

Planning Commission Staff Report

April 26, 2017
Item 6.a.

- SUBJECT:** P15-0564
- APPLICANT:** Michael O'Hara/Tim Lewis Communities
- PROPERTY OWNERS:** Alex V Spotorno Family LTD Partnership
- PURPOSE:** Work session to review and receive comments on applications by Tim Lewis Communities for various entitlements, including a General Plan Amendment, Happy Valley Specific Plan Amendment, and Planned Unit Development (PUD) rezoning and development plan to construct 39 single-family detached homes and related improvements on the approximately 154-acre Spotorno property. In addition, a scoping session will be conducted to receive comments from the public and Planning Commission on topics to be analyzed in the Subsequent Environmental Impact Report (EIR) for the proposed development.
- LOCATION:** 1000 Minnie Drive
- GENERAL PLAN:** Low Density Residential, Medium Density Residential and Open Space – Public Health and Safety
- SPECIFIC PLAN:** Happy Valley Specific Plan
- ZONING:** Planned Unit Development – Semi-Rural Density Residential (PUD-SRDR), Planned Unit Development – Agriculture/Open Space (PUD-A/OS), and Planned Unit Development – Medium Density Residential (PUD-MDR) Districts
- EXHIBITS:**
- A. [Planning Commission Work Session Topics](#)
 - B. [Proposed Plans dated "Received March 1, 2017"](#)
 - C. [Draft Proposal to Prepare a Subsequent Environmental Impact Report for the Spotorno Project in Happy Valley Specific Plan Area](#)
 - D. [City Council Resolution No. 07-107](#) and Associated [Staff Report](#) and [Minutes](#)
 - E. [June 16, 1998 Staff Report re: Application for a General Plan Amendment, Specific Plan, and PUD pre-zoning for the 860-acre Happy Valley Area](#)

- F. [Staff Comment Letter dated October 23, 2015](#)
 - G. [Measure FF \(Urban Growth Boundary\) Voter Guide excerpts November 1996](#)
 - H. [Public Comments](#)
 - I. [Location and Notification Map](#)
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RECOMMENDATION

Staff recommends that the Planning Commission review the attached materials, take public testimony, and provide comments to staff and the applicant on the proposed development and on the scope of analysis for the Subsequent EIR.

EXECUTIVE SUMMARY

The applicant, Michael O'Hara of Tim Lewis Communities (TLC), is proposing a residential development on an approximately 154-acre site, identified by the Happy Valley Specific Plan as Lots 97 and 98 of the Spotorno property. The proposed project includes the construction of 39 one- and two-story single-family residential homes, an open space area within the development, and site improvements, such as streets, trails, and a stormwater detention area. The proposed residential development would occur on an approximately 31-acre portion of the site located in the western portion of Lot 98, known as the Spotorno Flat Area. The remaining, approximately 123-acre portion of the site would be retained as permanent open space with a conservation easement. Given that there was a certified Environmental Impact Report (EIR) for the Happy Valley Specific Plan, a Subsequent EIR is being prepared using the HVSP EIR as a foundation. The Subsequent EIR will analyze the potential environmental impacts of the proposed development. As such, the proposed project and the scope and content of a Subsequent EIR are being presented to the Planning Commission as a work session for review, comment, and direction. The work session will also provide the public with an opportunity to review and comment on the proposed plan for the development project and the Subsequent EIR scope and content.

BACKGROUND/HISTORY

Happy Valley is located in the southern part of Pleasanton. In 1998 the City adopted the Happy Valley Specific Plan (HVSP), which guides future planning in an 860-acre area. The HVSP area, which includes both incorporated and unincorporated land, includes a municipal golf course, open space and agricultural lands, as well as land for development of low-, medium-, and semi-rural-density homes. The municipal golf course, Callippe Preserve Golf Course, opened in 2005 and majority of golf-course custom homes have been constructed.

The HVSP established planning policies, programs, and regulations for development decisions in the Happy Valley area. The HVSP and its EIR were prepared concurrently, allowing mitigations for many environmental impacts to be incorporated into the specific plan. The HVSP provides planning regulations including, but not limited to, those related to land use, density, circulation, open space, and infrastructure.

Land Use and Housing Units

The Spotorno property consists of three separate lots and is identified as the Spotorno Upper Valley Low Density Residential (LDR) Subarea, Spotorno Upper Valley Medium Density Residential (MDR) Subarea, Spotorno Flat Area, and Agriculture/Open Space Subarea. The HVSP allows a maximum of 22 residential lots in the Spotorno Flat Area with major dedication of open space land or agriculture/open space easements to the City.

The Spotorno Upper Valley LDR Subarea (Lot 96) is not part of the proposed development. Table 1 summarizes maximum residential development potentials on the Spotorno Upper Valley MDR Subarea and Spotorno Flat Area under the HVSP. Figure 1 is an aerial showing the project site. Figure 2 shows the location of the Spotorno lots and Figure 3 shows the HVSP land use designations within the project site.

Table 1: Residential Development Potential

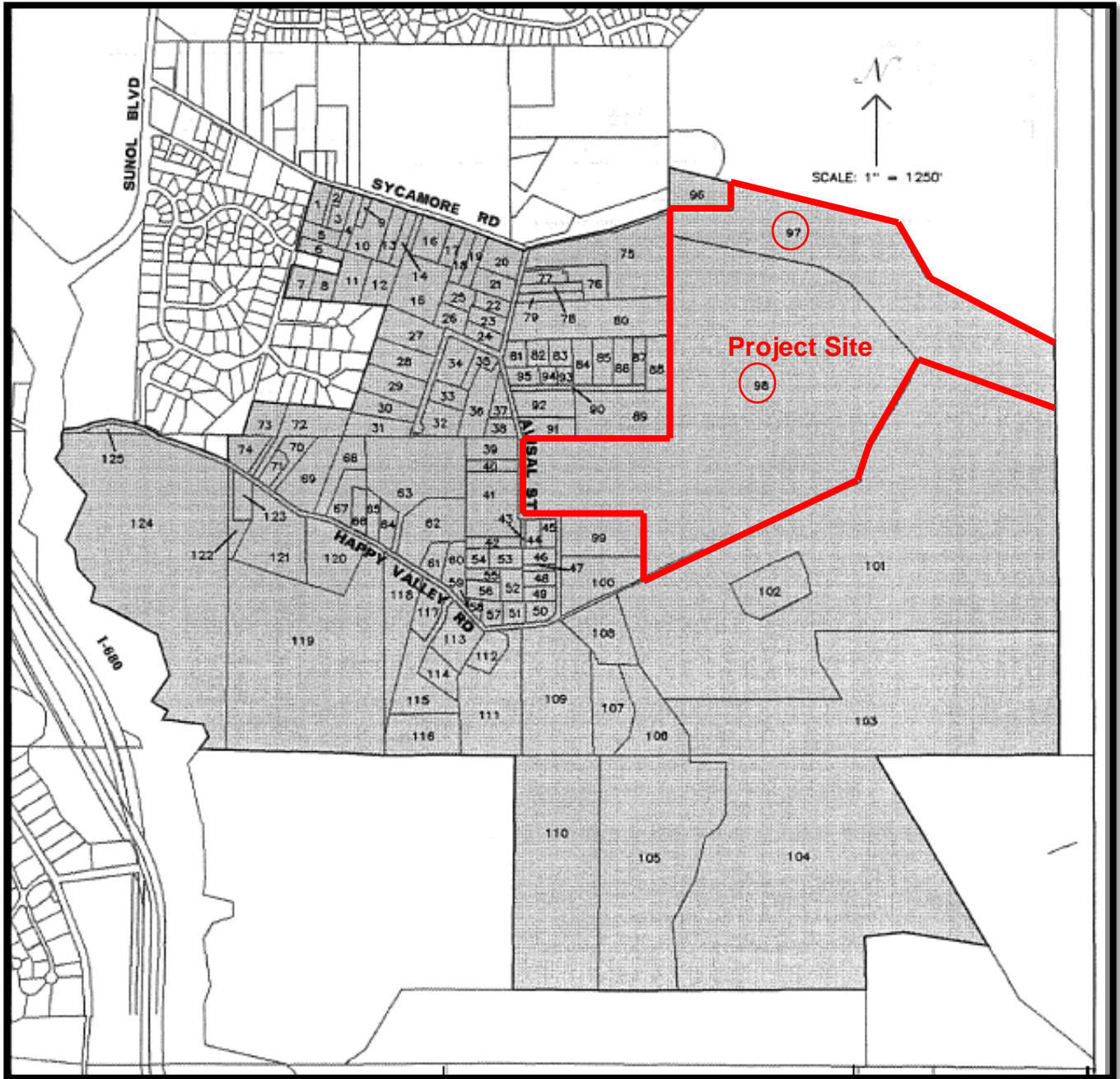
Lot No.	Area	Land Use Designation By PUD District	Acreage	Housing Units	
				Existing	Maximum ¹ Potential New Homes per HVSP
97	Spotorno Upper Valley	PUD-Medium Density Residential;	15	0	75
		Agriculture/Open Space	27.39		
98	Spotorno Flat Area	PUD - Semi-Rural Density Residential;	33	0	22
		Agriculture/Open Space	78.86		
Total			154.25	0	97

¹ Fewer homes may be determined necessary by the City, based upon a detailed evaluation of individual site constraints.

Figure 1: Aerial of Project Site and Surrounding Uses

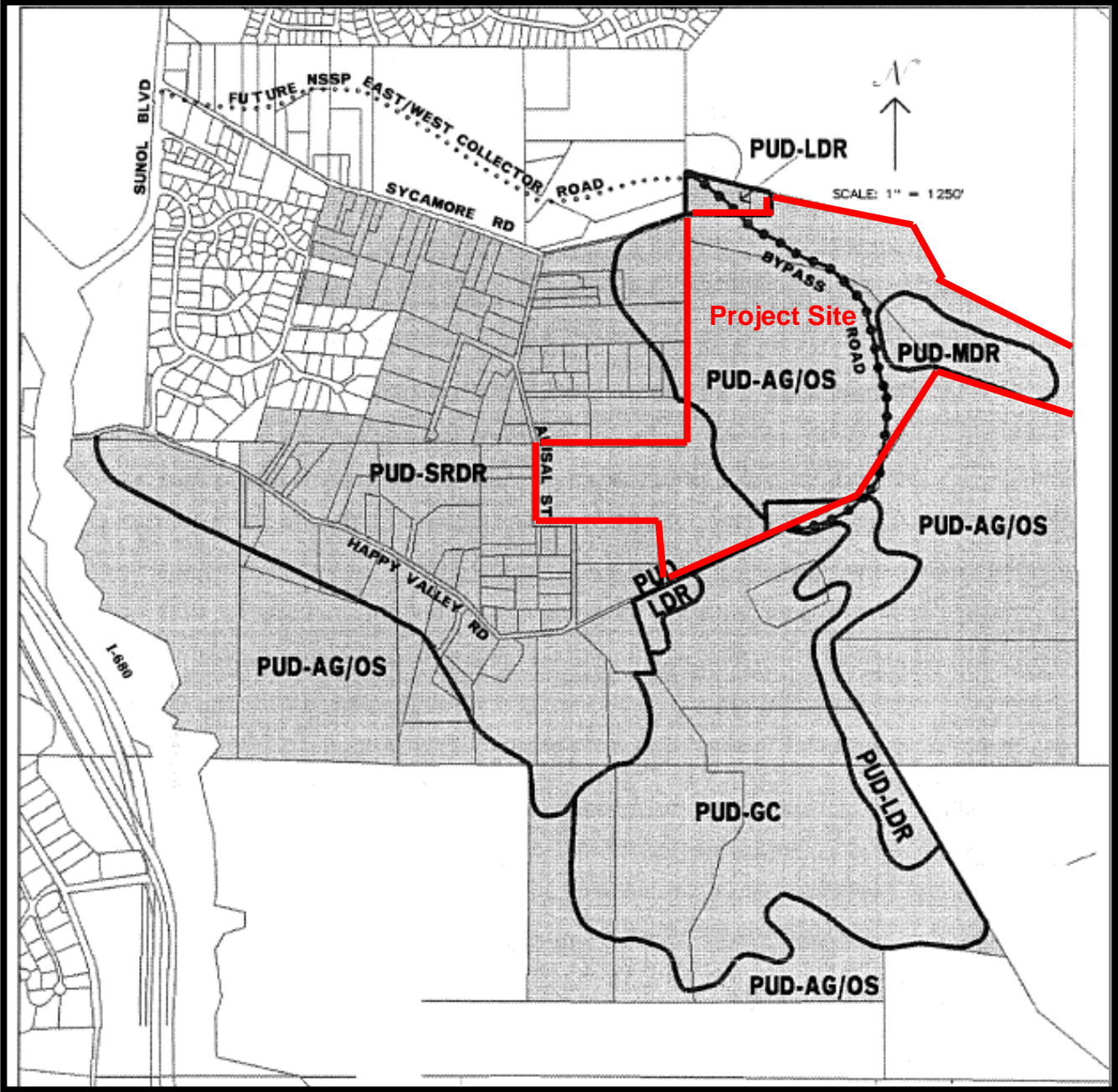


Figure 2: Location of Spotorno Lots within HVSP



Note: Lots in the red circles are the subject Spotorno lots.

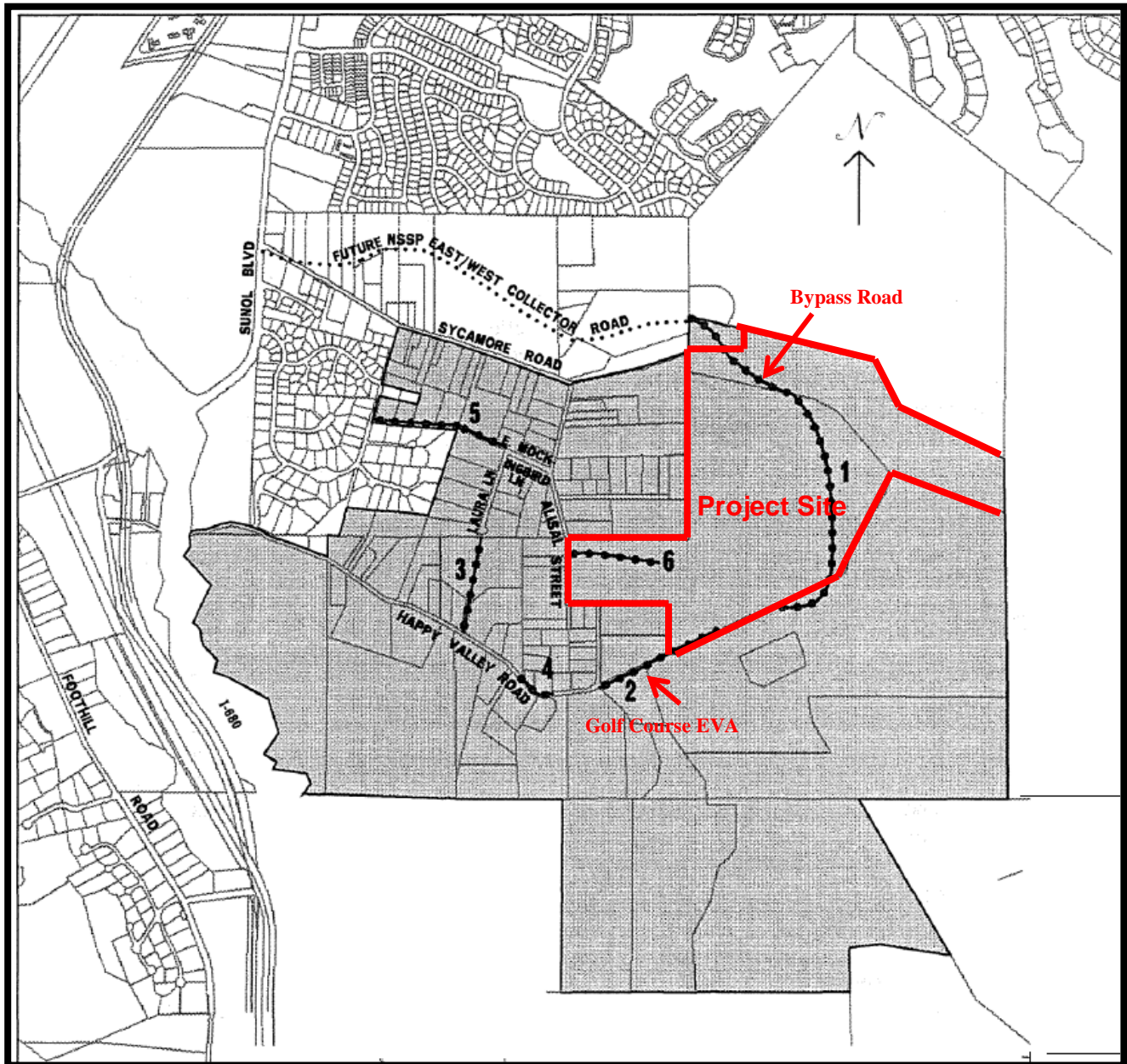
Figure 3: HVSP Land Use Plan



Circulation and Bypass Road

The HVSP requires the construction of a Bypass Road connecting the future “East/West Collector Road” (now Sycamore Creek Way), around Spotorno Hills, and the Golf Course/Spotorno Flat Area (See Figure 4). The purpose of the Bypass Road is to accommodate all of the traffic created by the golf course, homes at the golf course (Mariposa Ranch), and Spotorno. After the Bypass Road is constructed, the western end of Westbridge Lane would be closed 2215 Westbridge Lane to through traffic and used only for emergency vehicle access.

Figure 4: HVSP Circulation System



The HVSP states that the Bypass Road improvements shall be funded by the developer(s) of the Spotorno property and the City as follows (Page 51 of HVSP):

- The Spotorno Property developer(s) shall fund the cost of extending the Bypass Road from the eastern border of the North Sycamore Specific Plan Area to the Spotorno Upper Valley Medium Density Residential Area.
- The Spotorno Property developer(s) and City shall fund the cost of extending the Bypass Road from the Upper Spotorno Medium Density Residential Area to the southern end of the jointly-used portion of the Road on a pro-rata share basis as a function of traffic generation. The City share shall include both the Golf Course and Golf Course housing.

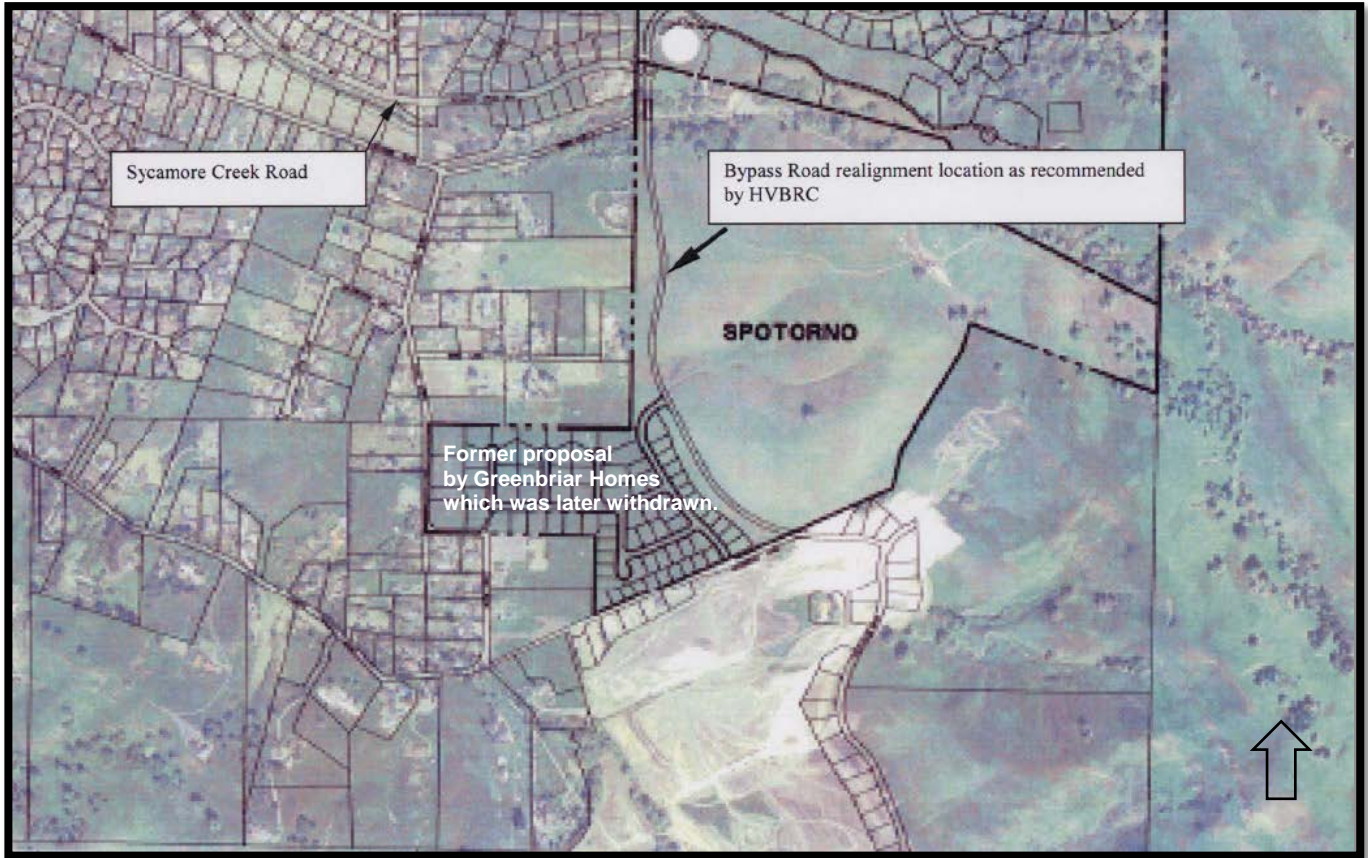
Recommended Bypass Road Realignment. In concert with the opening of Callippe Preserve Golf Course in November 2005, some Happy Valley residents once again urged the City to construct the Bypass Road to handle the attendant traffic as specified in the HVSP.

In response, the Council established a 12-member Happy Valley Blue Ribbon Committee (HVBRC) in June 2006. The HVBRC comprised various stakeholders and included City staff, an Alameda County representative, property owners in the Happy Valley area, and interested developers. The HVBRC was charged with the task of discussing the previous alternatives that had been evaluated related to a Bypass Road alignment as described in the HVSP, review new information, and collaborate to identify a preferred alternative for a Bypass Road alignment that would connect the Callippe Preserve Golf Course to Sycamore Creek Way, reducing traffic through the HVSP area.

At that time, Greenbriar Homes filed an application for a residential development on the Spotorno property which included a realigned Bypass Road. This proposed realignment of the Bypass Road became one of the options evaluated by the HVBRC. Staff notes Greenbriar Homes later withdrew the application.

In April 2007, the HVBRC made a recommendation to the Council that future development of the Spotorno property include the realigned Bypass Road and a public pathway along the realigned Bypass Road. The recommendation also included planting trees along the bypass road and constructing a berm along the western edge of the Bypass Road to minimize visual impacts. The Council found that the location of the recommended realignment of the Bypass Road by HVBRC to be generally acceptable subject to appropriate environmental review and an amendment to the Happy Valley Specific Plan. The Council unanimously accepted the recommendation and adopted Resolution No. 07-107. The resolution and associated staff report and minutes are attached as Exhibit D. Figure 5 shows the recommended realigned Bypass Road.

Figure 5: Recommended Bypass Road Realignment by HVBRC



This realigned roadway has been incorporated into the Buildout Roadway Improvements in the 2005-2025 General Plan Circulation Element.

PROJECT AREA AND SITE DESCRIPTION

The project site is approximately 154 acres in area and is surrounded by Alisal Street (west and south), single-family residential uses (north, south and west), and Westbridge Lane and Faith Chapel of God (south). The western portion of the site is relatively flat while the eastern portion of the site contains hills. Additionally, a wetland area and a windmill are located within the western portion of the site and several agricultural buildings are located in the northeastern area of the property. The site is secured with a barbed-wire fence. Figures 6 and 7 are views of the project site from points on Alisal Street and Westbridge Lane, respectively. An Alquist-Priolo Earthquake Fault Zone (Verona Fault) is located on the project site west of the Urban Growth Boundary line.

The Spotornos have used the project site for agricultural uses, such as raising livestock and grazing, for several decades.

Figure 6: View of Project Site from Alisal Street



Figure 7: View of Project Site from Westbridge Lane



PROJECT DESCRIPTION

The applicant has proposed a 39-unit, single-family residential development on the approximately 31-acre Spotorno Flat Area of the 154-acre site. The remaining 123 acres is proposed to remain as permanent open space with a conservation easement dedicated to a non-profit entity. Other land disposition alternatives will be reviewed as the project advances, such as deeding the open space to the City.

The proposal consists of the following:

- General Plan Amendments to:
 - 1) Change the maximum density allowed for the Spotorno Flat Area from one unit per 1½ gross acres (or 0.67 unit/acre) when developed in conjunction with major open-space land or agricultural/open space easement dedication to 1.25 units/acre, or 39 single-family homes, when developed in conjunction with major open-space land or agricultural/open space easement dedication;

- 2) Refine location of the Urban Growth Boundary (UGB) based on the 1996 voter-approved Measure FF to determine if any portion of the proposed development extend beyond the UGB, and if so, whether a minor adjustment is consistent with General Plan goals and policies;
 - 3) Change the General Plan Land Use designation of an approximately 11-acre area within the proposed development from Open Space – Public Health and Safety to Low Density Residential with a density of 1.25 units/acre; and
 - 3) Eliminate the Bypass Road from the General Plan Circulation Element.
- HVSP Amendments to:
 - 1) Eliminate the Bypass Road and keep Westbridge Lane as a permanent access road to Alisal Street;
 - 2) Change the Planned Unit Development – Medium Density Residential (PUD-MDR) and Planned Unit Development – Agriculture/Open Space (PUD-AG/OS) land use designations in the Spotorno Upper Valley Area (Lot 97) to Planned Unit Development – Open Space (PUD-OS); change the Planned Unit Development – Semi-Rural Density Residential (PUD-SRDR) land use designation in the Spotorno Flat Area to Planned Unit Development – Low Density Residential (PUD-LDR); and change the remaining land use designation on Lot 98 from PUD-A/OS to PUD-OS
 - 3) Change the maximum potential new residential units in the Spotorno Flat Area from 22 units to 39 units with major open space dedication to a non-profit entity or the City; and
 - 4) Eliminate the Spotorno MDR/Foley Trail, which connects Spotorno Upper Valley PUD-MDR area to the Foley Ranch located to the east.
 - Planned Unit Development (PUD) Rezoning and Development Plan to:
 - 1) Rezone approximately 31 acres of Lot 98 in the Spotorno Flat Area from PUD-SRDR to PUD-LDR, and the remaining Lot 98 from PUD-A/OS to PUD-OS;
 - 2) Rezone approximately 15 acres of Lot 97 in the Spotorno Upper Valley from PUD-MDR to PUD-OS, and remaining Lot 97 from PUD-A/OS to PUD-OS; and
 - 3) Construct 39 homes and related improvements.
 - Growth Management Agreement for 39 Growth Management Unit Allocations
 - Tentative and Final Subdivision Maps and Improvement Plans
 - The proposed development does not include an affordable housing component; the applicant is proposing to pay Low Income In-Lieu Housing Fees.

Site Design

The proposed 39 production homes would be built on an approximately 31-acre portion of the project site known as the Spotorno Flat Area. The proposed lots would vary in area from 17,216 square feet for Lot 38 to 38,331 square feet for Lot 28. The average lot size for all 39 lots would be 26,006 square feet.

Parcel A includes the existing wetland and the proposed bio-retention area, and would be owned and maintained by a homeowners association. A public trail (Bypass Road Trail) is proposed at the end of “Court A” and would continue along the western boundary of Spotorno Lot 98 behind Lots 75, 80, 88 and 89 of the HVSP to the Spotorno Upper LDR area and then connect to one of the public trails in the Lund Ranch II development. The existing agricultural buildings on the northeastern portion of the site would be removed. The remaining 123 acres would be preserved as permanent open space with a conservation easement.

An Alquist-Priolo Earthquake Fault Zone surrounding the Verona Fault is located to the east of the proposed development. A 50-foot wide “building restricted area” is proposed between the Alquist-Priolo Earthquake Fault Zone and the development area, as required by General Plan Program 1.2 that prohibits construction of habitable structures within at least 50 feet of an identified active fault trace where the fault has been specifically located in site-specific geologic studies.

The primary vehicular access to the development would be from Westbridge Lane with the exception of Lots 1 and 2 that would be accessed directly off Alisal Street by individual driveways. Lots 26-28 would have individual driveways off Westbridge Lane. Lots 24 and 25 are corner lots and access could be from either Westbridge Lane or “Street A.” The project entry street, “Street A” would connect to Westbridge Lane approximately 140 feet east of 2315 Westbridge Lane. There would be additional interior streets with dead-end courts providing vehicular access to the rest of the proposed development. An Emergency Vehicle Access (EVA) road is proposed along the southern edge of Parcel A and Lot 39. It would link the southern “Private Street” segment to Alisal Street. Streets within the development would be public streets except for two streets that are identified as “Private Street” and “Private Court.” Figure 8 shows the proposed site plan.

As proposed, monolithic sidewalks would be provided on both sides of public streets.

Figure 8: Proposed Site Plan



Grading

Grading is proposed throughout the development area to create the predominantly flat pad lots, bio-retention areas, and streets. A 3:1 slope bank would be constructed in the rear yards to create pads along the eastern boundary of the proposed development. Additionally, there would be large (up to seven feet deep) cuts to create flat pads for these lots. Retaining walls, varying between 2 to 4 feet in height, would be constructed on Lots 19-32. An equal amount of cut and fill is estimated; thus no soil import or off-haul is proposed.

Proposed Homes

Four house plans are proposed:

- Plan 1 – 3,354 square feet, one story
three-car side-entry garage with optional additional one-car front-entry garage
- Plan 2 – 3,690 square feet, one story
three-car side-entry garage with options for two additional garage spaces
- Plan 3 – 3,838 square feet, two-story with an optional 512 square feet, second-floor casita (accessory dwelling unit)
two-car front-entry garage and a one-car garage accessed off an internal motorcourt with options for two additional garage spaces
- Plan 4 – 4,072 square feet, one-story
two-car side-entry garage and a one-car front-entry garage.

A detached 567 square foot accessory dwelling unit would be available as an option on all lots (however, since only one accessory dwelling unit is allowed on a lot, a detached accessory dwelling unit could not be built if a Plan 3 house already has an attached accessory dwelling unit).

Each house plan has three design styles: Spanish Ranch, Italian Farmhouse, and French Country. All homes would include exterior finishes consisting primarily of stucco walls with varied material and color palettes including a combination of light- to dark-tone brown, beige, and grey body and trim colors, brown and grey concrete tile roofs, and brown and grey stone. Figures 9-12 show some of the proposed elevations.

Figures 9-12: Sample Front Elevations





Open Space Area and Trails

The HVSP specified three trails on the Spotorno property: the Bypass Road Trail, the Spotorno Flat Area Trail, and the Spotorno MDR/Foley Trail.

The proposed development includes the realigned Bypass Road Trail and the Spotorno Flat Area Trail (please see the Overall Site Plan in Exhibit B). The HVSP indicates that the trail alignments shown in the specific plan are conceptual and that the precise alignment and design of each trail would occur at the time of development plan approval. The proposed development does not include the Spotorno MDR/Foley Trail.

Initial Review Comments from Staff

After reviewing the preliminary application, staff provided the applicant with a comment letter (Exhibit F). The following were the key issues identified by staff:

- The General Plan designates an Urban Growth Boundary (UGB) line around the edge of land planned for urban development at General Plan buildout. The UGB was first adopted with the 1996 General Plan, then confirmed by voters as Measure FF (Nov. 1996). (Attachment G.) Areas outside the UGB line are generally suitable for the long-term protection of natural resources, large-lot agriculture and grazing, parks and recreation, and similar uses. General Plan Land Use Element Policy 22 does not allow urban development beyond the UGB boundary. General Plan Land Use Element Program 22.3 provides criteria for minor adjustments to the UGB line. As proposed, it appears that the eastern portion of the development might be located outside the UGB line. In making this observation, Planning and Geographic Information Systems (GIS) staff roughly located the UGB by taking the 1996 General Plan map (which was a City-wide map in 3,000-foot scale) and imposed it on the project parcels. This superimposing of the 1996 UGB line did not take into account the 100-foot scale of the line itself, nor the text of Measure FF. If portions of the project are in fact proposed beyond the UGB, an adjustment to the UGB line location requires an amendment to the General Plan. Classification of the change in the UGB as either a “minor adjustment” or a “major adjustment” would dictate if the adjustment would require approval by Pleasanton voters.
- The General Plan Land Use designation of Low Density Residential allows a density in the Happy Valley area of one dwelling unit per 2 gross acres with one unit per 1½ gross acres (or 0.67 unit/acre) when developed in conjunction with major open-space land or agricultural/open space easement dedication. Although the proposed development would designate 123 acres as permanent open space with a conservation easement, it would exceed the General Plan density requirement, as the proposed density would equal 1.25 units/acre. Staff recommends that the plan be revised so that it conforms to the General Plan.
- Pleasanton voters adopted two hillside development initiatives in November 2008, known as Measures PP and QQ. A key issue that may affect the project is whether a road is considered a structure. If a road is considered a structure, development of the Bypass Road may conflict with Measure PP.
- The HVSP requires the construction of a Bypass Road. The Bypass Road was identified as a required roadway improvement in the Final Environmental Impact Report (FEIR) for the HVSP. The deletion of the Bypass Road requires an amendment to HVSP and associated environmental review.

In addition, staff believes that the following changes to the current site plan could be explored to improve the project:

- Expand the central open space and design it to function as an open space with potential habitat value, such that it more effectively functions as a view corridor and protects the rural aesthetic of the area.

- Enhance architecture details by applying the material variation and design detailing on the front elevations to the rear and side building elevations to achieve a four-sided building design.
- Enhance the landscape adjacent to the residential lots facing Westbridge Lane to enhance the rural aesthetic of the area;
- Provide Accessory Dwelling Units (second units) as mandatory elements of additional lots to support goals in the City of Pleasanton Housing element; and
- Reduce house sizes and building footprints to maintain the rural character of the Happy Valley area.

DISCUSSION

The purpose of the meeting is to give the Planning Commission and the public the opportunity to review and comment on the proposal.

This meeting includes two components:

- a project work session focusing on design and policy issues surrounding the project; and
- a scoping session to comment on environmental issues that should be evaluated in the Subsequent EIR.

Work Session on the Project Design and Applicable Policy Issues

As previously mentioned, the proposed development requires several applications requiring major legislative changes, as summarized below:

1. General Plan and Specific Plan Amendments for Land Use and Density Changes

The General Plan Land Use Map designates the project site as Low Density Residential, allowing one unit per 1½ gross acres in the Happy Valley area when the project is developed in conjunction with major open-space land and Open Space – Public Health and Safety. The proposal requests to change both the General Plan Land Use designations and density for the proposed development area to Low Density Residential with 1.25 units/gross acre.

The HVSP has three land use designations on the project site: PUD-MDR, PUD-SRDR, and PUD-A/OS. The proposal requests to change the HVSP land uses to PUD-LDR and PUD-OS.

The HVSP permits a maximum of 22 units on the 33-acre Spotorno Flat Area, meeting the one unit per 1½ gross acres density requirement. The applicant proposes to change the HVSP land use designation on the Spotorno Flat Area from PUD-SRDR to PUD-LDR, with a proposed density of 1.25 units/gross acre. Additionally, the applicant proposes to change the land use designation of the Spotorno Upper MDR Subarea from PUD-MDR to PUD-OS and forfeit the remaining number of potential housing units in the Spotorno Upper MDR Subarea. The land use designation for remainder of the project site (Lot 97 and Lot 98) would change from PUD-A/OS to PUD-OS. The changes in land use designations described above would allow for the development of 39 residential units on the 31-acre development of area and the protection of 123 acres as permanent open space.

Discussion Point No. 1:

Does the Planning Commission support the proposed land use and density changes to the General Plan and HVSP?

2. Urban Growth Boundary (UGB)

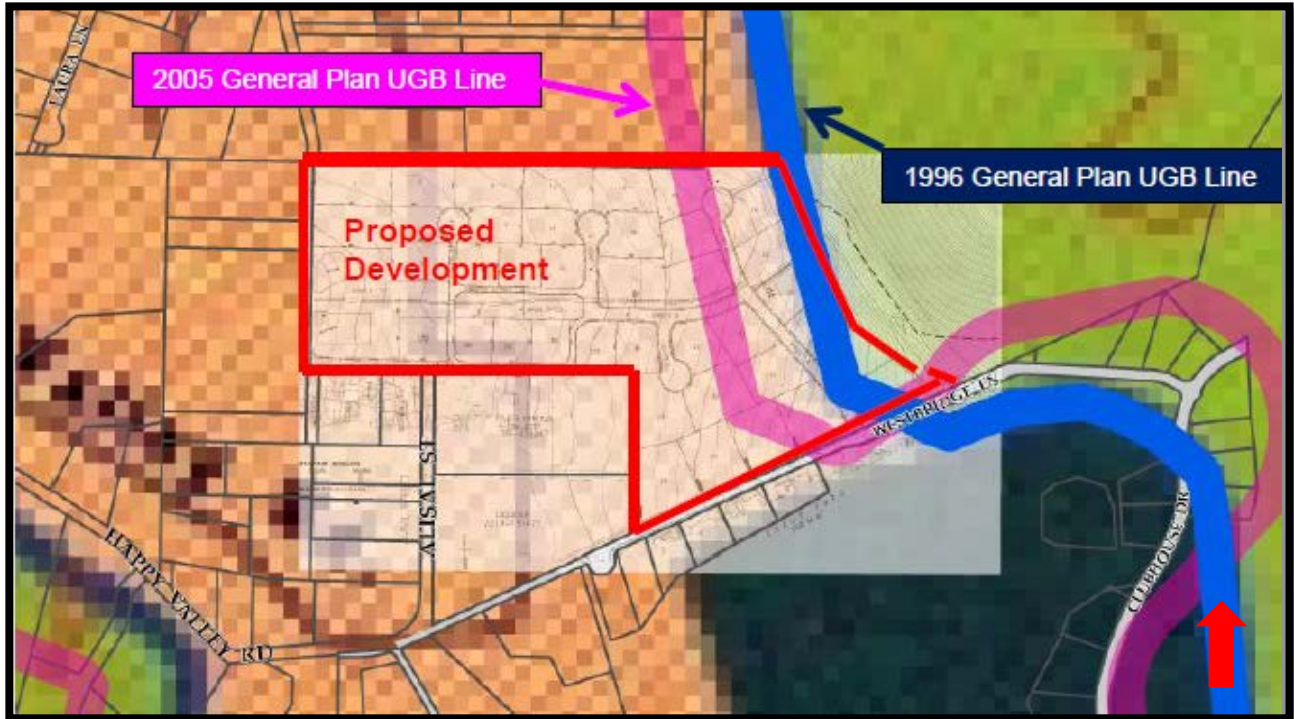
The General Plan designates an UGB line around the edge of land planned for urban development at General Plan buildout. Areas outside the UGB line are generally suitable for the long-term protection of natural resources, large-lot agriculture and grazing, parks and recreation, etc. The General Plan Land Use Element Policy 22 does not allow urban development beyond the UGB line. However, Program 22.3 allows minor adjustments to the UGB line.

Program 22.3: Because the Urban Growth Boundary is considered to be permanent, future adjustments to the boundary line location are discouraged, provided, however, minor adjustments may be granted that meet all of the following criteria: (1) are otherwise consistent with the goals and policies of the General Plan; (2) would not have a significant adverse impact on agriculture, wildland areas, or scenic ridgeline views; (3) are contiguous with existing urban development or with property for which all discretionary approvals for urban development have been granted; (4) would not induce further adjustments to the boundary; and (5) demonstrate that the full range of urban public facilities and services will be adequately provided in an efficient and timely manner.

As noted above, locating the UGB upon the project parcels has been a challenge for City staff, as it involves transposing the UGB line from the 1996 General Plan's City-wide map to the project site. The voter-affirmed UGB map did not include any parcel lines. As the 1996 UGB was mapped at a 3,000-foot to 1-inch scale, the width of the UGB itself is 100 to 150 feet, making it challenging to precisely locate on a parcel map.

When the City updated its General Plan in 2005, a different mapping program was used, which plotted a different UGB location on the project site. Figure 13 shows the discrepancy between the 1996 and 2005 General Plan UGB lines. Note that the UGB lines are wide (and blurry, in the case of the 1996 UGB line) due to the scale of the original mapping exercise.

Figure 13: Location of the 1996 and 2005 General Plan UGB Lines



The text of Measure FF also describes the location of the UGB line. Regarding the southern location of the UGB line in Happy Valley, Section 2. Findings, Subsection B states:

“The UGB line was established in recognition of the location of open space lands protected by a voter approved initiative, jurisdictional boundaries, and physical terrain constraints. ... The UGB to the south is based upon physical terrain as it extends along the base of the steep hills that enclose the Happy Valley area. It is situated in nearby hilly locations to accommodate future development which has been permitted by the General Plan for many years.”

As the UGB line is described as being “along the base of the steep hills that enclose the Happy Valley”, the UGB line could be refined to reflect the base of the hills.

As proposed, a portion of the development would be located outside either the 1996 or 2005 UGB line. An argument could also be made that the UGB as shown in the 2005 General Plan is mapped incorrectly, and should coincide with the eastern boundary of the PUD-SRDR designation as shown in the HVSP. It is also possible that the UGB is mapped correctly in the General Plan and need not coincide precisely with the area designated PUD-SRDR.

Discussion Point No. 2:

What additional tasks/research, if any, should the City undertake to ascertain the precise location of the UGB line?

3. General Plan and HVSP Amendments for the Bypass Road

The General Plan Circulation Element shows Sycamore Creek Way Extension (bypass road) to Westbridge Lane as one of the proposed roadway improvements. The HVSP requires the construction of a Bypass Road as part of the development of the Spotorno property. The Bypass Road was identified as a required roadway improvement in the Final Environmental Impact Report (FEIR) for the HVSP. However, the applicant proposes to eliminate the Bypass Road. Westbridge Lane would remain connected to Alisal Street, in conflict with the HVSP, which calls for the last segment of Westbridge Lane to be converted to an EVA after the construction of the Bypass Road.

As previously mentioned, the intent of the Bypass Road is to redirect traffic associated with golf course activities and surrounding uses (including the proposed development) away from roads in the County and onto City streets. The applicant does not believe traffic generated from the proposed 39-single-family residential development would warrant the construction of a Bypass Road. The applicant indicated that the proposed number of homes to be constructed on the Spotorno property has been significantly reduced from a maximum of 97 potential new homes indicated by HVSP to the proposed 39 homes. The deletion of the Bypass Road and its impacts would be analyzed in the Subsequent EIR.

If the Bypass Road were to be constructed, it would follow the alignment as recommended by HVBRC.

In November 2008, Pleasanton voters adopted two hillside development initiatives, known as Measures PP and QQ. Measure PP states:

Policy 12.3: Ridgelines and hillsides shall be protected. Housing units and structures shall not be placed on slopes of 25 percent or greater, or within 100 vertical feet of a ridgeline. No grading to construct residential or commercial structures shall occur on hillside slopes 25% or greater, or within 100 vertical feet of a ridgeline. Exempt from this policy are housing developments of 10 or fewer housing units on a single property that was, as of January 1, 2007, "legal parcel" pursuant to the California Subdivision Map law. Splitting, dividing, or sub-dividing a "legal parcel" of January 1, 2007 to approve more than 10 housing units is not allowed.

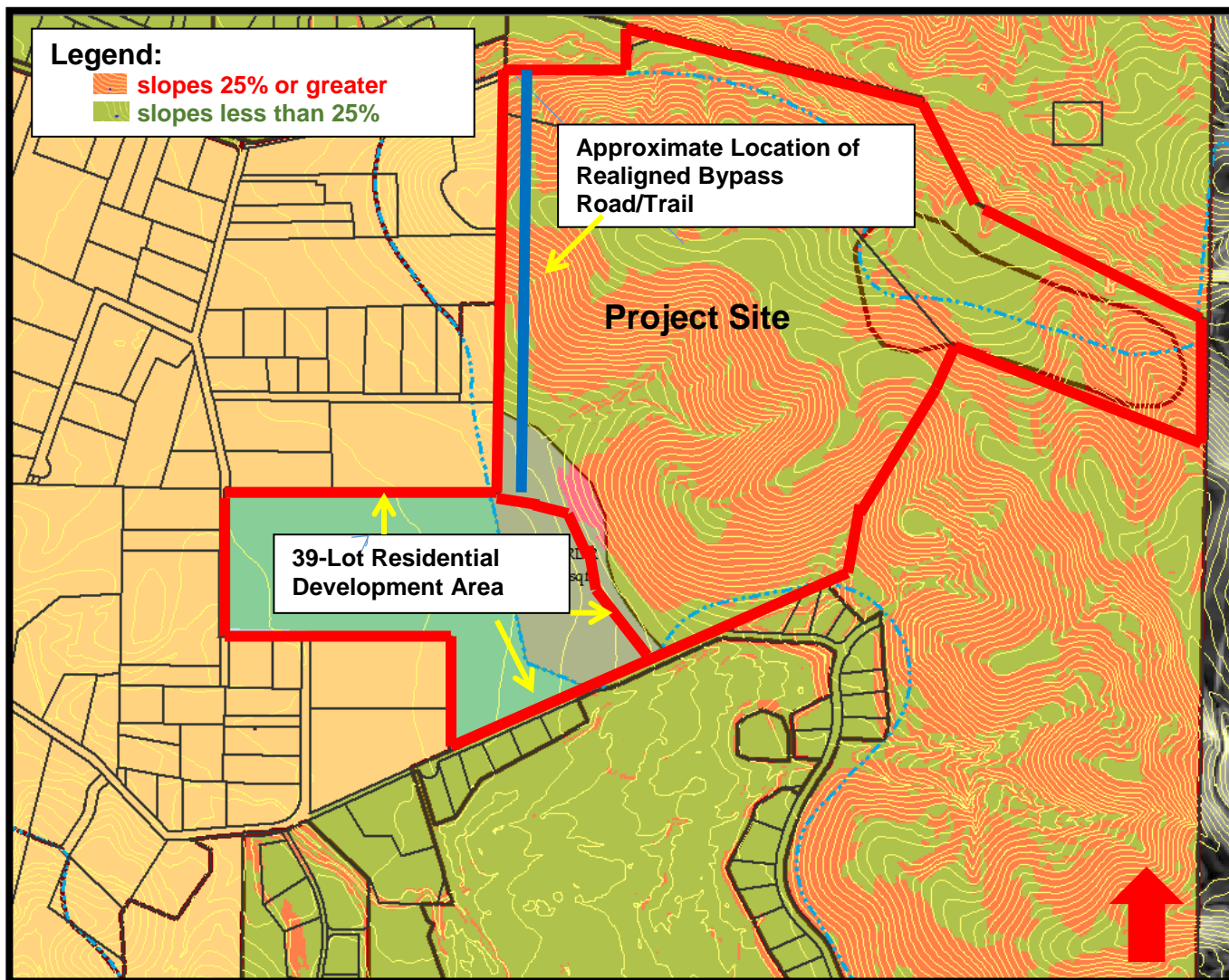
Measure QQ readopted and reaffirmed the existing policies and a program from the 1996 General Plan to generally:

- (a) Preserve hillside and ridge views and the Pleasanton, Main, and Southeast Hills;
- (b) Study the feasibility of preserving large open-space areas in the Southeast Hills; and
- (c) Protect large contiguous areas of open space.

A key issue is whether a road is considered a structure. For the recently approved Lund Ranch II development, the Council decided that the road extending from the Lund Ranch site

to Sunset Creek Lane is not a structure. If, for this project, the Council determines that a road is considered a structure, then development of the Bypass Road may conflict with Measure PP. Staff notes the development of the Spotorno Upper Valley MDR Area could also be precluded by Measure PP, depending on resolution of the road-structure question. Figure 14 shows the topography of the project site. The realigned Bypass Road would be located near the westerly property line of the project site; thus, portions would need to be constructed in areas with slopes 25% or greater.

Figure 14: Slopes of the Project Site



*Discussion Point 3:
Does the Planning Commission support the elimination of the Bypass Road and the retention of Westbridge Lane as a permanent access road to Alisal Street?*

4. Development Standards and House Design.

The project site is identified as Lots 97 and 98 in the HVSP. However, the proposed housing would be constructed on the Spotorno Flat Area on Lot 98. The applicant is proposing to change the land use designation on the Spotorno Flat Area from PUD-SRDR to PUD-LDR. Table 2 lists the required PUD-SRDR and PUD-LDR development standards per the HVSP and the proposed development standards as a comparison.

Table 2: Development Standards Comparison

	HVSP Requirements		Proposed
	PUD-SRDR	PUD-LDR	
Lot Size	One Acre (43,560 sq. ft.) min.	Determined by PUD development plan approval.	17,216 to 38,331 sq. ft.
Lot Dimension: Lot Width: Lot Depth:	175 feet min. 175 feet min.		94 feet to 140 feet 115 feet to 255 feet
Setbacks For Main House: Front Yard: Side Yard: Rear Yard:	35 feet min. 25 feet min. 35 feet min.		35 feet and 30 feet ¹ 25 feet and 20 feet ¹ 35 feet and 30 feet ¹
Height for Main House ²	30 feet max. (as measured from the highest to the lowest elevation of the building) A minimum of six homes in the Spotorno Flat Area to be limited to one-story in height.		18 feet 10 inches to 29 feet six inches All homes could be two-story homes.
Floor Area Ratio (FAR)	25% max. (for two-story buildings) 40% max. (for one-story buildings)		9%-20%
Parking	Two garage-parking spaces with four total on-site spaces min.		Two garage-parking spaces with four total on-site spaces min.

¹ Lots 3-4, 7-11, 34, and 36-38

The applicant is proposing to change the land use on the Spotorno Flat Area from PUD-SRDR to PUD-LDR, where the development standards are subject to case-by-case review.

The proposed plans include four house plans comprising one- and two-story models, each with three front architectural variations. Staff believes that the front elevations have sufficient architectural detail to create visual interest; however, the side and rear elevations contain large areas of blank walls without articulation/interest. Staff recommends that architectural details, similar to those shown on the front elevations, be added on all elevations.

Staff notes that the project does not include on-site affordable units to meet the City's Inclusionary Zoning Ordinance (IZO). The applicant would pay in-lieu fees to meet the requirements of the IZO. The proposed site plan could substantially change if the applicant is required to provide units to satisfy IZO instead of paying in-lieu fees.

Streets within the development would be a combination of public and private streets. As proposed, “Street A,” “Street B,” “Court A,” “Court B,” and “Court C” would be 36 feet wide, with two travel lanes, and have on-street parking and sidewalks on both sides. “Private Court” and “Private Street” (i.e., the looped street) would be 21 feet wide with no on-street parking or sidewalks.

The HVSP states that the road construction standards specified in the specific plan should generally be applied throughout the Plan Area. New roads excluding the Bypass Road and Happy Valley Loop Road would have: two travel lanes, each 12 feet wide; no parking lanes or sidewalks; and bicycle lanes determined with review of the PUD development plan.

Additionally, the HVSP requires the construction of the Bypass Road trail, the Spotorno Flat Area Trail and the Spotorno MDR/Foley Ranch Trail Connection that would connect to outlying regional trails. The Spotorno Flat Area and Bypass Road Trails are proposed, but not the Spotorno MDR/Foley Trail Connection.

Staff believes that the proposed development should conform to the HVSP in terms of street design and trail construction.

*Discussion Point No. 4:
Does the Planning Commission support the overall site layout, including the proposed development standards, building designs, entry locations, and streets and trails? Are additional pedestrian amenities warranted?*

5. Affordable Housing

The City’s Inclusionary Zoning Ordinance (IZO) requires new single-family projects of 15 units or more to provide at least 20 percent of the units at prices that are affordable to very low, low, and/or moderate income households. If 39 units are allowed for this project, then eight affordable units would be required. While the primary emphasis on the IZO is to include affordable housing units within market-rate unit projects, the IZO indicates that it may not always be practical to require that every project satisfy its affordable housing requirement through construction of affordable units within the project itself. In these cases, the IZO allows other methods to satisfy the affordable housing requirement, such as constructing off-site affordable units or paying the Lower Income Housing Fee. The applicant proposes to pay Low Income Housing Fees for this project. The Housing Commission would be responsible for recommending to the City Council approval of the project’s Affordable Housing Agreement.

Scoping Session to Evaluate Environmental Issues That Should Be Analyzed in the Draft Subsequent Environmental Impact Report (EIR)

6. Subsequent EIR. An EIR was prepared and certified for the HVSP that analyzed environmental topics including traffic, utilities (sewer, water, storm drain systems), density, and wildlife habitat. A Subsequent EIR will be prepared to evaluate the site constraints and the project’s potential environmental impacts and provide mitigation measures, where feasible, to mitigate these impacts.

The City hired FirstCarbon Solutions to prepare the Subsequent EIR for this development. The consultants will use the comments provided at the meeting, as well as all written responses from outside agencies and the public to prepare the draft Subsequent EIR for the project.

After circulation of the draft Subsequent EIR for comments by the public and public agencies, a final Subsequent EIR will be prepared. The final Subsequent EIR would be forwarded to the Planning Commission for its review of and recommendation on the proposed development.

The site is located in the Happy Valley area and is surrounded by large-lot residential and agricultural uses. The proposed residential development could generate potential negative impacts on the existing uses in the immediate and surrounding area. The following studies and analyses will be prepared to evaluate the project impacts:

- A traffic analysis will be prepared to include estimates of project trip generation, trip distribution, and level-of-service at each study intersection to assess the volumes of traffic on neighborhood streets. The analysis will also include an assessment of Vehicle Miles Traveled (VMT) for the proposed project, with and without the Bypass Road.
- A noise analysis will be prepared to evaluate project-related construction and operational noise impacts on surrounding land uses. The analysis will also include a quantitative assessment of noise impacts from project-specific and cumulative vehicular traffic trips.
- A visual analysis will be prepared to determine the visual impacts to off-site locations as a result of development of the site. Viewpoints from key publicly accessible locations such as Alisal Street, Westbridge Lane and Laura Lane as well as the Callippe Preserve Golf Course will be analyzed.

In addition to analyses listed above, the following areas would also be evaluated:

- Changes to the land use patterns on the project site, including the conversion of existing rural land uses to urban land use.
- Air quality and greenhouse gas emission analyses will be prepared to evaluate short-term (construction) and long-term (operational) impacts. The analysis will include evaluation of air pollutant and greenhouse gas emissions, odor exposure, carbon monoxide hotspots, and a construction-related health risk assessment.
- A biological resources assessment will be prepared that evaluates the existing on-site biological resources. The assessment would include a general reconnaissance-level survey to identify the presence/absence of any potential sensitive species or their habitat within the project area.
- A cultural resources analysis will be prepared to evaluate the potential occurrence of archaeological and paleontological resources on the site.
- The project's potential to create polluted runoff, increase impervious surface coverage, and create downstream drainage problems.

- Impacts on public service and utility providers.

A copy of the “Proposal to Prepare an Environmental Impact Report for the Spotorno Project in Happy Valley Specific Plan Area” (Draft) is attached as Exhibit C.

Discussion Point 5:

Are there any other topical areas that should be addressed in the Subsequent EIR?

PUBLIC COMMENT

Notices of the public scoping and work session were sent to all property owners within the HVSP area, 1,000 feet of the project site and to public agencies.

At the time this report was written, Daniel Marks, resident at 6352 Alisal Street, contacted staff regarding the proposed development and inquired about proposed lot and house sizes in general. In addition, Benjamin Maughan, resident at 2215 Westbridge Lane, expressed concerns related to the elimination of the Bypass Road, traffic, and the proposed density. Staff will forward to the Commission any additional public comments as they are received.

CONCLUSION

As noted above, TLC proposes a 39-single-family residential development on Lots 97 and 98 in the HVSP area. The proposed development raises significant questions related to changes to the City’s governing land use policy documents and environmental issues. Staff requests the Planning Commission review each of these issues along with the attached development plans and provide comment and direction regarding the environmental and project reviews.

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