

RESOLUTION NO. PC-2018-\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLEASANTON  
RECOMMENDING APPROVAL OF A MAJOR MODIFICATION TO THE APPROVED  
PLANNED UNIT DEVELOPMENT (PUD) GOVERNING HACIENDA BUSINESS PARK  
(PUD-81-30 AND PUD-85-08) TO UPDATE THE PUD DEVELOPMENT PLAN  
[PUD-81-30-57M / PUD-85-08-30M]

**WHEREAS**, on August 29, 2018, the Hacienda Owners Association applied for Major PUD Modification approval to update the master PUD development plan for Hacienda Business Park (Hacienda) including conditions of approval as well as to clarify the permitted uses in each zone for Hacienda; and

**WHEREAS**, the purpose of the modification is to consolidate many individual changes that have occurred over the years and to provide a comprehensive approach by which the overall amount of development in Hacienda is determined, without substantial changes to the allowable development capacity, intensities, development standards or parking requirements prescribed in the Hacienda Business Park PUD; and

**WHEREAS**, properties within Hacienda are zoned, variously, PUD-I/C-O (Planned Unit Development – Industrial/Commercial-Office), PUD-MU (Planned Unit Development – Mixed Use) Districts, and HDR (High Density Residential) district; and

**WHEREAS**, on December 12, 2018, the Planning Commission held a duly-noticed public hearing and considered relevant exhibits, recommendations of the City staff concerning this application, and received testimony from the applicant and interested parties; and

**NOW, THEREFORE BE IT RESOLVED** by the Planning Commission of the City of Pleasanton, based on the entire record of proceedings, including the oral and written staff reports and all public comment and testimony:

Section 1: Findings for California Environmental Quality Act (CEQA) Review

The Planning Commission finds that the proposed project is consistent with the development density, land uses, development standards and other key parameters established by the PUD development plan, which were reviewed pursuant to CEQA in a number of previously certified and/or adopted environmental documents. These include: the Environmental Impact Reports (EIR) for Hacienda Business Park approved in 1982 concurrently with Ordinance No. 1040 for Phase I of Hacienda under City Council Resolution No. 82-197; Initial Study and Negative Declaration approved in 1987 concurrently with Ordinance No. 1325 for Phase II of Hacienda under City Council Resolution No. 87-325; and the Supplemental Environmental Impact Reports (SEIR) for the Housing Element and Associated Land Use Changes and the Climate Action Plan approved in 2012 consistent with Ordinance Nos. 2044-2047 under City Council Resolution No. 12-492. Mitigation measures established in these prior environmental

documents would remain applicable to projects within the PUD as amended. The established development capacity would also not exceed that which was included for Hacienda in the Pleasanton 2005-2025 General Plan and associated EIR, which was adopted and certified by the City Council in 2009 under City Council Resolution No. 09-312.

Based on the foregoing, the Planning Commission finds that pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15183, Projects Consistent with a Community Plan, General Plan, or Zoning, additional environmental review is not required because there are no project-specific significant effects that are peculiar to the project or its site that would result from the proposed PUD amendments.

Section 2: Findings for PUD Development Plan Approval

The Planning Commission makes the following findings and determinations with respect to each of the considerations for approval of a PUD Development Plan as required by Section 18.68.110 of the Pleasanton Municipal Code (PMC):

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

The Planning Commission finds the proposed PUD Major Modification is in the best interests of the public health, safety, and general welfare, since the proposed modifications do not change the ability of projects within Hacienda to meet all applicable City standards concerning public health, safety, and welfare, nor do they create or worsen risks or hazards, since they do not substantially modify uses or development from that allowed in the existing approved PUD development plan. Hacienda already includes the installation of all required utilities with connections to municipal systems in order to serve the existing development and no changes are proposed that would impact future development. The proposed modifications are compatible with the General Plan and zoning designations for Hacienda.

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

The Planning Commission finds the proposed PUD Major Modification is consistent with the City's General Plan since the site's General Plan Land Use Designations of Mixed Use/Business Park and High Density Residential allow for a varied mix of uses with which development allowed under the Hacienda PUD would remain consistent, since no changes to the allowable development capacity or overall program of land uses are proposed.

- C. Whether the plan is compatible with previously developed properties in the vicinity and the natural, topographic features of the site:

The Planning Commission finds that the proposed PUD Major Modification would continue to allow use of property consistent and compatible with adjacent properties throughout Hacienda, and adjacent to Hacienda itself. Hacienda is comprised of a variety of commercial, industrial, and residential uses and the proposed modification would not change or alter the existing or future uses or total amount of development allowed within Hacienda. All development would continue to be required to be consistent with existing standards for height, density/intensity, setbacks and floor area ratio, with no substantive modification to those standards proposed.

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

The Planning Commission finds that the proposed PUD Major Modification does not include any new grading or changes to the future grading requirements in Hacienda and therefore that this finding can be made. The PUD development plan will continue to require erosion control and dust suppression measures be administered, for City building code requirements be followed, and storm water runoff associated with future projects would be treated..

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

The Planning Commission finds that the proposed PUD Major Modification will continue to ensure that future street and building design requirements complement the natural terrain and landscaping within Hacienda. Therefore, this finding can be made.

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

The Planning Commission finds that adequate public safety measures are included into the Hacienda PUD development plan and that they will not be altered by the proposed PUD Major Modification. Adequate access will continue to be provided to all sites and buildings in Hacienda for police, fire, and other emergency vehicles. All future projects would be required to meet the requirements of the Uniform Building Code, Fire Code, and other applicable City codes.

- G. Whether the plan conforms to the purposes of the PUD District:

The Planning Commission finds the proposed PUD Major Modification conforms to the original Hacienda PUD development plan and PUD district. The primary purpose of the PUD district is to allow flexibility in the development of projects the City determines are in its best interest. The Planning Commission finds the proposed modifications help to implement the purposes of the PUD ordinance by providing consistency in reviewing

future development approvals against the approved development cap. The PUD process allows for ample input from the public and for an ultimate decision by the City Council regarding appropriateness of the proposed revisions to the uses and development plan and does not reduce or change processes governing future land use approvals within Hacienda, such that there would be diminished opportunities for public review and comment.

Section 3:

The Planning Commission hereby recommends the City Council approve the application for a PUD Major Modification as reflected in the documents dated November 30, 2018, to update the master Hacienda PUD development plan including conditions of approval as well as clarify the permitted uses in each zone for the Hacienda Business Park.

Section 4:

This resolution shall become effective immediately upon its passage and adoption.

**PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Pleasanton at a regular meeting held on December 12, 2018, by the following vote:**

AYES: Commissioners  
NOES: Commissioners  
ABSTAIN: Commissioners  
RECUSED: Commissioners  
ABSENT: Commissioners

ATTEST:

\_\_\_\_\_  
Ellen Clark  
Secretary, Planning Commission

\_\_\_\_\_  
Greg O'Connor  
Vice Chair

APPROVED AS TO FORM:

\_\_\_\_\_  
Julie Harryman  
Assistant City Attorney

**EXHIBIT A  
DRAFT CONDITIONS OF APPROVAL**

**PUD-81-30-57M / PUD-85-08-30M  
Hacienda Business Park  
December 12, 2018**

The applicant is hereby notified, as part of this approval, that (s)he is required to satisfy and maintain compliance with the conditions of approval below. Where approval by the Director of Community Development, Planning Division, Director of Engineering/City Engineer, City Attorney, Chief Building and Safety Official, Fire Department or other City staff is required, review shall be for compliance with all applicable conditions of approval, adopted policies and guidelines, ordinances, laws and regulations, and accepted practices related to the approval. In addition to complying with the conditions below, the applicant is required to comply with all applicable federal, state, and local laws that pertain to this project whether or not specifically noted herein.

This approval is granted for Major PUD Modification approval to update the master Hacienda PUD development plan including conditions of approval as well as clarify the permitted uses in each zone for the Hacienda Business Park (Hacienda). Development shall be substantially as shown on the project materials listed below:

- a. PUD Modification Proposal Narrative and PUD development plan (PUD Conditions, Summary of Site Development Criteria, Summary of Property Line Setbacks, and Permitted Uses Within Each Planning District Restrictions on Operation and Use) Clean Version and Redline Version, dated "Received November 30, 2018," and kept on file in the Planning Division of the Community Development Department.

The project materials listed above are collectively the "Approved Plans."

**THIS APPROVAL IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. Except as modified in the PUD development plan (PUD Conditions, Summary of Site Development Criteria, Summary of Property Line Setbacks, and Permitted Uses Within Each Planning District Restrictions on Operation and Use) included in Exhibit B dated "Received November 30, 2018" and herein, all conditions of Cases PUD-81-30 through PUD-81-30-56M and PUD-85-08 through PUD-85-08-29M shall remain in full force and effect.
2. **APPROVAL AND REVISIONS:** The proposed uses and development shall be in substantial conformance with the "Approved Plans," except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance with the approved exhibits.
3. **LIABILITY AND INDEMNIFICATION:** To the extent permitted by law, the project applicant shall hold harmless, defend (with counsel acceptable to the City), and indemnify the City, its City Council, its officers, commissions, employee and agents from and against any claim, action, or proceeding brought by a third party against the

indemnified parties and/or the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including without limitation, reimbursing the City its attorneys' fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

RESOLUTION NO. PC-2018-\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLEASANTON  
RECOMMENDING APPROVAL OF A MAJOR MODIFICATION TO THE APPROVED  
PLANNED UNIT DEVELOPMENT (PUD) GOVERNING HACIENDA BUSINESS PARK  
(PUD-81-30 AND PUD-85-08) TO UPDATE THE DESIGN GUIDELINES  
[PUD-81-30-58M / PUD 85-08-31M]

**WHEREAS**, on August 29, 2018, the Hacienda Owners Association applied for Major PUD Modification approval to consolidate all current Hacienda Business Park (Hacienda) design guidelines into one document; and

**WHEREAS**, changes proposed as part of the consolidation include aligning Hacienda design standards with current city practice and law, with no major changes to the development intensities, development standards or parking requirements proposed; and

**WHEREAS**, properties within Hacienda are zoned PUD-I/C-O (Planned Unit Development – Industrial/Commercial-Office), PUD-MU (Planned Unit Development – Mixed Use) Districts, and HDR (High Density Residential); and

**WHEREAS**, on December 12, 2018, the Planning Commission held a duly-noticed public hearing and considered relevant exhibits, recommendations of the City staff concerning this application, and received testimony from the applicant and interested parties; and

**NOW, THEREFORE BE IT RESOLVED** by the Planning Commission of the City of Pleasanton, based on the entire record of proceedings, including the oral and written staff reports and all public comment and testimony:

Section 1: Findings for California Environmental Quality Act (CEQA) Review

The Planning Commission finds that the proposed project is consistent with the development density, land uses, development standards and other key parameters established by the PUD development plan, which were reviewed pursuant to CEQA in a number of previously certified and/or adopted environmental documents. These include: the Environmental Impact Reports (EIR) for Hacienda Business Park approved in 1982 concurrently with Ordinance No. 1040 for Phase I of Hacienda under City Council Resolution No. 82-197; Initial Study and Negative Declaration approved in 1987 concurrently with Ordinance No. 1325 for Phase II of Hacienda under City Council Resolution No. 87-325; and the Supplemental Environmental Impact Reports (SEIR) for the Housing Element and Associated Land Use Changes and the Climate Action Plan approved in 2012 consistent with Ordinance Nos. 2044-2047 under City Council Resolution No. 12-492. Mitigation measures established in these prior environmental documents would remain applicable to projects within the PUD as amended. The established development capacity would also not exceed that which was included for Hacienda in the Pleasanton 2005-2025 General Plan and associated EIR, which was adopted and certified by the City Council in 2009 under City Council Resolution No. 09-312.

Based on the foregoing, the Planning Commission finds that pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15183, Projects Consistent with a Community Plan, General Plan, or Zoning, additional environmental review is not required because there are no project-specific significant effects that are peculiar to the project or its site that would result from the proposed PUD amendments.

Section 2: Findings for PUD Development Plan Approval

The Planning Commission makes the following findings and determinations with respect to each of the considerations for approval of a PUD Development Plan as required by Section 18.68.110 of the Pleasanton Municipal Code (PMC):

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

The Planning Commission finds the proposed PUD Major Modification is in the best interests of the public health, safety, and general welfare, since the proposed modifications do not change the ability of projects within Hacienda to meet all applicable City standards concerning public health, safety, and welfare, nor do they create or worsen risks or hazards, since they do not substantially modify uses or development from that allowed in the existing approved PUD development plan. Hacienda already includes the installation of all required utilities with connections to municipal systems in order to serve the existing development and no changes are proposed that would impact future development. The proposed modifications are compatible with the General Plan and zoning designations for Hacienda.

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

The Planning Commission finds the proposed PUD Major Modification is consistent with the City's General Plan since the site's General Plan Land Use Designations of Mixed Use/Business Park and High Density Residential allow for a varied mix of uses with which development allowed under the Hacienda PUD would remain consistent, since no changes to the allowable development capacity or overall program of land uses are proposed.

- C. Whether the plan is compatible with previously developed properties in the vicinity and the natural, topographic features of the site:

The Planning Commission finds that the proposed PUD Major Modification would continue to allow use of property consistent and compatible with adjacent properties throughout Hacienda, and adjacent to Hacienda itself. Hacienda is comprised of a variety of commercial, industrial, and residential uses and the proposed modification would not change or alter the existing or future uses or total amount of development allowed within Hacienda. All development would continue to be required to be



consistent with existing standards for height, density/intensity, setbacks and floor area ratio, with no substantive modification to those standards proposed.

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

The Planning Commission finds that the proposed PUD Major Modification does not include any new grading or changes to the future grading requirements in Hacienda and therefore that this finding can be made. The PUD development plan will continue to require erosion control and dust suppression measures be administered, for City building code requirements be followed, and storm water runoff associated with future projects would be treated.

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

The Planning Commission finds that the proposed PUD Major Modification will continue to ensure that future street and building design requirements complement the natural terrain and landscaping within Hacienda. Therefore, this finding can be made.

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

The Planning Commission finds that adequate public safety measures are included into the Hacienda PUD development plan and that they will not be altered by the proposed PUD Major Modification. Adequate access will continue to be provided to all sites and buildings in Hacienda for police, fire, and other emergency vehicles. All future projects would be required to meet the requirements of the Uniform Building Code, Fire Code, and other applicable City codes.

- G. Whether the plan conforms to the purposes of the PUD District:

The Planning Commission finds the proposed PUD Major Modification conforms to the original Hacienda PUD development plan and PUD district. The primary purpose of the PUD district is to allow flexibility in the development of projects the City determines are in its best interest. The Planning Commission finds the proposed modifications help to implement the purposes of the PUD ordinance by providing a substantially improved and more user friendly document in terms of organization, readability and graphic representation. The Planning Commission finds that the updates to the guidelines have focused on consolidating current guidelines that did not change any development intensities or parking requirements and only provided minor modifications to the proposed development standards to be consistent with current practices and guidelines.

The PUD process allows for ample input from the public and for an ultimate decision by the City Council regarding appropriateness of the proposed revisions to the uses and development plan and does not reduce or change processes governing future land use approvals within Hacienda, such that there would be diminished opportunities for public review and comment.

Section 3:

The Planning Commission hereby recommends the City Council approve the application for a PUD Major Modification as reflected in the document dated November 30, 2018, to consolidate all current Hacienda Business Park design guidelines into one document.

Section 4:

This resolution shall become effective immediately upon its passage and adoption.

**PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Pleasanton at a regular meeting held on December 12, 2018, by the following vote:**

AYES: Commissioners  
NOES: Commissioners  
ABSTAIN: Commissioners  
RECUSED: Commissioners  
ABSENT: Commissioners

ATTEST:

\_\_\_\_\_  
Ellen Clark  
Secretary, Planning Commission

\_\_\_\_\_  
Greg O'Connor  
Vice Chair

APPROVED AS TO FORM:

\_\_\_\_\_  
Julie Harryman  
Assistant City Attorney

**EXHIBIT A  
DRAFT CONDITIONS OF APPROVAL**

**PUD-81-30-58M / PUD-85-08-31M  
Hacienda Business Park  
December 12, 2018**

The applicant is hereby notified, as part of this approval, that (s)he is required to satisfy and maintain compliance with the conditions of approval below. Where approval by the Director of Community Development, Planning Division, Director of Engineering/City Engineer, City Attorney, Chief Building and Safety Official, Fire Department or other City staff is required, review shall be for compliance with all applicable conditions of approval, adopted policies and guidelines, ordinances, laws and regulations, and accepted practices related to the approval. In addition to complying with the conditions below, the applicant is required to comply with all applicable federal, state, and local laws that pertain to this project whether or not specifically noted herein.

This approval is granted for Major PUD Modification approval to consolidate all current Hacienda Business Park (Hacienda) design guidelines into one document. Development shall be substantially as shown on the project materials listed below:

- a. PUD Modification Proposal Narrative, and Hacienda Design Guidelines Clean Version and Redline Version, dated "Received November 30, 2018," and kept on file in the Planning Division of the Community Development Department.

The project materials listed above are collectively the "Approved Plans."

**THIS APPROVAL IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. Except as modified herein, all conditions of Cases PUD-81-30 through PUD-81-30-57M and PUD-85-08 through PUD-85-08-30M shall remain in full force and effect.
2. **APPROVAL AND REVISIONS:** The Hacienda Design Guidelines shall be in substantial conformance with the "Approved Plans," except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance with the approved exhibits.
3. **LIABILITY AND INDEMNIFICATION:** To the extent permitted by law, the project applicant shall hold harmless, defend (with counsel acceptable to the City), and indemnify the City, its City Council, its officers, commissions, employee and agents from and against any claim, action, or proceeding brought by a third party against the indemnified parties and/or the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including without limitation, reimbursing the City its attorneys' fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.