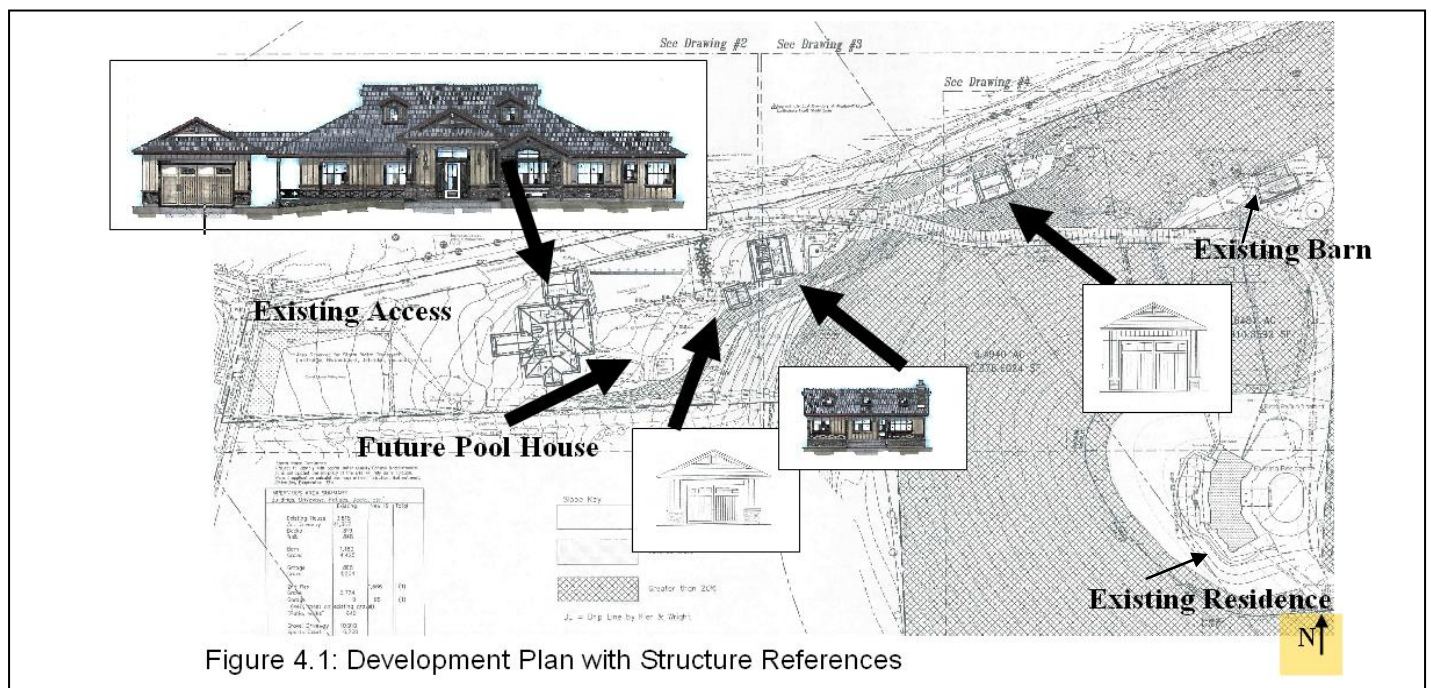


Figure 4.1: Development Plan with Structure References

The new lot being created at the front of the parcel would retain the existing corrals, 5,000 gallon water tank, well, and sports court and would be adding several new structures. The new development on the front lot includes a new main residence with an attached garage, a new detached second unit with its own detached garage, and an additional detached garage located toward the rear of the new lot. The site plan also indicates the location of a future pool

and pool house, which are not part of this approval. The establishment of an access easement will maintain the current method of access to structures. The Fire Department has reviewed the access and driveway and determined they are adequate for providing emergency response.

Staff supports the creation of a lot that does not contain street frontage given the existing development pattern of the existing structures at the rear of the parcel with access provided by an existing long private driveway.

The figures and tables illustrate in this section provide the layouts for each parcel and summarizes the development standards for the proposed structures, the future structures, and the existing structures. The tables indicate that the proposed development meets and exceeds the minimum setback requirements for all existing and proposed structures and are within the limits of the height. The HVSP did not establish a Floor Area Ratio (FAR) for this lot.

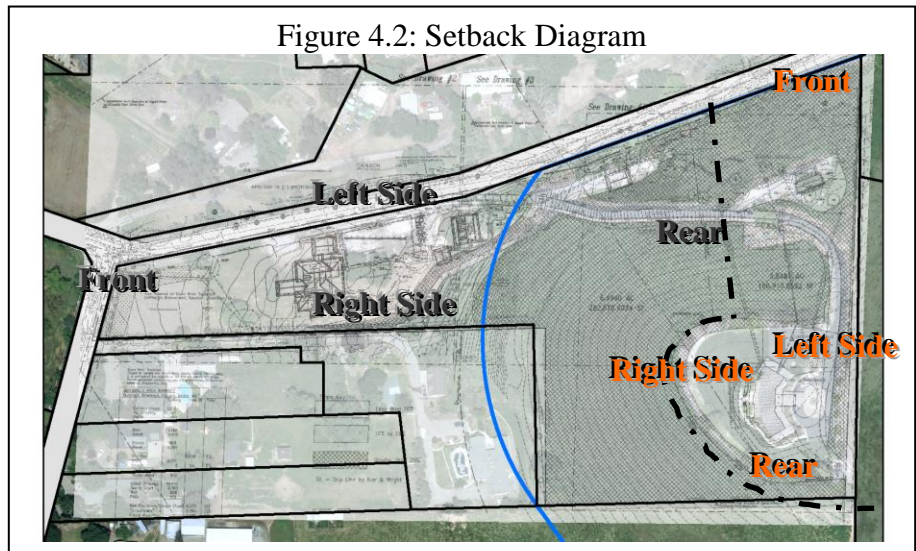


Table 1.1 to 1.5- Development Standards (Front Parcel)

1.1- Main House		
	Required/Allowed	Proposed
Height	30 feet	26 feet, 5 inches
Parking	Garage	2 spaces
	On-site	4 total
Setbacks	Front	35 feet
	Side (R/L)	25 feet
	Rear	35 feet
FAR	N/A	5,200 sq. ft. / 4.6%*

1.2- Second Unit		
Accessory Structures greater than 15' tall and greater than 100 Sq ft		
	Allowed	Proposed
Height:	25 feet	20 feet, 4 inches
Front Setback:	35 feet	554 feet
Side Setback (R/L):	20 feet	140/40 feet
Rear Setback	20 feet	364 feet

1.3- Second Unit Garage		
Accessory Structures greater than 15' tall and greater than 100 Sq ft		
	Allowed	Proposed
Height:	25 feet	17 feet, 6 inches
Front Setback:	35 feet	554 feet
Side Setback (R/L):	20 feet	110/55 feet
Rear Setback	20 feet	410 feet

1.4- 3rd Garage		
Accessory Structures greater than 15' tall and greater than 100 Sq ft		
	Allowed	Proposed
Height:	25 feet	18 feet, 6 inches
Front Setback:	35 feet	810 feet
Side Setback (R/L):	20 feet	244/approx. 32 feet
Rear Setback	20 feet	104 feet

1.5- Future Pool House		
Accessory Structures greater than 15' tall and greater than 100 Sq ft		
	Allowed	Proposed
Height:	25 feet	Not known yet
Front Setback:	35 feet	approx 436 feet
Side Setback (R/L):	20 feet	146/30 feet
Rear Setback	20 feet	506 feet

*FAR calculation includes the main house and the SLU, but not the future pool house. The FAR percentage is calculated based on the site area that is designated as PUD-SRDR (111,949 square feet).

Table 1.6 to 1.7- Development Standards (Back Parcel)

1.6- Existing Main House			
	Required/Allowed		Proposed
Height	30 feet		27 feet, 6 inches
Parking	Garage	2 spaces	4 spaces
	On-site	4 total	15 total
Setbacks	Front	35 feet	410 feet
	Side(R/L)	25 feet	106/100 feet
	Rear	35 feet	62 feet
FAR	No Maximum listed		N/A

1.7- Existing Garage/Barn		
Accessory Structures greater than 15' tall and greater than 100 Sq ft		
	Allowed	Proposed
Height:	25 feet	17 feet, 8 inches
Front Setback:	35 feet	144 feet
Side Setback (R/L):	20 feet	160/50 feet
Rear Setback	20 feet	470 feet

Architecture/ Design/ Site Planning

When applying the Design Guidelines of the HVSP to the new development, it is important that the massing, placement on the lot, and selected materials reflect the agricultural and rural surroundings of this area.

PUD-SRDR

The Design Guidelines of the HVSP specify that the design objectives of the PUD-SRDR District are to maintain the area's existing semi-rural character, the feeling of open-space between adjacent homes and other structures, minimize the visual prominence of homes, and to encourage diversity in landscape design.

The Site Planning standards indicate that new homes and structures should be sited to minimize impacts on neighboring properties, house entries and porches should be oriented to adjacent roadways, accessory structures are encouraged to be detached from the main house, the width of homes should be limited to not more than 50 percent of the lot width, and grading should respect the natural land forms.

The proposed development has sited the new structures to meet and exceed the required setbacks, the entries and porches are all oriented toward Alisal Road and the accessory structures are all proposed to be detached, with a minor deviation for the main residence on the front parcel which proposed to attach the garage via a breezeway. Additionally, the HVSP development standards restrict the proposed main residence on the front parcel to 120 feet (50 percent of 240) in width and it is designed to be 113 feet and the scope of the proposed grading is limited to the construction of the foundations for the new structures.

Therefore, staff believes that the site planning for the proposed development meets the standards of the HVSP for site planning within the PUD-SRDR District.

The Architecture standards indicate that new homes and structures should have architectural styles that are suitable to the character of the area, front porches are encouraged, building heights and form should be similar to those existing in the area, visual prominence of garage doors should be minimized, and the house entries should be proportionate in size to the structure.

The proposed architecture for the development has incorporated ranch style architecture materials that are appropriate for a rural setting and porches. All of the proposed structures are single-story, with the garage either set-back from the face of the residence or located behind other structures and the carriage style garage doors help mitigate any visual impact that may occur, and the house entries are proportionately sized for each structure.

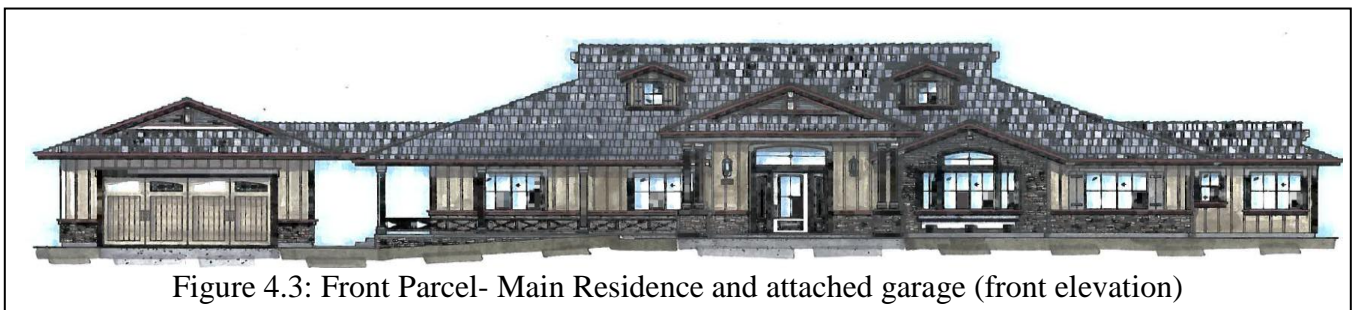


Figure 4.3: Front Parcel- Main Residence and attached garage (front elevation)

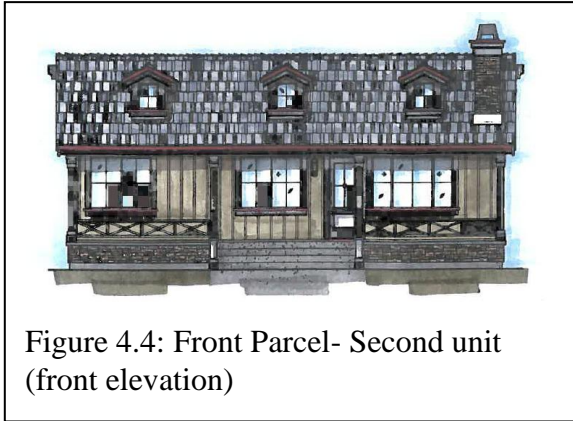


Figure 4.4: Front Parcel- Second unit (front elevation)

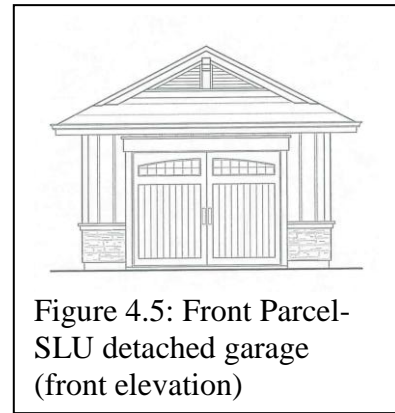


Figure 4.5: Front Parcel-SLU detached garage (front elevation)

Therefore, staff believes that the design elements for the proposed development meet the standards of the HVSP for architecture within the PUD-SRDR District.

The Landscaping standards indicate that substantial planting of landscaping along with other soft surface landscaping should occur between structures and fronting the roadways, informal landscape schemes are encouraged, fencing should be open, and outdoor lighting should be subdued in brightness.

The proposed development is proposing additional trees and surface landscaping throughout the project, the planting scheme is informal, the existing fencing is to remain and is mostly typical ranch style, split-rail fencing, and there is no landscaping lighting proposed.

Therefore, staff believes that the proposed landscaping meets the standards of the HVSP within the PUD-SRDR District.

The HVSP also lists ‘Other’ standards for such things as street addresses, mail boxes, and preservation of interesting agricultural structures.

The proposed development is conditioned to meet the City standards for addressing. Staff is not reviewing the design of mailboxes for this project because the US Postal Service will require that the mailboxes be clustered for ease of service. Additionally, the project is retaining the existing corrals, water tanks, and wells.

Therefore, staff believes that the proposed project meets the standards of the HVSP within the PUD-SRDR District.

PUD-AG/OS

The Design Guidelines of the HVSP specify that the design objectives of the PUD-AG/OS District are to maintain the visually open character and the area’s existing agricultural character.

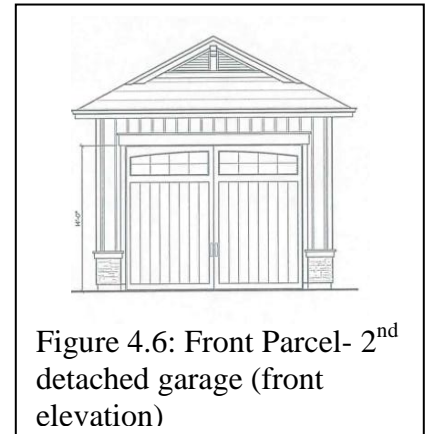
The Site Planning standards indicate that new structures should be sited to minimize their visibility from the vicinity of the Happy Valley Loop roads (unless no other reasonable alternative exists), and grading should respect the natural land forms.

The proposed development has sited the new garage structure, which is located on the PUD-AG/OS portion of the front parcel, within an existing flat pad area of the site. The siting of this building is the most reasonable location given the topography of the site and the desire to minimize grading activity. The other structures within the PUD-AG/OS area of this project are existing structures to remain.

Therefore, staff believes that the site planning for the proposed development meets the standards of the HVSP for site planning within the PUD-AG/OS District.

The Architecture standards indicate that all structures should reflect the agricultural heritage of the neighborhood.

The proposed architecture for the garage has incorporated ranch style architecture materials that are appropriate for a rural setting. The applicants have indicated that the third garage is for storage of agricultural equipment, which requires a slightly taller structure (18 feet, 6-inches tall) than a typical residential garage (15 to 17 feet tall). However, the design echoes the same elements, materials, and detailing as the other proposed garages. See Figure 4.6.



The other existing structures to remain and, as conditioned, any renovation of existing structures or new structures should complement the character and scale of the buildings on the lot.

Therefore, staff believes that the proposed design of the garage and the existing structures meet the standards of the HVSP for architecture within the PUD-AG/OS District.

The Landscaping standards indicate that landscaping should maintain the informal character that currently exists.

The proposed development is retaining the existing landscaping within the PUD-AG/OS portion of the site.

Therefore, staff believes that the proposed landscaping meets the standards of the HVSP within the PUD-AG/OS District.

The HVSP also lists standard for fencing to be open. The existing fencing is to remain and is mostly typical ranch style, split-rail fencing. Therefore, staff believes that the proposed project meets the standards of the HVSP within the PUD-AG/OS District.

Site Development Standards

The site development standards for the proposed development are outlined in the tables listed above (Tables 1.1-1.7) and are based on the site layout as illustrated in Figure 4.2 (above).

At this time the future pool house and pool are not proposed for approval because they are noted as future improvements on the plan; however staff supports the siting of these improvements as noted in the plan set. Therefore, the recommended conditions of approval

require that the design of the pool house be subject to the City’s Administrative Design Review process. Noticing of that application is also conditioned to include a 1,000 foot radius.

Trees

All existing trees are proposed to be preserved. The 10.14 acre site contains several trees and a tree report was prepared by HortSicence, to evaluate the potential development impacts to the trees located within the project area(s). The report evaluated the health and structural conditions of 17 trees. All 17 met the City’s criteria for Heritage Trees. The site contains two species: Valley oaks and one Modesto ash. All trees were found to be in fair to good condition at the time of evaluation.



Photo 2.1: Site Trees

The arborist report identified several ways the existing trees could be impacted, including during construction and demolition activities and installation of underground utilities. Specifically, the report noted minor to moderate impacts to the trees would occur as a result of the demolition, grading and construction of the building pads and driveways, pool, and utilities. However, the report further stated that the implementation of Tree Preservation Guidelines, as stated in the report would limit the impacts to within the tolerances of the trees. The recommended measures as outlined by the arborist are incorporated into the conditions of approval for this project.

Additionally, the arborist report contains the appraised values of the trees. If a tree were damaged or destroyed due to construction activities, its value could be ascertained and fines levied. The arborist report is provided in Exhibit D for review.

Utilities

City sewer and water mains are located on Alisal Road. The proposed development will need to extend the sewer and water service to the site and connect to the City mains. The proposal indicated that the existing wells and water tanks will remain. As conditioned, the wells will be for irrigation purposes only. The existing leach field for the existing home will be abandoned and removed as part of this project. Additionally, the power, phone, and cable service lines for the new structures will be installed underground from the point of the common power pole located on the southern neighboring parcel, which connects to a transformer located on the subject parcel. The existing structures already have underground services from the same power pole and transformer.

Inclusionary Zoning Ordinance

The City’s Inclusionary housing ordinance exempts projects of 15 units or less. However, the applicant is required to pay the City’s low-income housing fee.

Growth Management

The proposed residential lots covered by this development would fall under the “First Come, First Served” category of the City’s Growth Management program.

Green Building

The proposed project is subject to the Green Building ordinance. As proposed the project is striving to achieve 96 green building points for the new main residence on the front parcel.

The applicant has incorporated practical features into the design of the unit on both a whole design approach and an individual user level. The new structure will also be “solar ready” to future provide opportunity for energy conservation in the future. Staff has included a condition of approval addressing Green Building and “Solar Ready” requirements.

Annexation of Unincorporated Parcels

Annexation Procedures

A petition from one or more of the property owners in an area to be annexed initiates most annexations. Upon receipt of the petition, staff examines the request for compliance with the City's General Plan and Alameda Local Agency Formation Commission's (LAFCo's) policies regarding annexation. The surrounding property owners are notified that the matter will be considered by the City Council. Council may initiate the annexation proceedings as recommended by staff, or deny the request.

If the City Council determines that the annexation should proceed, the Council would direct staff to enter into a tax sharing arrangement with the County. The County Board of Supervisors must also approve the tax sharing agreement. A meeting with the County Board of Supervisors is held after City Council adopts a resolution agreeing to the exchange of property taxes. Following the Board of Supervisors meeting and positive outcome, the request for annexation is then submitted to LAFCo staff for its review.

Once LAFCo staff is satisfied that all requirements have been completed, the matter is scheduled for a public hearing for action by LAFCo. At the hearing, LAFCo will review the staff report and factors related to the annexation, testimony of the public agency and general public, service plan, and CEQA documents. LAFCo may approve the annexation with either revisions or conditions; it may also decide not to approve the annexation. After LAFCo action, another hearing is conducted by LAFCo to consider potential protests to annexation. However, if all landowners within the area to be annexed agree to the annexation LAFCo may proceed to approve the application without a second hearing. LAFCo will then order the change in organization. The annexation becomes effective when it is formally recorded with Alameda County.

Tax Sharing Agreement

Under the tax sharing agreement, the City would receive an allocation of the computed property tax revenue equivalent to the average citywide share of property tax it receives each year. The proposed tax sharing split would give the City the same percentage it receives on average, citywide, which is approximately 25% of the 1% ad valorem property tax rate received by the County each year. This proposed tax sharing agreement has been used by the City for several years.

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 find that the proposed PUD development plan conforms to the purposes of the PUD District, as listed below, before making its recommendation to the City Council.

1. *The proposed development is in the best interest of the public health, safety, and general welfare.*

The proposed development, as conditioned, meets all applicable City standards concerning public health, safety, and welfare including vehicle access, geologic and flood hazards. The proposed development plan is designed to be compatible with the surrounding land uses. Public street access is provided to all structures for police, fire, and other emergency response vehicles.

The site is located in the Alquist-Priolo Special Study Zone. Detailed geologic studies were done in conjunction with the Happy Valley Specific Plan and additional studies were done with the proposed development plan and it has been peer reviewed and accepted by the City Engineer. The geotechnical investigation report for the project indicates that from a geotechnical standpoint the site is suitable for the proposed development. Mitigation measures have been incorporated into the project design to achieve stable slope banks and site grading. The report did not identify any landslide or seismic safety issues pertaining to the proposed development.

The project applicants would install the required infrastructure including water, stormwater treatment, and sanitary sewer lines to the connections identified in the Happy Valley Specific Plan. The project developer is conditioned to finance the project's share of the costs associated with the area wide improvements.

Additionally, requirements of the Uniform Building Code, implemented by the City at the Building Permit review, would ensure that the building foundations and on-site parking area are constructed on satisfactorily compacted fill, and that the proper erosion control and dust suppression measures will be required for the project.

Therefore, staff believes that this finding can be made.

2. *The proposed development is consistent with the Pleasanton General Plan and any applicable Specific Plan.*

The Happy Valley Specific Plan designates the subject property for Semi-Rural Density Residential and Agriculture/Open Space Land Uses with a maximum density of 1 dwelling unit per two gross acres (on the PUD-SRDR portion). The Specific Plan was developed to implement the City's General Plan for the Happy Valley area and has been found by the City Council to be consistent with the General Plan policies including development outside 100-year flood zone area, development on stable soils, setbacks from fault areas, construction (future) of semi-custom homes, densities consistent with surrounding properties, preservation of open space, protection of wildlife habitat, and mitigation of drainage impacts. Based on the analysis contained within this staff report, staff believes

that the subject development is consistent with the Happy Valley Specific Plan. By conforming to the Happy Valley Specific Plan, the proposed project conforms to the Land Use Element of the Pleasanton General Plan.

The proposed development plan is designed in conformance with the Pleasanton General Plan and the Happy Valley Specific Plan designations for this site and all other relevant policies and programs.

Therefore, staff believes that this finding can be made.

3. *The proposed development is compatible with previously developed properties in the vicinity and the natural, topographic features of the site.*

The proposed designs have incorporated the context of the surrounding area with the proposed deep setbacks, rural home designs, and detached garages. The use of the existing private driveway will minimize any impacts to circulation and the retention of the existing corral fencing and corral area will maintain the current streetscape. Additionally, the project will comply with the Environmental Impact Report (EIR) mitigation measures in that none of the heritage-sized trees would be removed. Approval of the PUD will, therefore, not alter the physical characteristics of the site.

Staff believes that this finding can be made.

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

The project site already contains the access driveway, the proposed home and accessory structures sites are within existing flat pad areas, and there is no grading proposed for the existing home and garage/barn on the rear lot, thus reducing the proposed grading for the proposed project.

Staff believes that the limited grading for the foundations of the new structures meets the requirements of the Happy Valley Specific Plan.

Therefore, staff believes that this finding can be made.

5. *Streets and buildings have been designed and located to complement the natural terrain and landscape.*

A geotechnical investigation report assessed the proposed development as being suitable for the site, subject to construction mitigation measures, and the project site is maintaining the existing heritage sized tree, the current structures, and the existing access. The new buildings are proposed within areas that are generally flat. Thus, maintaining the natural terrain in the vicinity. The site design complements the rural forms in the neighborhood. Staff believes this finding can therefore be made.

6. Adequate public safety measures have been incorporated into the design of the plan.

The homes will be designed to meet the requirements of the Uniform Building Code, other applicable City codes, noise, energy, and accessibility requirements. Adequate access is provided to all structures for police, fire, and other emergency vehicles. Through the provisions of the Happy Valley Specific Plan and the proposed conditions of approval, staff believes that all public safety measures will be addressed.

As conditioned, the future buildings would be equipped with automatic fire suppression system (sprinklers) as required by the Fire Department. The project would be required to comply with all building and fire code requirements. Staff, believes that the project has been designed and conditioned to incorporate adequate public safety measures. Staff believes this finding can therefore be made.

7. The plan conforms to the purposes of the PUD District.

The proposed PUD plan sets forth the parameters for the development of the subject property in a manner consistent with the Happy Valley Specific Plan. The proposed PUD development plan implements the purposes of the City's PUD Ordinance by providing a residential development consisting of custom-lot, single-family building sites and open space areas. Through the conditions of the subject PUD development plan the proposed project will substantially conform to the requirements of the Happy Valley Specific Plan and, therefore, the Pleasanton General Plan. Staff believes this finding can therefore be made.

PUBLIC NOTICE

Notice of the Planning Commission's public hearing on this item was sent to property owners and residents within 1,000 feet of the subject property, as well as to the entire Happy Valley Specific Plan area. Staff has not received any comments pertaining to the proposed project as of report writing. See Exhibit E for the noticing map.

ENVIRONMENTAL ASSESSMENT

A Final Environmental Impact Report (EIR) was approved by the City Council for the Happy Valley 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 the EIR has been prepared and certified are exempt from additional environmental review provided: 1) there are not substantial changes to the project or to the circumstances under which the project is being undertaken that involves 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.

CONCLUSION

Staff believes that, as conditioned, the proposed PUD is in keeping with the themes, policies, and requirements of the General Plan, the Happy Valley Specific Plan, and the surrounding rural area. The proposed development plan has been designed to be consistent with the Happy Valley Specific Plan and the allowable densities. The proposed development obtains the balance required of a rural development: provision of single-family housing that incorporates the design and development standards of the surrounding area while respecting the concerns of, and minimizing the impacts on, nearby residents. The development of this PUD would be carried out in a manner that blends in and preserves the unique make-up of the surrounding rural area. Staff believes that the proposed infrastructure would adequately serve the proposed development.

Staff believes that the proposed project merits a favorable recommendation from the Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

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 development plan is consistent with the General Plan and Happy Valley Specific Plan;
3. Make the PUD findings for the proposed development plan as listed in this staff report; and
4. Adopt a resolution recommending approval of Case PUD-88, development plan approval to subdivide an approximately 10-acre lot into two single-family residential lots and to construct a single-family home with an attached garage, a 1,200-square-foot detached second unit, and two detached garages subject to the conditions of approval listed in Exhibit A, and forward the application to the to the City Council for public hearing and review.

Staff Planner: Rosalind Rondash, Associate Planner, 925.931.5607 / rrondash@cityofpleasanton.gov