

## **EXHIBIT A**

### **P15-0564 DISCUSSION POINTS TLC at Spotorno Property**

1. Does the Planning Commission support the proposed land use and density changes to the General Plan and HVSP?
2. What additional tasks/research, if any, should the City undertake to ascertain the precise location of the UGB line?
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. 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. Are there any other topical areas that should be addressed in the Subsequent EIR?

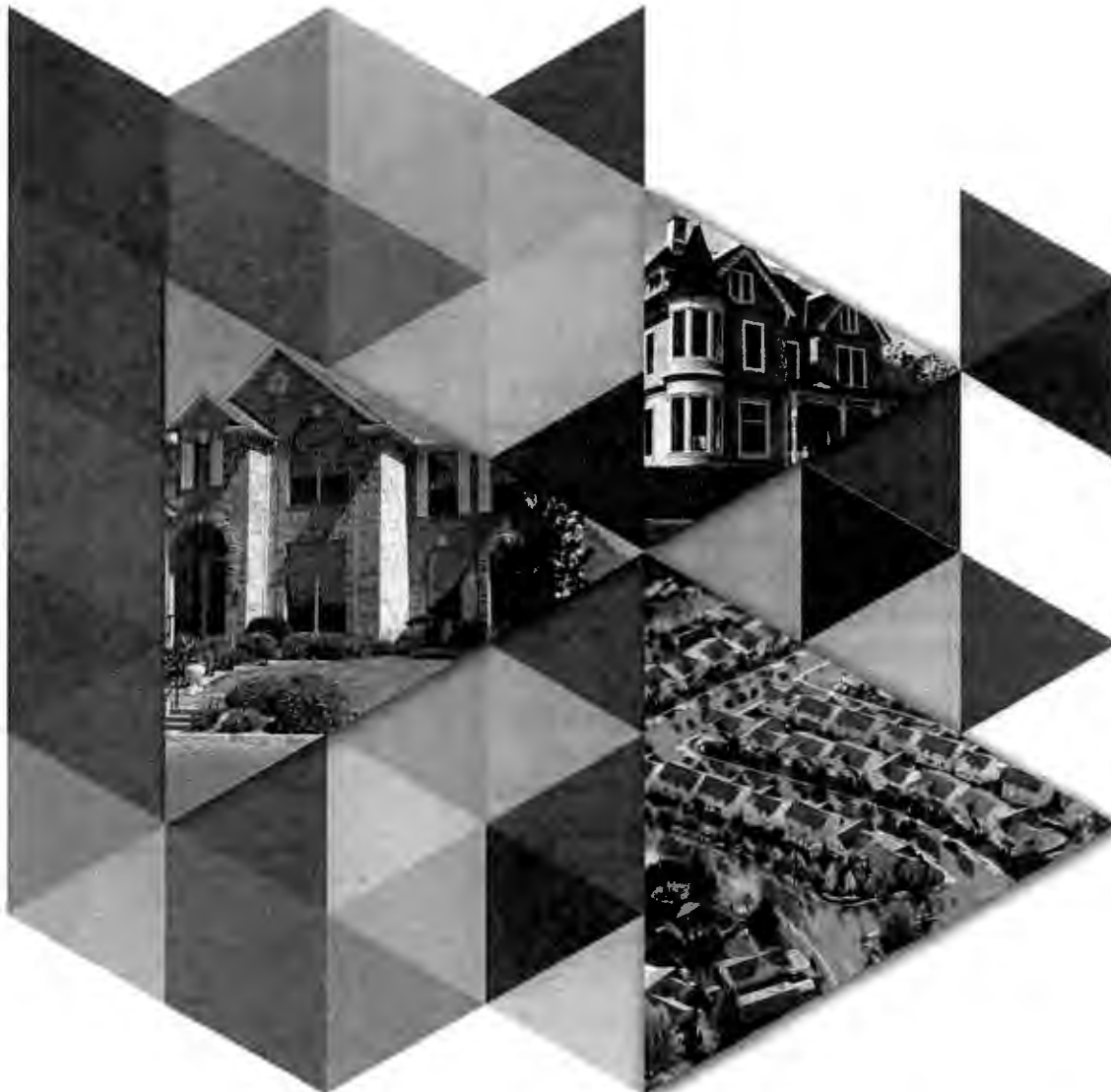
# **FIRSTCARBON** SOLUTIONS™

## **Proposal to Prepare an Environmental Impact Report for the Spotorno Project in Happy Valley Specific Plan Area**

**Project Prepared for:  
City of Pleasanton**

**2148.0015.P**

**December 16, 2016**





December 16, 2016

Jenny Soo  
Associate Planner  
City of Pleasanton  
P.O. Box 520  
Pleasanton, CA 94566

**Subject: Proposal to Prepare an Environmental Impact Report for the  
Spotorno Project in Happy Valley Specific Plan Area**

Dear Ms. Soo:

Located in Alameda County and incorporated in 1894, the City of Pleasanton (City) has received accolades from USA Today, Money and Forbes as being one of the best places to live in America. Appropriately, the City's motto is: The City of Planned progress, which is why FirstCarbon Solutions (FCS) is thrilled we have the opportunity to serve a client whose ideals we align with, to further your progress in the most environmentally sound and sustainable way.

The FCS team consists of environmental resource leaders who possess a thorough understanding of environmental regulations, laws, and compliance issues complemented by an in-depth technical understanding of their individual disciplines. We are proud to include Fehr & Peers (transportation) and Environmental Vision (simulations and aesthetics) on our team, as both firms have familiarity with the City and with the Happy Valley area in particular. Having worked together on projects for over 15 years, together we are a team that provides the City with the ability to hit the ground running and prepare the necessary technical studies and EIR efficiently.

Our management team understands the complexities of challenging projects with diverse challenges, including scheduling and logistics, public relations, budgetary/funding constraints, and multifaceted legal and agency compliance issues. Our staff is in front of City Councils and Planning Commissions on a regular basis, outlining the findings of our field research and impact analyses. Furthermore, FCS staff is actively involved in legislative activities and scientific research and publications to ensure we keep abreast of environmental issues and remain involved in the communities we serve.

We want to be the team you hire for the following reasons:

**UNITED STATES**

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250 Commerce, Suite 250  
Irvine, CA 92602

Los Angeles  
11755 Wilshire Blvd, Suite 1660  
Los Angeles, CA 90025

Bay Area  
1350 Treat Boulevard, Suite 380  
Walnut Creek, CA 94597

Central Valley  
7265 N First Street, Suite 101  
Fresno, CA 93720

Inland Empire  
621 E. Carnegie Drive, Suite 100  
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46200 Petaling Jaya

- **We are an extension of you.** FCS will anticipate and address controversial issues, devise solutions, and provide expert environmental compliance consultation. Our local, accessible staff will work from our Walnut Creek office.
- **We have a superior record of legal defensibility.** DFCS offers in-house legal counsel who review key sections of documents, prepare findings of fact and statements of overriding considerations, and who are also available to participate in conference calls with the city to discuss legal issues. During our 33-year history, FCS has established a superior record of legal defensibility for the environmental documents we prepare. In most cases, our clients have avoided litigation entirely because of our strict adherence to regulatory content and processing requirements. Our quality control and peer review processes, supported by an in-house legal team with substantial experience in environmental litigation, further bolster this process and the legal sufficiency and technical adequacy of the environmental documents that we prepare.
- **We have substantial experience** preparing efficient CEQA documents and technical studies for residential projects, both for the City of Pleasanton and neighboring jurisdictions. We are currently completing the Environmental Impact Report (EIR) for the Tassajara Parks Residential Project in Contra Costa County, and also recently completed EIRs for the Kaiser Medical Center in Dublin along I-680, the Napa Logistics Center in the City of American Canyon, and the Warm Springs Community Plan for the City of Fremont. Our project approach and proposed scope of services reflects three decades of experience providing CEQA services to municipalities throughout California.

Thank you for taking the time to review our proposal. Should you desire additional information regarding this submittal, please contact me at 925.357.2572 or [mbean@fcs-intl.com](mailto:mbean@fcs-intl.com).

Sincerely,



Mary Bean, Vice President  
FirstCarbon Solutions  
1350 Treat Boulevard, Suite 380  
Walnut Creek, CA 94597

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**Table of Contents**

**Project Understanding and Approach .....1**  
     Project Understanding ..... 1  
     FCS’s Approach to Preparing Environmental Documentation ..... 2

**Scope of Work .....4**  
     Task 1: Project Initiation..... 4  
     Task 2: Notice of Preparation..... 4  
     Task 3: Technical Studies ..... 5  
     Task 4: Administrative Draft EIR ..... 17  
     Task 5: Screencheck Draft EIR ..... 21  
     Task 6: Draft EIR ..... 22  
     Task 7: Administrative Final EIR ..... 22  
     Task 8: Screencheck Final EIR..... 23  
     Task 9: Final EIR..... 23  
     Task 10: Mitigation Monitoring and Reporting Program ..... 23  
     Task 11: Notice of Determination ..... 23  
     Task 12: Findings of Fact / Statement of Overriding Considerations ..... 24  
     Task 13: Meetings/Hearings..... 24  
     Task 14: Project Management..... 24  
     Tasks Outside of Scope of Work..... 25  
     Scope of Work Modifications ..... 25

**Budget 25**  
     Assumptions..... 25  
     Rates for the Proposed Staff .....**Error! Bookmark not defined.**

**Schedule.....26**

**Consultant Description of Qualifications .....27**  
     FirstCarbon Solutions ..... 27  
     Environmental Vision ..... 28  
     Fehr & Peers..... 28  
     Organizational Chart ..... 29  
     Project Team Experience..... 30

**Relevant Project Experience .....33**

**Conflict of Interest .....35**

**Professional Services Contract and Insurance Requirements.....35**

**Business license .....36**

**Appendix A: Resumes**

## PROJECT UNDERSTANDING AND APPROACH

### Project Understanding

The City of Pleasanton adopted the Happy Valley Specific Plan in 1998 to guide future residential development within an 860-acre area generally located east of Interstate 680 and south of Sycamore Road. The Specific Plan area contains 111 existing residences, the 18-hole Callippe Preserve Golf Course, and undeveloped land. The Specific Plan contemplates the development of 183 new residences within the plan area and a new “Bypass Road” linking Westbridge Lane with Sycamore Creek Lane.

The 154-acre, boot-shaped project site is located in the southern portion of the City of Pleasanton, Alameda County, California. The project site is surrounded by Alisal Street (west), large parcel residential (north and east), and Westbridge Lane, Faith Chapel of God, and Alisal Street (south). The western portion of the site (approximately 30 acres) contains flat terrain that is mowed and tilled on a regular basis, while the eastern portion of the site (approximately 124 acres) contains hilly terrain and includes an Alquist-Priolo Fault Zone. Within the western portion of the site is a wetland area and a windmill that powers an irrigation well. The site is enclosed with a barbed-wire fence. A gated access point is located near the Faith Chapel of God church. The City of Pleasanton General Plan designates the site Low Density Residential – Happy Valley Specific Plan Overlay. The project site overlaps with four Happy Valley Specific Plan zoning districts: Planned Unit Development – Low Density Residential (PUD-LDR); Planned Unit Development – Medium Density Residential (PUD-MDR); Planned Unit Development – Semi-Rural Density Residential (PUD-SRDR); and Planned Unit Development – Agriculture / Open Space (PUD-AG/OS).

The project applicant (Tim Lewis Communities) is proposing to rezone and subdivide the project site to support 39 single-family residential lots and roadways on 28.63 acres and permanently preserve 124.08 acres as open space. Lot sizes would range from 22,024 square feet (0.51 acre) to 38,331 square feet (0.88 acre). Vehicular access would be taken from Westbridge Lane (Street A), which would connect to five cul-de-sacs. A 21-foot wide Emergency Vehicle Access / bicycle / pedestrian connection would link the westernmost cul-de-sac to Alisal Street. A public trail would be constructed along the Westbridge Lane frontage. A 2.01-acre undeveloped parcel in the western portion of the project site that contains the wetland would be retained by Home Owners Association. The proposed project requires the following discretionary approvals: a General Plan Amendment, a Specific Plan Amendment, Planned Unit Development rezoning, Growth Management Allocation, and EIR certification. The project application proposes to remove the proposed “Bypass Road” contemplated by the Happy Valley Specific Plan.

The City has requested a proposal for CEQA services that includes an Environmental Impact Report and technical analysis of aesthetics, biological resources traffic, and other topics. This scope is based on our understanding of the project as presented in the RFP; the scope is subject to change, as directed by the City.



## **FCS's Approach**

FCS understands that our role as a consultant is to prepare legally defensible documents on schedule and within budget. FCS strives to present technical information in a way that is readily accessible to the public: using exhibits and graphics wherever possible to tell the story of the project. We also use appendices to incorporate highly technical information so that the body of the document can maintain a more reader friendly tone and style. Our editors ensure that the EIR reads with a single voice and maintains consistent formatting and grammar.

As noted in the RFP, the Happy Valley neighborhood residents have historically been concerned about preserving the rural aesthetic character as well as traffic. Accordingly, our approach to the EIR will include a thorough analysis of these issues (along with all other CEQA topics) to demonstrate the potential impacts that could result, as well as the level of mitigation that would be required to reduce those impacts. The project proposes to eliminate the Bypass Road, which could potentially reduce aesthetic effects but could also result in an adverse effect on traffic and circulation, as well as conflicts with the underlying provisions of the Specific Plan. In the end, the purpose of the EIR is to provide factual information that allows for informed public input and supports the Council in their consideration of the project application.

As requested by the City, FCS will also prepare CEQA notices as well as Findings of Fact/Statement of Overriding Considerations. Our in-house legal counsel regularly prepares these documents for public agencies, and we are happy to provide this service as part of our core team.

FCS proposes an aggressive 8-month schedule starting in January 2017 and ending with a final EIR in August. We believe this schedule is feasible as long as study intersections can be confirmed and traffic counts taken in January. Our work plan includes concurrent preparation of EIR sections and technical studies in the first 10 weeks while the transportation analysis is underway, allowing us to daylight any opportunities or constraints that could affect the analysis, the schedule, or the budget.

Based on our long history of working with the City, FCS works proactively to identify opportunities for streamlining, as well raising issues early on for discussion, resolution, and implementation of a preferred strategy. As we have demonstrated on our other projects for the City, we will stay in regular contact with the assigned planner (Jenny Soo) to ensure that the CEQA process stays on track. Bi-weekly or monthly calls are scheduled up front to provide a forum to discuss and confirm project status.

Our specific methods and practices for maintaining quality in our work are discussed below.

## **Quality Control**

FCS's system of quality control is much more than document review prior to submittal. It involves every step in the preparation of technical studies and environmental documents. Upon project initiation, all team members are provided with a copy of the agreed-upon scope of work, allowing every individual involved with the project to have the same understanding of the required work products, the content of

the work products, and the prevailing schedule/budget constraints. One of our in-house attorneys, Tracy Inscore, oversees the environmental services publications team and the overall Quality Assurance/Quality Control (QA/QC) process for the environmental documents that FCS prepares. FCS's QA/QC Manager, Project Directors, and Project Managers coordinate all activities related to QA/QC, including multiple reviews of project documents to ensure legal defensibility, technical accuracy, and objectivity. In addition, FCS's management team commits to not only reviewing the "final product" but also to conducting a thorough review of all technical data and studies used to support our documents' findings and conclusions. This ensures that all of FCS's findings are accurate and properly incorporated.

### **Knowledge of Local, State, Federal Regulations**

FCS regularly works with regulatory agencies through the CEQA process to identify, discuss, and resolve key environmental issues, as well as during the regulatory permitting phases of projects. We have good relationships with local, state, and federal agency staff and can facilitate discussions and meetings as needed to raise issues for discussion and resolution. Our management and technical staff have excellent working relationships with the State Historic Preservation Office (SHPO), California Department of Transportation (Caltrans), California Department of Fish and Wildlife (CDFW), California's Regional Water Quality Control Boards (RWQCBs), and the U.S. Army Corps of Engineers (USACE). We have in-depth experience in Section 106 compliance and reports for cultural resources, obtaining 404 permits from the USACE, preparing water quality certificate applications for the RWQCBs, and obtaining Streambed Alteration Agreements from CDFW.

### **Compliance with Processing and Legal Requirements**

FCS has established an excellent record of legal defensibility for environmental documents with our clients. We exercise particular care to ensure that our environmental documents contain thorough environmental analyses and explicit documentation of all data sources and research contacts. This approach reduces the potential for successful legal challenge. FCS's staff is experienced in conducting environmental documentation for controversial projects; we have developed research and documentation techniques and we use agency-accepted environmental assessment techniques that minimize avenues for legal challenge. FCS's in-house attorneys regularly monitor CEQA court decisions and CEQA Amendments to keep FCS managers abreast of legal precedents and compliance issues. FCS's environmental technical staff attends annual updates regarding CEQA compliance to maintain a current approach to legal compliance. All FCS Project Managers have years of experience preparing and managing project administrative records according to the requirements of CEQA and are well-versed in the various processing requirements that apply to specific types of environmental documentation, including minimum circulation periods, distribution and noticing requirements, and processing timelines.

### **Maintaining a Successful Record of Legal Defensibility**

FCS has often been involved in preparing the environmental analyses for difficult and controversial projects that have been subjected to legal challenges both during the approval stage as well as within the California Court system. FCS has a superior record of legal defensibility in its documents—including





projects brought before the State Supreme Court—and has often been called on to “fix” documents prepared by others that the Courts have found to be deficient. Building on our successful record of legal defensibility, FCS has forged new standards and protocols for analysis that have been upheld by the California Court of Appeals—standards that are now being utilized by other consulting firms. While litigation cannot always be avoided, FCS has never been terminated or required to settle as a result of civil or criminal judgment. FCS’ strict adherence to regulatory content and processing requirements assists agencies in deflecting litigation whenever possible. Our adherence to legal requirements and technical adequacy is further bolstered by FCS’s quality control and peer review processes and an in-house legal team that has substantial experience in environmental litigation with cities, counties, and agencies in California. Tracy Inscore, JD, FCS’s associate counsel and a successful CEQA litigator, will provide oversight to ensure that the environmental review conducted for this Project is sufficient and legally defensible.

### **Functioning as an Extension of Staff**

FCS will serve as an extension of staff by providing technical expert advice regarding the preparation, management, and guidance of the IS/MND through the complex CEQA process from the onset of the initial kick-off meeting to the final public hearing. Our goal is to ensure that the City has a technically sound document for public review and consideration.

## **SCOPE OF WORK**

### **Task 1: Project Initiation**

FCS’s Project Manager and other key team members will meet with City staff and the applicant team in Pleasanton to clarify and confirm the project description, identify key contacts, discuss scheduling targets, and obtain copies of the project plans and other relevant information. In the event of an in-person meeting, a site visit will be conducted as part of the project initiation process and is assumed to occur on the same day as the kick-off meeting or the scoping meeting.

### **Task 2: Notice of Preparation**

FCS will prepare a Notice of Preparation (NOP) in accordance with requirements of CEQA Guidelines Section 15082. Issuance of the NOP is the first milestone in the CEQA process and announces a lead agency’s intent to prepare an EIR. The NOP will identify the project location, provide a summary of the project characteristics, and list probable environmental effects, supported by tables and color graphics. The City will be responsible for distributing the NOP to local agencies and interested parties.

Following release of the NOP, this scope of work assumes that the City will hold a public scoping meeting in Pleasanton, which FCS representatives will attend. (Meeting attendance at the scoping meeting is accounted for in Task 13, Meetings/Hearings.) FCS staff will be available to present an overview of the NOP and CEQA process. All public comments received at the scoping meeting will be documented in the Draft EIR.



### **Deliverables**

- One (1) electronic version of the Administrative Draft NOP to the City of Pleasanton
- One (1) electronic version of the final NOP to the City of Pleasanton
- Fifteen (15) hard copies and the Notice of Completion to the State Clearinghouse

### **Task 3: Technical Studies**

#### **Task 3.A: Air Quality/Greenhouse Gas Emissions Analysis**

The air quality and greenhouse gas (GHG) analysis will include an evaluation of short-term (construction) and long-term (operation) impacts. The analysis will follow guidance from the Bay Area Air Quality Management District (BAAQMD) including, but not limited to their CEQA Air Quality Guidelines and personal communications with the air district. The AQ/GHG analysis will be incorporated into the EIR directly, with the associated model outputs, assumptions, and calculations provided in the appendices of the EIR. The analysis will be performed in accordance with the CEQA guidelines and applicable thresholds of significance from BAAQMD or other applicable regulatory agencies. The analysis requires the following tasks.

#### **Compile Background Air Quality and Climate Change Information**

The air quality background information will include a description of air pollutants, the factors that influence air quality within the region, existing air quality conditions, and the regulatory environment for air quality. The analysis will briefly describe the health impacts of the various air pollutants. The applicable General Plan policies with respect to air quality will be included as a list.

The GHG background information will include a description of greenhouse gases, a brief discussion of the current state of the science, existing GHG emissions inventories applicable to the project, and the regulatory environment surrounding climate change and potential impacts of climate change. The applicable General Plan policies with respect to GHGs will be included as a list. The City of Pleasanton's Climate Action Plan will be discussed including adopted emission reduction targets (i.e., 15% below 2005 levels by 2020) and applicable emission reductions strategies and measures.

#### **Estimate Air Pollutant and Greenhouse Gas Emissions**

Construction and operation of the project would generate air pollutants and GHG emissions.

Air pollutant emissions associated with construction and operation will be estimated using the most current version of the California Emissions Estimator Model (CalEEMod), which at the time of this writing is Version 2016.3.1. Emissions of the following air quality pollutants will be estimated: reactive organic gases (ROGs), oxides of nitrogen (NOX), particulate matter with aerodynamic diameter less than 10 microns (PM<sub>10</sub>), and particulate matter with aerodynamic diameter less than 2.5 microns (PM<sub>2.5</sub>). Construction equipment and vehicles used during project construction would emit air pollutant and GHG emissions as a result of fossil fuel combustion. Earth disturbance activities such as site grading, cut/fill operations, and site preparation would generate fugitive PM dust in the form of PM<sub>10</sub> and PM<sub>2.5</sub>.

emissions. However, it should be noted that BAAQMD's construction thresholds only apply to exhaust-related PM<sub>10</sub> and PM<sub>2.5</sub>. The average daily construction-related criteria pollutant and ozone precursor (ROG and NOX) emissions estimates will be compared with BAAQMD's thresholds of significance. Following construction of the proposed project, long-term operational emissions would be generated by the proposed resident's area-, energy-, and mobile-source emissions. FCS will rely on vehicle trip generation data from the traffic study to model mobile source emissions, while area- and energy-source emissions will be modeled using CalEEMod. Long-term daily operational emissions will also be compared with BAAQMD's thresholds of significance to determine impacts. FCS will prepare a Request for Information (RFI) detailing all project construction and operational parameters required to perform the modeling. In the case that project-specific information is not available at the time of the analysis, FCS will work with the project applicant to develop reasonable assumptions, or use CalEEMod defaults. It should be noted that default assumptions typically result in conservative results in order to avoid underestimating emissions when project-specific information is unknown. Following finalization of model assumptions through the RFI, major changes to the project features, design, schedule or other parameter(s) that precipitate revisions to the emissions modeling may warrant a budget augment.

Greenhouse gas emissions associated with construction and operation of the project will also be estimated using CalEEMod. For the GHG analysis, CalEEMod estimates GHG emissions in units of metric tons of carbon dioxide equivalent (MT CO<sub>2</sub>e), which accounts for the global warming potential of GHGs such as carbon dioxide, methane, and nitrous oxide. FCS will use BAAQMD or other applicable thresholds of significance to evaluate the project's construction and operational GHG emissions. In addition, FCS will analyze the project's consistency with the City of Pleasanton's Climate Action Plan as required by CEQA. The analysis will also address the recent State Supreme Court ruling on the Newhall Ranch project. Changes to the project that occur after completing the modeling analysis that require re-modeling will be considered additional work that is not covered by this scope of work.

### **Assess Odor Exposure**

The analysis will assess odor exposure to nearby residents. The discussion will compare the project to the screening criteria and buffer distances prescribed by BAAQMD and the California Air Resources Board (ARB). FCS will provide a qualitative analysis of the project's potential to generate an odor impact. Based on the project land uses (i.e., residential), it is not anticipated that the project would result in an odor impact.

### **Assess Carbon Monoxide Hotspot Impacts**

FCS will use the BAAQMD's screening criteria for carbon monoxide (CO) hotspots, which is anticipated to be sufficient to dismiss any potential impacts. However, in the case that potential CO hotspots are identified, FCS will use dispersion modeling to quantify impacts according to BAAQMD guidance under a revised scope of work and budget. Quantitative CO Hotspot modeling would be considered additional services, if required.

### **Construction-Related Health Risk Assessment**

Based on the area of land to be disturbed, land uses developed, and proximity to sensitive receptors, FCS anticipates that a construction-related Health Risk Assessment (HRA) will be necessary to evaluate the project's construction-related toxic air contaminant (TAC) emissions. FCS will prepare a construction HRA based on the recommended BAAQMD's Health Risk Assessment Guidelines (HRA Guidelines) (BAAQMD 2016) and Office of Environmental Health Hazard Assessment's (OEHHA) Risk Assessment Guidelines (OEHHA 2015). The following tasks will be required for the construction HRA:

FCS will perform the following tasks as part of this analysis.

- Define what a sensitive receptor is and identify nearby sensitive receptors.
- Identify health risk standards and acceptable cancer and acute and chronic non-cancer risk thresholds from diesel emissions that are detailed in BAAQMD's thresholds of significance.
- The following subtasks will be utilized to perform the construction-related HRA:
  - Calculate the on-site construction equipment diesel equipment PM<sub>2.5</sub> and total organic gases emissions rates that were calculated in the Air Quality Analysis prepared for the proposed project.
  - Calculate the daily construction truck trip estimates used in the Air Quality Analysis and calculate each truck trip's PM<sub>2.5</sub> emissions rates through use of the EMFAC2014 model.
  - Model the diesel PM<sub>2.5</sub> concentrations at representative nearby sensitive receptors associated with the on-site construction equipment and off-site truck emissions up to 1,000 feet from the project site through utilization of the ISCST3 model, the emissions rates provided in the previous steps and the methodology described in the HRA Guidelines.
  - Utilize the prior subtask's calculated toxic air emission levels, to calculate the cancer risk and the chronic and acute non-cancer health impacts at the nearby sensitive receptors from the proposed construction site.

The results of the HRA will be incorporated in the EIR, while detailed methodology, assumptions, and other technical modeling data will be included in the appendix of the EIR.

### **Significance Findings/Mitigation Measures**

FCS will make a significance finding before and after mitigation for potential impacts. If the project exceeds criteria pollutant or GHG thresholds of significance, FCS will identify mitigation measures that would reduce criteria pollutants and/or GHG emissions to a less-than-significant level. When possible, mitigation measures will be quantified for their emission reduction potentials using, but not limited to CalEEMod's mitigation component, California Air Pollution Control Officer Association (CAPCOA) guidance, and BAAQMD guidance. Any design features and mitigation measures included in the project will be discussed in the analysis.

### **Task 3.B: Biological Resources Analysis**

The proposed project would disturb approximately 29 acres of undeveloped land. Accordingly, FCS has included the following scope for a reconnaissance-level biological resources assessment.

#### **Literature Review**

Existing information, including maps, aerial photographs, documents, and correspondence relative to the project site and adjacent properties will be reviewed and analyzed. Data to be reviewed for the project site includes, but is not limited to:

- Existing documentation and studies of the biological resources within the immediate vicinity of the site;
- The Federal Register listing package for each federally listed endangered or threatened species potentially occurring onsite;
- Literature pertaining to the habitat requirements of special-status species potentially occurring on the site, including California Wildlife Habitat Relationships (CWHHR);
- The CDFW Annual Report on the status of California's listed threatened and endangered plants and animals;
- California Natural Diversity Data Base (CNDDDB) and California Native Plant Society Electronic Inventory (CNPSEI) information regarding special-status species potentially occurring onsite and;
- United States Geological Service (USGS) topographic maps and current aerial photos, which will be reviewed for evidence of USACE or CDFW jurisdictional areas pursuant to Section 404 of the CWA and Section 1602 of the California Fish and Game Code.

Resource agencies that have jurisdiction over the property, including USFWS and CDFW, will be contacted for updated information pertinent to the project site. Any proposed project plans will be confidential and consultation will only include a request of known occurrences of sensitive biological resources in the general vicinity.

#### **Conduct General Biological Survey, Habitat Assessment, and Vegetation Mapping**

A Biological Resources Assessment report (BRA) will be prepared that evaluates the existing biological resources onsite. This task will provide sufficient documentation to be considered a habitat assessment for special-status plant and wildlife species.

Following the review of existing information, a reconnaissance-level survey of the project site will be conducted. FCS will identify the project site's general biological resources and document the existing plant communities and other project features. The general distribution of plant communities and existing site conditions will be mapped. The field survey will focus on determining suitable habitat for sensitive plant and wildlife species as well as any sign of wildlife movement through the project area. Photos will be taken to document the biological resources of the site.

General locations of sensitive biological resources identified during the survey will be mapped with the aid of topographic maps, Global Positioning System (GPS) units (Trimble R1), and current aerial photographs. Sensitive biological resources include any plants, animals, or habitats considered rare, endangered, threatened, sensitive, or otherwise unique by government agencies, such as CDFW and USFWS, or recognized conservation organizations, such as the CNPS. Suitable habitat for special-status plants, animals, or sensitive habitats on the project site will be determined and mapped and considered in the BRA for potential project related impacts or constraints.

Based on the location of the project, aerial imagery, and the habitats expected to be present, the presence/absence of special-status wildlife species on the property cannot be fully determined until the habitat is evaluated. Therefore, FCS proposes to conduct a general reconnaissance-level survey to identify the presence/absence of any potential sensitive wildlife species or their habitat (e.g., burrows, nests, dens) within the project area.

Numerous special-status species potentially occur within the area, but the need for focused surveys for special-status plant and/or wildlife species on the property cannot be determined until the site and its habitats are evaluated. Therefore, this scope of work does not include focused surveys for any special-status plant or wildlife species. However, following the biological resources assessment, protocol surveys for specific species may be recommended.

The field survey will also include a reconnaissance-level assessment of the presence or absence of waters of the U.S. or State on the project site, which may be potentially subject to the jurisdiction of USACE, the Regional Water Quality Control Board (RWQCB) and/or CDFW. This task includes a visual assessment of the existing conditions onsite, but does not include a formal jurisdictional delineation of wetlands and other waters of the US or the State.

### **Biological Resource Assessment**

The results of the field survey will be documented in a BRA, which will include an assessment of sensitive biological resources found within the project site, a detailed discussion of the existing conditions onsite including a list of special status-species considered in the assessment and their potential for occurrence, recommended additional surveys and/or avoidance, and minimization and mitigation measures, as appropriate.

### **Task 3.D: Cultural Resources Analysis**

The proposed project would result in ground disturbance at an undeveloped site. In accordance with State Historic Preservation Officer guidance, FCS will prepare a Cultural Resources Assessment to evaluate the potential occurrence of buried cultural resources. The tasks associated with this technical study are described as follows.



### **Records Searches**

FCS will request a records search at the Northwest Information Center affiliated with Sonoma State University and located in Rohnert Park. The records search will include a review of the National Register of Historic Places, the California Register of Historical Resources, the California Inventory of Historic Resources, the California Historical Landmarks, the California Points of Historical Interest listing, the Historic Property Data File, historic maps, and other pertinent historic data.

As part of the records search, FCS will prepare and submit a request to the Native American Heritage Commission (NAHC) to check their Sacred Lands File for Tribal Cultural Resources (TCR's) that may be affected by the project. The request will include a list of Native American representatives that may wish to consult on the project pursuant to Public Resources Code Sections 21080.3.1 and 21080.3.2 (AB 52). AB-52 detail the roles, responsibilities and timeframes required of lead agencies and tribal representatives who may wish to initiate consultation on a proposed project. Compliance with tribal notification and consultation under this provision is the responsibility of lead agencies under CEQA, and FCS is available to assist in the process if so desired. FCS will draft a notification letter for use by the client that will include a written summary of the project, a map illustrating the location and general features of the project, and will advise tribes of the required response times for AB 52 consultation. Additional consultation services beyond the current scope of work are available upon request

FCS will request records searches of applicable paleontological databases, including one or more of the following: the University of California Museum of Paleontology, and regional localities databases. The results of the letter reports provided by these institutions will describe the underlying geological formations and their paleontological sensitivity, disclose any known fossil localities within a given search radius, and address the potential need for mitigation measures to protect paleontological resources.

### **Cultural Resources Field Survey**

FCS will conduct a field survey of the project site utilizing transects appropriately spaced for the project site. Because there are no buildings on the project site, this scope of work assumes no structures will need to be evaluated for historic significance.

If additional cultural resource sites or resources are found on site, and if completion of DPR site forms is required, the Optional Site Recordation Task will be utilized. The cost for recording individual sites is highly dependent on what is found, but \$500 is the minimum charge for recording previously unrecorded sites.

FCS cannot determine, prior to completion of the field survey, the need for recordation or the number of sites to be recorded; therefore, we have established the Optional Site Recordation task line.

### **Cultural Resources Assessment**

A stand-alone Cultural Resources Assessment report will be prepared. The purpose of the Cultural Resources Assessment is to document the presence/absence of any potentially significant cultural

resources located within the project site, and, if significant resources would be affected by project development, to propose recommendations to mitigate the effects. FCS will compile the results of the identification, evaluation, and impacts assessment tasks into the report. At a minimum the analysis will contain:

- A management summary;
- An introduction and section on the setting of the project area;
- Prehistoric and historic (if present) background of the region under investigation;
- Methods used in the investigation, including results of the Northwest Information Center records search and the Native American Heritage Commission response, dates of the survey, transect intervals, percent of ground surface visibility, and site/structure/feature recording procedures, if any;
- Photographs of the environmental setting within the project site and any identified resources;
- Documentation of all Native American consultations and copies of letters sent and received;
- Results of the findings and recommendations or mitigation measures.

### **Task 3.D: Noise Analysis**

FCS will prepare a Noise Analysis to evaluate project-related construction and operational noise impacts on surrounding land uses. The analysis will be wholly contained in the EIR and the supporting technical data will be appended to the document. To perform this analysis, the following tasks are required.

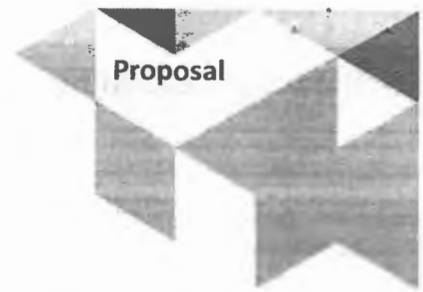
#### **Background Information**

The general characteristics of sound and the categories of audible noise will be described. The regulatory framework related to noise, including applicable Federal, State, and City plans, policies, and standards will be summarized. The existing noise environment will be documented through traffic noise modeling and ambient noise measurements. Up to three (3) short-term and one (1) long-term ambient noise measurements will be conducted on and around the project site. The purpose of the noise monitoring effort is to establish the daytime existing noise environment for comparison to the City's land use compatibility standards.

#### **Construction Noise Impact Analysis**

Construction of the project would require the short-term operation of heavy equipment in the vicinity of nearby residential land uses. EPA recommended noise emission levels will be used for the construction equipment. The construction noise impact will be evaluated in terms of maximum levels ( $L_{max}$ ) or hourly equivalent continuous noise levels ( $L_{eq}$ ) and their frequency of occurrence. Noise analysis requirements and thresholds of significance will be based on the sensitivity of the project area and the City's noise ordinance specifications.





### **Operational Noise Impact Analysis**

A quantitative assessment of noise impacts from project-specific and cumulative vehicular traffic trips will be performed. Transportation noise in the project area is primarily associated with traffic along Happy Valley Road, Alisal Street, and Westbridge Lane. Traffic noise impacts will be assessed using the FHWA Traffic Noise Prediction Model (FHWA-RD-77-108). Required model input data include without- and with-project average daily traffic volumes on adjacent roadway segments, day/night percentages of autos, medium and heavy trucks, vehicle speeds, ground attenuation factors, and roadway widths. Projections of the future traffic Community Noise Equivalent Level (CNEL) along selected roadway segments, based on the traffic study to be prepared for the project, will be provided in a table format to show the distance/contour relationship.

Potential long-term operational noise impacts from project-related stationary noise sources, such as new residential mechanical ventilation system operations, will also be evaluated.

### **Summarize Noise Reductions and Significance Findings**

Mitigation measures designed to reduce short- and long-term noise impacts will be identified where appropriate. Both an evaluation of the potential mitigation measures and a discussion of their effectiveness will be provided. This technical analysis for potential noise impacts will be directly incorporated into the EIR, with noise monitoring readouts and modeling data being placed in the Appendices. This task does not include the preparation of a separate, standalone technical noise study.

## **Task 3.E: Traffic Analysis**

### **Study Assumptions**

Fehr & Peers will prepare an assumptions memorandum detailing proposed transportation analysis assumptions. This task will include estimates of project trip generation, trip distribution, analysis scenarios and locations, forecasting parameters, and significance criteria for review and comment by the project team prior to the commencement of the technical analysis. Analysis scenarios will include an evaluation of conditions with and without the proposed bypass roadway as it is unclear if this roadway is feasible.

### **Data Collection**

Based on the analysis locations identified in Task 1, Fehr & Peers will retain a traffic count data collection firm to collect 72-hours of roadway segment count data at up to 10 locations and peak period intersection turning movement counts at up to 5 locations. We will conduct field reconnaissance to document the existing roadway network and observe roadway and intersection operations.

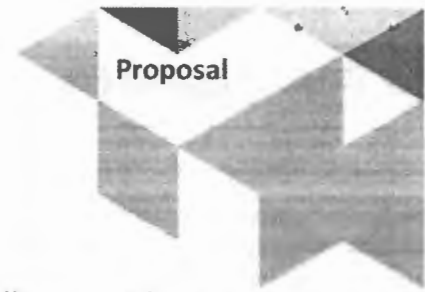
### **Impact Analysis**

The intersection peak hour level of service at each study intersection will be calculated using the 2000 and 2010 *Highway Capacity Manual* method. The City of Pleasanton requires use of the HCM 2000

method, and Alameda County and the Alameda County Transportation Commission (Alameda CTC) require use of HCM 2010 method.

The impact analysis will be conducted for the following scenarios for up to 5 intersections and 10 roadway segments:

- **Scenario 1: Existing Conditions** – Existing volumes obtained from traffic counts and the existing roadway system configuration.
- **Scenario 2: Existing Plus Project without Bypass Road** – Existing volumes obtained from traffic counts and the existing roadway system configuration plus traffic estimated for the Project. The roadway system is the same as Scenario 1.
- **Scenario 3: Existing Plus Project with Bypass Road** – Existing volumes obtained from traffic counts and the existing roadway system configuration plus traffic estimated for the Project. This scenario would consider construction of the bypass road and potential traffic shifts associated with the new roadway.
- **Scenario 4: Existing Plus Approved Projects (EPAP) No Project Conditions** – Existing traffic plus traffic that could be generated by approved projects in the area. For study locations along Sunol Boulevard, we will use the City's EPAP forecasts. For study locations within the neighborhood area, we will confer with the project team regarding approved projects that could increase traffic through the neighborhood.
- **Scenario 5: EPAP Plus Project without Bypass Road** – Traffic volumes from Scenario 4 plus traffic estimated for the Project. The roadway system is the same as Scenario 4.
- **Scenario 6: EPAP Plus Project with Bypass Road** – Traffic volumes from Scenario 4 plus traffic estimated for the Project. This scenario would consider construction of the bypass road and potential traffic shifts associated with the new roadway.
- **Scenario 7: Far-Term (Cumulative) No Project Conditions** – Projected traffic volumes and the projected roadway system using the City of Pleasanton Travel Demand Model. The traffic forecasts include Approved and Pending projects, in addition to build out of land uses consistent with the General Plan and adopted Housing Element. Roadway improvements to assume in this scenario will be discussed with City Staff. Similar to the analysis of EPAP conditions, we will confer with City staff regarding the level of development to assume within the neighborhood for the analysis of cumulative conditions.
- **Scenario 8: Far-Term (Cumulative) Project Conditions without Bypass Road** – Traffic volumes from Scenario 7 plus changes from development of the Project. The roadway system is the same as Scenario 7.



- **Scenario 9: Far-Term (Cumulative) Project Conditions with Bypass Road** – Traffic volumes from Scenario 7 plus changes from development of the Project. This scenario would consider construction of the bypass road and potential traffic shifts associated with the new roadway.

Mitigation measures will be identified for impacts that exceed the thresholds established in the significance criteria. The project's proportionate share of identified intersection and roadway improvements will be calculated.

### **Site Plan Review**

Fehr & Peers will review the project site plan to ensure safe and efficient circulation of vehicles, bicycles and pedestrians. We will review the project site plan in terms of:

- Site access and interface with roadway network
- Emergency vehicle access and circulation
- Vehicular circulation within and adjacent to the site
- Pedestrian access and circulation within and adjacent to the site
- Bicycle access and circulation within and adjacent to the site
- Consistency with policies in the Trails Master Plan

### **Congestion Management Agency Assessment**

A separate analysis of regional roadways is recommended to comply with requirements of the Alameda CTC. The Alameda CTC requires the analysis of project impacts to Metropolitan Transportation System (MTS) roadways for development projects that would generate more than 100 PM peak hour trips. The project is not expected to generate more than 100 PM peak hour trips and this analysis is not expected to be necessary.

### **Vehicle Miles of Travel**

Fehr & Peers will use the City of Pleasanton and Alameda CTC model to assess vehicle miles of travel (VMT) for the proposed project, with and without the Bypass Road. This analysis will be conducted using guidance from the state Office of Planning and Research (OPR) as of the time the analysis is completed. Based on current guidance, the following would be prepared:

- Baseline Regional<sup>1</sup> VMT estimates
- Baseline No Project VMT estimates
- Baseline With Project VMT estimates
- Cumulative No Project VMT estimates
- Cumulative With Project VMT estimates

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<sup>1</sup> We will discuss with the project team the definition of "regional" for this task, as it could be interpreted as the entire Bay Area, or Tri-Valley Only.

The resulting VMT estimates will be compared to other sources for reasonableness, including the California Household Travel survey, and other VMT estimates prepared by other regional agencies as available.

Although the City of Pleasanton has discretion to establish VMT-related significance criteria, OPR guidance specifies that a project generating 15 percent less than baseline VMT would be considered less-than-significant.

As the updated CEQA guidelines have yet been through the formal rule making process, VMT assessments are not required elements. However, other responsible agencies may provide comments on the public review environmental document related to the provision of a VMT analysis. We will defer to the project team if the VMT analysis is a required element for this project.

### **Documentation**

The following documents will be prepared:

- Technical Memorandum summarizing analysis parameters for project team review
- Administrative Draft Transportation Impact Assessment
- Draft Transportation Impact Assessment
- Second Draft Transportation Impact Assessment
- Final Transportation Impact Assessment
- Responses to Public Comments on Environmental Impact Report

This scope of work assumes that only minor editorial comments are received on the Draft Transportation Impact Analysis. We have budgeted 6 staff hours to prepare the final report. As the level of effort to respond to comments is unknown, we have included 5 hours of staff time. If the volume or complexity of comment letters exceeds this level of effort, we will prepare budget amendment. Fehr & Peers will prepare the draft responses for review and concurrence or edit by the City staff.

### **Meetings**

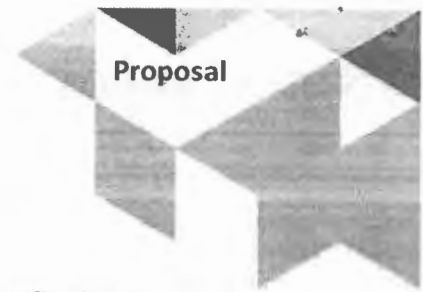
Fehr & Peers will participate in one in-person meeting and 2 conference calls during the course of this project.

### **Task 3.F: Visual Analysis**

#### **Data Review, Site Reconnaissance and Photography, Review Photographs**

Environmental Vision will collect and review current project data and will identify data gaps related to the evaluation of visual impacts. Environmental Vision will review City policies regarding visual quality in the project area and identify designated visual resources such as topographic features and scenic routes.

Prior to conducting fieldwork, Environmental Vision will confer with City staff regarding preferred photography viewpoint locations.



Environmental Vision will conduct site reconnaissance, and, using a digital single lens reflex (SLR) camera, will photograph the site from key publicly accessible locations such as Alisal Street, Westbridge Lane, and Laura Lane as well as open space at Callippe Preserve Golf Course. Environmental Vision will employ basemap annotation, photo log sheet and GPS recording to document photo viewpoint locations.

Environmental Vision will submit a set of simulation review photographs with a viewpoint location map for approval. Environmental Vision will coordinate with City staff to select up to 5 photographs for preparing visual simulations. If requested, Environmental Vision will attend an optional site meeting to consult with City staff in the field regarding locations (cost not included).

The proposed budget includes one site photography trip and a total of up to 8 review photographs.

### **Visual Simulations**

Using digital photographs and advanced computer modeling and rendering techniques, Environmental Vision will prepare realistic visual simulations to portray the proposed residential development as seen from selected viewpoints. The simulation images will be presented as before and after views showing the appearance of proposed project features including new houses, proposed recreation trail, and grading as well as access roads and driveways, fencing, and other project elements. The simulations will also show proposed vegetation removal and proposed new landscaping.

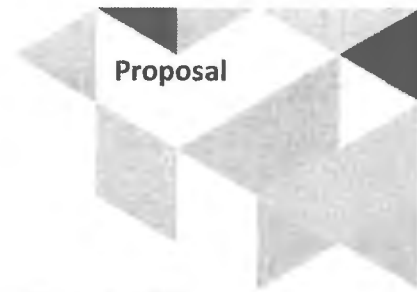
A total of up to five (5) simulation viewpoints are included. Digital versions of draft and final visual simulations will be provided. The images will be formatted for printing in color on 8.5 by 11 inch sheets. The simulation viewpoints will be selected in consultation with the project team and City staff. The simulation will be based on project information provided to Environmental Vision.

Upon request, as an optional service, Environmental Vision can prepare visual simulations from additional viewpoints and/or visual simulations to show a project alternative or a mitigated project. As an additional optional service, line of sight section drawings to illustrate potential project visibility from selected locations can also be prepared (costs not included).

### **Visual Impact Analysis**

Professionally accepted visual analysis methods will be employed to develop the EIR visual impact evaluation. The analysis will address CEQA Guidelines for assessing Aesthetic impacts. The text will be prepared in a format that is consistent with the FCS document.

The analysis will include a qualitative description of the visual setting illustrated by representative photographs documenting the site's visibility as seen from key public vantage points in the vicinity. Applicable public policies regarding visual quality will be summarized. The evaluation of the project's potential visual impacts will address effects of the proposed residential development on the existing visual character of the site and its surroundings. The analysis will focus on views from key locations. Potential light and glare impacts associated with new sources of night lighting will be addressed and



recommended aesthetic mitigation measures such as visual screening and increased setbacks will be included, if appropriate. The impact analysis will be supported by a set of computer-generated visual simulations from viewpoints selected in consultation with City staff.

The proposed budget includes up to two review/revision cycles based on minor comments.

### **Coordination**

Environmental Vision will coordinate with the project team and City staff to select simulation viewpoints and coordinate as needed to obtain and provide pertinent information in a timely fashion.

### **Requested Data**

Digital drawings are requested in CAD and pdf format:

- Existing site topography with property lines
- Proposed grading for project site
- Proposed site plan showing lot layout, roads etc. (digital and hardcopy format)
- Aerial photograph of site and surrounding area
- Tree survey showing existing trees and proposed tree removal
- Floor plan and elevations drawings for proposed residential buildings
- Information describing exterior colors and materials
- Landscape plan

### **Task 4: Administrative Draft EIR**

FCS will prepare an Administrative Draft EIR in accordance with the applicable requirements contained in CEQA Guidelines Sections 15120 through 15132. The Administrative Draft EIR will contain analysis supported by graphics and tables. The document will identify potentially significant impacts, feasible mitigation measures, and the residual significance after mitigation has been implemented. The contents of the Administrative Draft EIR will be as follows:

#### **Executive Summary**

In accordance with CEQA Guidelines Section 15123, the Executive Summary will contain a summary of the project, list the project alternatives, identify areas of controversy, and provide a matrix listing environmental impacts and mitigation measures, and the residual significance of all impacts.

#### **Introduction**

FCS will prepare the introduction including the purpose and background of the project, the determination of the lead agency, scope of the EIR, and the document's organization. The Introduction will establish the scope of review of the EIR and identify environmental topics that had been previously evaluated at a sufficient level in the prior rounds of environmental review and, thus, would not need to be re-evaluated.



## **Project Description**

Pursuant to CEQA Guidelines Section 15124, the project description will identify the project location, describe the project characteristics, list the project objectives, identify necessary approvals, and list other agencies that may use the document. The project description will describe the relationship of the project to the City of Pleasanton General Plan and Happy Valley Specific Plan and use tables and color graphics to clearly convey relevant information to the reviewer. FCS, in conjunction with the City, will establish the maximum building envelope for the project to guide the EIR analysis.

## **Environmental Setting, Impacts, and Mitigation Measures**

The following specific sections will be prepared that provide a discussion of environmental setting, impacts, and mitigation measures (if applicable).

### **Aesthetics, Light, and Glare**

The proposed project contemplates the development of 39 single-family dwelling units and the preservation of 124 acres as open space on a 154-acre undeveloped site in a residential area of Pleasanton. Environmental Vision will evaluate the change in visual character through the use of visual simulations, as well as review of elevations, project plans, and site reconnaissance. Mitigation measures will be proposed if necessary.

### **Air Quality/Greenhouse Gas Emissions**

The proposed project contemplates construction and operational activities that would emit criteria air pollutants and greenhouse gas emissions. Additionally, the project would emit Toxic Air Contaminants and has the potential to create objectionable odors. FCS will prepare the EIR Air Quality/Greenhouse Gas Emissions section and identify impacts and mitigation (as appropriate) using the Air Quality/Greenhouse Gas Emissions and Toxic Air Contaminant and Criteria Pollutant Analysis technical studies.

### **Biological Resources**

The project site contains undeveloped land and supports wetlands. Additionally, the project site may provide suitable habitat for special status plant and wildlife species. FCS will prepare the EIR Biological Resources section and identify impacts and mitigation (as appropriate) using the Biological Resources Analysis technical report.

### **Cultural Resources**

The project site contains undeveloped land and, thus, construction activities have the potential to encounter buried resources. FCS will prepare the EIR Cultural Resources section and identify impacts and mitigation (as appropriate) using the Cultural Resources Analysis technical report.

### **Hazards and Hazardous Materials**

The project proposes one point of vehicular access and an Emergency Vehicle Access. Additionally, the project application proposes to remove the proposed “Bypass Road” contemplated by the Happy Valley Specific Plan.

Additionally, the project would develop a new visitor-serving commercial use at key intersection in Pleasanton (that is also opposite the main fire station) and, thus, may have the potential to conflict with emergency response and evacuation. FCS will evaluate hazardous materials using readily available sources of information about hazardous materials usage in the project vicinity (e.g., the Geotracker database) and through review of project plans. FCS will also evaluate impacts associated with emergency response and evacuation through review of the applicant-commission traffic study, site reconnaissance, and review of project plans. FCS will identify impacts and mitigation (as appropriate).

### **Hydrology and Water Quality**

The proposed project contemplates future development activities that would involve construction and operation activities that have the potential to create polluted runoff, increase impervious surface coverage, and create downstream drainage problems. FCS will use information provided by the applicant about proposed storm drainage facilities and water quality treatment measures. FCS will also review readily available sources of information about surface water features, groundwater resources, municipal storm drainage facilities, and flood hazard areas.

### **Land Use**

FCS will evaluate the project for consistency with the City of Pleasanton General Plan, Happy Valley Specific Plan, and Measure PP and QQ related to restrictions on hillside development. Consistency with all applicable General Plan goals and policies will be provided in a matrix format, and the EIR will include a robust discussion of consistency with Measures PP and QQ as demonstrated in the 2014 Lund Ranch EIR. Additionally, the proposed uses and associated infrastructure improvements will be assessed in accordance with the development standards set forth in the General Plan and Specific Plan.

### **Noise**

The proposed project contemplates construction and operational activities that could potentially expose surrounding land uses to excessive noise and vibration levels. Of particular concern are temporary increases in ambient noise levels during construction and permanent increases in ambient noise levels for operational activities (e.g., vehicle trips, truck deliveries, mobile and stationary equipment, etc.). FCS will prepare the EIR Noise section and identify impacts and mitigation (as appropriate) using the noise technical study.

### **Public Services and Utilities**

FCS will evaluate impacts on public service and utility providers and evaluate the proposed project’s impacts in terms of the need to construct new or expanded existing facilities, acquire additional supplies,





generate effluent that exceeds the permitted capacity, etc. FCS will use information provided by the applicant about proposed utility demands and facilities. For other areas, FCS information provided by the City of Pleasanton and service/utility providers about service levels, the adequacy of existing infrastructure, and similar topics. The following topics will be analyzed:

- Fire Protection/Emergency Medical Services
- Police Protection
- Water Supply
- Wastewater
- Storm Drainage
- Solid Waste
- Energy

### **Transportation**

The proposed project contemplates the development of 39 single-family dwelling units and new roadways and pedestrian facilities. Additionally, the “Bypass Road” contemplated by the Happy Valley Specific Plan would be eliminated as part of the project. These characteristics have the potential to generate new trips, alter traffic circulation patterns, create a need for roadway improvements, and increase the use of bicycle and pedestrian modes of transportation. FCS will use the Fehr & Peers’ Traffic Impact Analysis as the basis for assessing transportation impacts. The traffic study will be provided as an appendix to the EIR.

### **Cumulative Effects**

In accordance with CEQA Guidelines Section 15130, the EIR will address the cumulative effects of the proposed project in combination with other projects. As set forth in the CEQA Guidelines, the cumulative analysis will focus on impacts to which the project has made a significant incremental contribution. The analysis will reflect the severity of the impacts and their likelihood of occurrence, and will be guided by standards of practicality and reasonableness.

### **Alternatives**

Pursuant to CEQA Guidelines Section 15126.6, the EIR will evaluate a range of feasible alternatives to the proposed project. One of the alternatives will be the CEQA-mandated “No Project Alternative,” which is the circumstance under which the project does not proceed. FCS will evaluate up to two additional alternatives, likely consisting of a reduction in project size or the retention of the “Bypass Road.” In addition, the Alternatives section will address the feasibility of an alternative location, as well as any alternatives that were initially considered but rejected from further consideration.

### **Effects Found Not To Be Significant**

CEQA Guidelines Section 15143 establishes that EIRs shall focus on significant impacts on the environment and need not discuss in detail effects that are clearly insignificant or unlikely to occur (e.g.,

aviation safety risks). Topics that will be addressed include agriculture and forestry resources; geology, soils, and seismicity; mineral resources; population and housing, and recreation.

### **Other CEQA Required Sections**

This section will address the CEQA-required issues of significant environmental effects that cannot be avoided (CEQA Guidelines Section 15126(b)), significant irreversible environmental changes (CEQA Guidelines Section 15126(c)), growth inducement (CEQA Guidelines Section 15126(d)), and energy conservation (CEQA Guidelines Appendix F).

### **Persons and Organizations Consulted/List of Preparers**

In accordance with CEQA Guidelines Section 15129, the EIR will identify all agencies, organizations, and individuals consulted during the preparation of the document, as well as the agency representatives and firms that were involved with EIR preparation.

### **References**

This section will list all resources used in the preparation of the EIR.

### **Technical Appendices**

Pursuant to CEQA Guidelines Section 15147, supporting technical information will be appended to the EIR as technical appendices. This includes but is not limited to technical studies, modeling data, and correspondence.

### **Deliverables**

- Ten (10) hard copies of the Administrative Draft EIR to the City of Pleasanton
- One (1) electronic version of the Administrative Draft EIR to the City of Pleasanton

### **Task 5: Second Administrative Draft EIR**

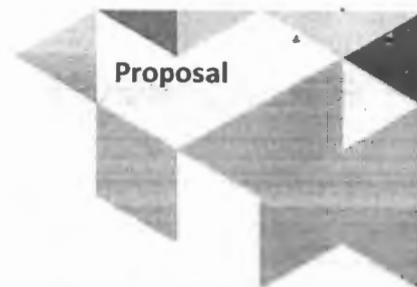
Because of the complexity of the project, FCS will prepare a second Administrative Draft EIR as requested by the City. Upon receipt of final City staff comments on the Administrative Draft EIR, FCS will prepare a Screencheck Draft EIR that shows changes in track.

### **Deliverables**

- Ten (10) hard copies of the Second Administrative Draft EIR to the City of Pleasanton
- One (1) electronic version of the Second Administrative Draft EIR to the City of Pleasanton

### **Task 6: Screencheck Draft EIR**

Upon receipt of final City staff comments on the Administrative Draft EIR, FCS will prepare a Screencheck Draft EIR that shows changes in track.



***Deliverables***

- Ten (10) hard copies of the Screencheck Draft EIR to the City of Pleasanton
- One (1) electronic version of the Screencheck Draft EIR to the City of Pleasanton

**Task 7: Draft EIR**

Upon receipt of final City staff comments on the Screencheck Draft EIR, FCS will proceed with finalizing and producing the Draft EIR for public review. This task assumes technical staff time to complete revisions to the Draft EIR, plus editing and administrative staff time to prepare the document for publication. If additional hours are required, we will prepare a budget augment to cover the actual level of effort.

FCS will provide copies of the Draft EIR to the City of Pleasanton, which will be responsible for local distribution, noticing, and posting. FCS will provide copies of the Draft EIR to the State Clearinghouse, which will distribute the document to state agencies. FCS will also prepare the Notice of Completion that will be provided to the State Clearinghouse as part of this task. Finally, this scope of work assumes that City staff will prepare and mail the Draft EIR Notice of Availability to local agencies and interested parties.

***Deliverables***

- Fifty (50) hard copies (appendices on CD), and one (1) electronic version of the Draft EIR (including appendices) to the City of Pleasanton
- Fifteen (15) Executive Summary hard copies and fifteen (15) CDs of the Draft EIR and the signed Notice of Completion form to the State Clearinghouse

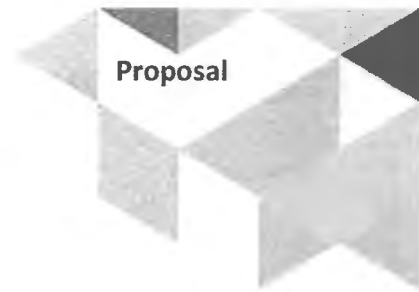
**Task 8: Administrative Final EIR**

FCS will prepare an Administrative Final EIR in accordance with the applicable requirements contained in CEQA Guidelines Sections 15088 and 15089. The Administrative Final EIR will list all agencies, organizations, and individuals who submitted written comments on the Draft EIR during the public review period and provide written responses to those comments. To enhance readability and avoid redundancy, FCS will use Master Responses to address frequent and reoccurring comments on the Draft EIR's analysis. Additionally, the Administrative Final EIR will contain an Errata, which will document minor changes to the Draft EIR text in strikeout-underline format.

FCS has budgeted 80 hours of FCS staff time (including technical, editing, and administrative personnel) for this task. Together with the City, FCS will evaluate the volume and complexity of comments received on the Draft EIR. If additional time is required beyond what is budgeted, FCS will prepare a budget augment to cover the actual level of effort.

***Deliverables***

- Ten (10) hard copies of the Administrative Final EIR to the City of Pleasanton
- One (1) electronic version of the Administrative Final EIR to the City of Pleasanton



## **Task 9: Screencheck Final EIR**

Once City staff provides comments on the Administrative Final EIR, FCS will prepare a Screencheck Final EIR that shows changes in track.

### ***Deliverables***

- Ten (10) hard copies of the Screencheck Draft EIR to the City of Pleasanton
- One (1) electronic version of the Screencheck Final EIR to the City of Pleasanton

## **Task 10: Final EIR**

Once City staff provides final comments on the Screencheck Final EIR, FCS will proceed with finalizing and producing the Final EIR for public review. This task assumes technical staff time will be required to complete revisions to the Final EIR, plus editing and administrative staff time to prepare the document for publication. If additional hours are required, we will prepare a budget augment to cover the actual level of effort. FCS will provide copies of the Final EIR to the City of Pleasanton, which will be responsible for local distribution, noticing, and posting. FCS will send copies of the Final EIR directly to state agencies that commented on the Draft EIR. Finally, this scope of work assumes that City staff will prepare and mail all notices associated with the Final EIR to local agencies and interested parties.

### ***Deliverables***

- Fifty (50) hard copies (appendices on CD), and one (1) electronic version of the Final EIR (including appendices)
- One (1) CD of the Final EIR to each public agency that commented on the Draft EIR (FCS will be responsible for this task)

## **Task 11: Mitigation Monitoring and Reporting Program**

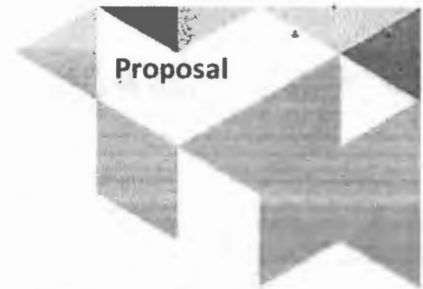
FCS will prepare a comprehensive Mitigation Monitoring and Reporting Program (MMRP), pursuant to CEQA Guidelines Section 15097. The MMRP will contain all mitigation measures identified in the EIR. This comprehensive MMRP will provide City staff with a single source of reference to the full range of mitigation measures to be implemented. For each measure or group of similar measures, the agency responsible for ensuring proper implementation will be identified, along with the timing and method of verification. Copies of the MMRP will be included in the Final EIR submittal.

### ***Deliverables***

- One (1) electronic version (PDF format) of the MMRP to City of Pleasanton

## **Task 12: Notice of Determination**

FCS will prepare the Notice of Determination and provide it to City staff or applicant for filing with the Alameda County Clerk's Office within 5 business days of EIR certification. As indicated in this scope of



work, City staff or the applicant will be responsible for filing the Notice of Determination and paying the associated filing fees.

***Deliverables***

- One (1) electronic version (PDF format) of the Notice of Determination to the City of Pleasanton

**Task 13: Findings of Fact / Statement of Overriding Considerations**

FCS will prepare the Findings of Fact/Statement of Overriding Consideration pursuant to CEQA Guidelines Sections 15091 and 15093. The Findings of Fact will provide a brief rationale for each significant effect that can be mitigated to a level of less than significant. If the EIR identifies one or more significant unavoidable impact, a Statement of Overriding Considerations will be prepared that outlines the economic, legal, social, technological or other benefits of the project that outweigh its environmental consequences.

***Deliverables***

- One (1) electronic version (Word format) of the Findings of Fact / Statement of Overriding Considerations to the City of Pleasanton

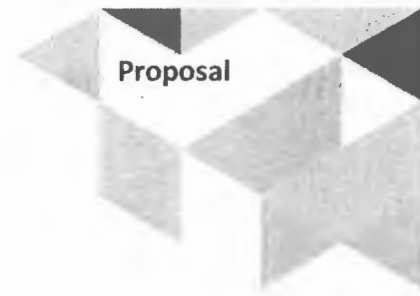
**Task 14: Meetings/Hearings**

FCS will meet by phone with City staff during the EIR preparation process to discuss and resolve problems, develop strategies, and participate in communications. This proposal and its associated budget cover attendance by FCS's Project Director or Project Manager at ten (10) meeting/hearings. These meetings include a scoping meeting, Planning Commission meeting(s), City Council meeting(s), neighborhood meetings, and internal staff meetings. This task also covers conference calls.

A not-to-exceed budget has been established to cover meeting attendance. If City staff requests additional meeting attendance by FCS staff, or if the amount of time involved in these meetings exceeds the initial budget allocation, FCS will notify city staff of the additional costs and obtain authorization for the extra meeting time.

**Task 15: Project Management**

In addition to the research, analysis, communications, and report writing tasks described above, FCS will perform a variety of project management duties to ensure that the EIR meets the City's standards of quality, and that it is delivered on time and within budget. These duties will include team supervision and coordination, oral and written communications with City staff, project accounting, and quality assurance review by FCS's Project Director and Technical Editor of all deliverable products. These services also will include ongoing support to City staff, such as providing input to staff reports, regular schedule updates, and discussions of technical issues. This task assumes 70 hours of staff time.



## **Tasks Outside of Scope of Work**

Below are tasks FCS has identified as being outside of its scope of work for the proposed project.

### **Newspaper Noticing**

FCS assumes that City staff will prepare and coordinate publication of any newspaper notices associated with the EIR.

### **Notice of Determination Filing/Payment of Fees**

FCS assumes that City staff or the applicant will file the Notice of Determination with the Alameda County Clerk's Office within 5 business days of project approval. The purpose of the Notice of Determination filing is to limit the legal challenge period to 30 days. If a Notice of Determination is not filed within 5 business days of project approval, the legal challenge period defaults to 180 days.

The Notice of Determination filing requires payment of the California Department of Fish and Wildlife CEQA filing fee (currently \$3,070.00) and a County handling fee (currently \$50.00). This scope of work assumes that the applicant will be responsible for paying these fees.

### **Scope of Work Modifications**

FCS assumes a stable and complete project description and project plan set at project initiation. In the event the project description and/or scope of work change to a degree that alters the fee estimate, FCS will contact City staff in writing to submit a revised fee for mutual agreement, and a contract amendment will be processed. Requests for additional work will be documented, and a completion timetable and estimated fee will be submitted for City approval.

## **BUDGET**

FCS has prepared a breakdown of Staff by Task:

Insert Excel Table

### **Assumptions**

The assumptions used in calculating the above fees are:

- The fee is valid for up to 30 days from the date of this scope, after which it may be subject to revision.
- City staff will be responsible for distribution of public review documents.
- This price is based upon completion of the work within the proposed schedule. If delays occur, an amendment of the price would be warranted to accommodate additional project management and other costs, and to reflect adjustments for updated billing rates.

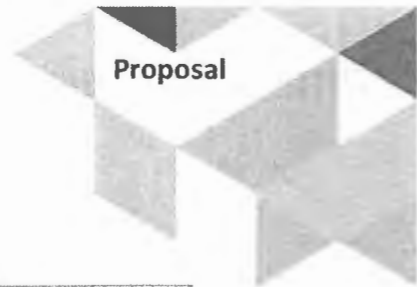


- Costs have been allocated to tasks, based upon FCS’s proposed approach. During the work, FCS may, on its sole authority, re-allocate costs among tasks and/or direct costs, as circumstances warrant, so long as the adjustments maintain the total price within its authorized amount.
- The FCS Project Manager will be the primary representative at the project meeting and public hearing.
- Printing costs are based on the method of printing and binding proposed, numbers of copies proposed as work products, and estimated page lengths. Document printing costs are estimated and will be finalized at the time of printing. On further clarification of the documents (paper and/or digital CD) that City staff will need during the preparation effort, FCS will specifically identify a detailed reproduction work plan with more specific costs.

## ESTIMATED SCHEDULE

FCS has prepared the following schedule outlining the anticipated timing of each task.

Task	Week	Estimated Date
Receive Notice to Proceed / Begin NOP and Technical Studies	1	January 2, 2017
Submit Administrative NOP to City	2	January 12
City staff provide comments on Administrative Draft NOP	3	January 18
Release NOP for Public Review	3	January 20
Traffic counts completed		January
Scoping Meeting (TBD)	6	February 8 (TBD)
Close of Public Review Period	7	February 20
Traffic Analysis Complete	11	March 15
Submit Administrative Draft EIR to City	14	April 5
Receive City Comments on Administrative Draft EIR	16	April 19
Submit Screencheck Draft EIR to City	18	May 3
Receive City Comments on Screencheck Draft EIR	19	May 10
Release Draft EIR for Public Review	20	May 17
Close of Public Review Period	26	July 3
Submit Administrative Final EIR and MMRP to City	29	July 24
Receive City Comments on Administrative Final EIR and MMRP	31	August 7
Submit Screencheck Final EIR and MMRP to City	32	August 14
Receive City Comments on Screencheck Final EIR and MMRP	33	August 21



Task	Week	Estimated Date
Release Final EIR and MMRP	34	August 28
Public Meetings	To Be Determined	

## CONSULTANT DESCRIPTION OF QUALIFICATIONS

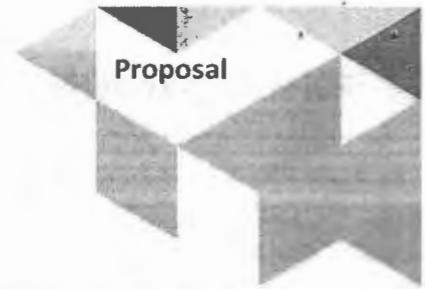
### FirstCarbon Solutions

FirstCarbon Solutions (FCS) is a California Corporation (California Corporation # 1162594) founded and incorporated on November 17, 1982. FCS has provided hundreds of local government, state and federal agencies, and private development clients with contract environmental services. We have prepared a full range of California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) planning documents for a variety of projects, including mixed-use retail, industrial, commercial, golf courses, residential subdivisions, planned communities, transportation facilities, schools, theaters, landfills, dams, reservoirs, cemeteries, churches, correctional facilities, and waste treatment facilities. In addition to environmental planning services, we also provide air quality and greenhouse gas (GHG) analysis, noise analysis, regulatory compliance, natural resource management and biological services, cultural resource management and archaeological services, and sustainability planning services. FCS serves clients in the western United States with a staff of over 80 full-time professionals from offices located in Walnut Creek, Roseville, Fresno, San Bernardino, Los Angeles, as well as our Corporate Headquarters in Irvine. If awarded with an on-call contract, FCS staff will be able to respond immediately to Pleasanton from our Roseville office.

FCS's ability to execute multiple projects of various sizes simultaneously, without compromising our quality standards, makes us uniquely qualified to provide on-call services to the County. FCS currently holds 39 on-call environmental service contracts with municipalities throughout California. FCS's consistent project performance is exemplified by the long-term relationships we enjoy with these on-call clients, as many of our on-call contracts are in their second or third renewal period. All of our current on-call contracts involve environmental analysis and documentation services for projects that are similar in scope and complexity to those contemplated by the County. Below is a listing of services FCS provides that are relevant to the needs of the County:

- Air Quality and GHG Emissions Analyses
- CEQA/NEPA Documentation
- Development Applications/Entitlements
- Processing
- Due Diligence Assessments
- Environmental Documentation
- Expert Witness Testimony
- Geographical Information Systems (GIS)
- Opportunities and Constraints Analyses
- Permit Processing (CWA 404/401, FGC 1600, ESA Sec. 7)
- Phase I and II Environmental Site Assessments (ESA)
- Project Review and Processing Services
- Public Outreach (CEQA Noticing, Mailing Lists, Scoping Meetings)





- Hazardous Materials Risk Analyses
- Legislative and Policy Analyses
- Mitigation Monitoring & Reporting Plans (MMRPs)
- Noise Analyses
- Renewable Energy Site Assessments
- Sustainable Community Analyses
- Wastewater Analyses
- Water Supply Assessments
- Zoning Compliance and Permits

## **Environmental Vision**

Environmental Vision provides specialized planning and design consulting services, which address the aesthetics and public perception of environmentally sensitive projects. The firm has leading capability and extensive experience in preparing visual studies for a variety of projects located within sensitive and scenic viewsheds. Environmental Vision staff's in-depth CEQA and NEPA expertise is complimented by considerable experience with a variety of projects including complex and controversial land development projects as well as public infrastructure improvements. Project experience includes numerous urban infill, hillside residential, campus, transportation, and energy projects located throughout the Bay Area including within Alameda County and the City of Pleasanton.

Environmental Vision technical capabilities include advanced computer applications including high-resolution visual simulation, three-dimensional and viewshed modeling, Geographic Information Systems (GIS), shadow modeling, and graphics. The Environmental Vision computer simulation capability is unique in several respects. Most importantly, the firm's technical approach embodies a depth of professional expertise in planning, design, and visual analysis. Environmental Vision computer images reflect a high level of accuracy and realism based on specialized techniques in site analysis, photo documentation, computer modeling, and computer rendering.

A certified Small and Women Business Enterprise, Environmental Vision has a strong track record in providing responsive, cost-effective professional services to public and private sector clients.

## **Fehr & Peers**

Fehr & Peers has specialized in providing transportation planning and engineering services to public and private sector clients since 1985. We develop creative, cost-effective, and results-oriented solutions to planning and design problems associated with all modes of transportation.

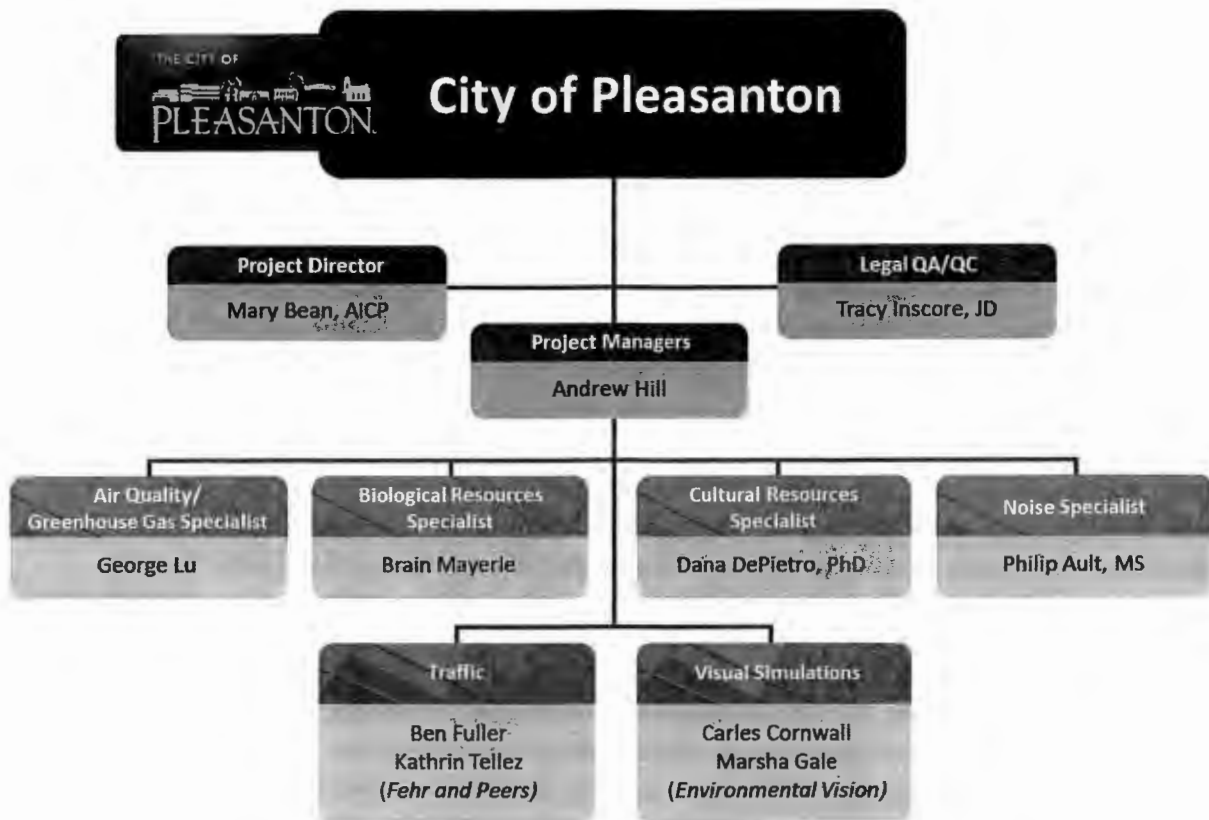
Fehr & Peers offer clients the right combination of leading-edge technical skills and extensive knowledge of the communities in which we work to deliver comprehensive solutions and superior client service. Fehr & Peers are nationally recognized experts who routinely publish original research, serve on national committees, and teach courses to others in the industry. Fehr & Peers do this while maintaining our commitment to translating those techniques into practical solutions. Fehr & Peers offer specialized expertise within transportation including:

- Transportation Impact Assessment for CEQA



- Sustainable Transportation
- Multimodal Operations & Simulation
- Transit Planning
- Bicycle & Pedestrian
- Freight Systems & Airports
- Integrated Land Use & Transportation Plans
- Transportation Engineering & ITS Design
- Travel Behavior & Forecasting
- Conceptual Street & Train Design
- Big Data Applications
- Vehicle Miles of Travel Assessments
- Transportation Demand Management

**Organizational Chart**





## **Project Team Experience**

### **Project Director**

**Mary Bean, AICP**, a former County planner from Santa Barbara, has more than 20 years of experience managing the preparation of CEQA and NEPA documents for land use planning projects in both the public and private sectors. She is knowledgeable about a broad range of environmental topics, backed by her experience in the field, research, technical writing, and planning. She specializes in leading interdisciplinary teams in the preparation of technical studies that support environmental clearance at the local, state, and national levels. Her depth of experience allows her to be particularly effective in strategizing with clients about the most efficient approach to environmental review. Ms. Bean graduated with a Bachelor's Degree in Environmental Studies and Planning from the University of California (UC) at Santa Barbara.

### **Project Manager**

**Andrew Hill, MUP**, is an award-winning expert in land use planning, community/urban/transit-oriented development, and environmental compliance. He has over 15 years of experience in CEQA and NEPA compliance and has prepared CEQA and/or NEPA documents for transportation and mixed-use development projects in California and Nevada. He has experience presenting technical information to councils, boards and commissions, and members of the public in public meetings, forums, and hearings. Mr. Hill has extensive experience in managing complex projects with cross-functional multi-disciplinary teams and uses project management tools to communicate information clearly and effectively and keep projects on schedule and budget. Mr. Hill earned a Master of Urban Planning degree, with a Concentration in Healthy Green Neighborhood Planning and Active Transport from McGill University, Montreal, Quebec. He also has a Bachelor of Arts degree in History and English Literature, and graduated with Honors, from the University of Western Ontario.

### **Legal, QA/QC**

**Tracy Inscore, JD**, has more than seven years of experience as a licensed attorney. Ms. Inscore has assisted regional, national, and multi-national clients with all aspects of commercial, industrial and residential development, involving controversial projects and complex environmental regulations, including the CEQA and NEPA. She also advises clients in conducting environmental due diligence prior to acquisition of real property, including various State and local regulatory environmental actions, hazardous waste, hazardous materials, asbestos, air quality, underground tanks and environmental audits and review issues. Ms. Inscore specializes in identifying and minimizing risks and providing oversight to ensure that the environmental review conducted for projects is sufficient and legally defensible. Ms. Inscore graduated with a Juris Doctorate degree with Distinction from the McGeorge School of Law from the University of the Pacific, and received a Bachelor of Arts degree in Human Services with Honors from California State University, San Bernardino.

### **Air Quality/Greenhouse Gas Specialist**

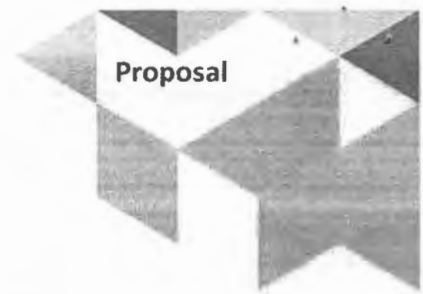
**George Lu** has more than 11 years of experience in air quality and climate change analysis. He prepares air quality and GHG environmental setting sections and impact assessments for a variety of development projects. Mr. Lu's work experience includes preparation of technical studies and related sections of CEQA and NEPA documents for commercial, industrial, residential, mixed use, recreational, educational, and other development projects. He has performed air quality and GHG analyses using a wide range of models including the California Air Resources Board (ARB)-approved models EMFAC2014, CalEEMod Version 2013.2.2, and OFFROAD. In addition, he has experience with dispersion modeling for air quality impacts using CalRoads View, CAL3QHCR, CALINE4, and SCREEN3. Mr. Lu has developed numerous GHG emissions inventories on the project, city-, and county-level. He is familiar with the most current GHG quantification and analysis methods and guidance from local air districts, ARB, and EPA. Mr. Lu has a Bachelor of Science degree in Environmental Resources and Science, with a Minor in Toxicology from UC Davis.

### **Biological Resources Specialist**

**Brian Mayerle** is an experienced ecologist and consultant with over 25 years of experience in natural resources assessment and regulatory analysis throughout California and the western United States. Mr. Mayerle is an expert with the provisions of Sections 10, 401, and 404 of the federal Clean Water Act (CWA), the California Fish and Game Code, CEQA, NEPA, the federal Migratory Bird Treaty Act (MBTA), and the state of California and Federal Endangered Species Acts. He is also extensively experienced with many local ordinances and policies protecting natural resources in California, and with survey protocols established by state and federal regulatory agencies, including the US Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and US Army Corps of Engineers (USACE). Mr. Mayerle has conducted extensive fieldwork throughout northern and southern California and has led teams of field biologists on complex field projects. Mr. Mayerle has a Bachelor of Science degree in Ecology & Systematic Biology from California Polytechnic State University, San Luis Obispo.

### **Cultural Resources Specialist**

**Dana DePietro, PhD**, is a Registered Professional Archaeologist who meets the Secretary of Interior's standards for historic preservation programs in archaeology. Dr. DePietro has over 15 years of experience in all aspects of cultural resource management, and has experience in compliance with NEPA, CEQA, the National Historic Preservation Act (NHPA), and the Archaeological Resources Protection Act (ARPA). He has completed cultural resource projects that have involved agency, client, Native American, and subcontractor coordination and has been involved in many projects in a myriad of roles—from fieldwork to supervisory positions. He has completed projects in California within the jurisdiction of the Bureau of Land Management (BLM) and other federal agencies requiring compliance with section 106 of the NHPA. He has also completed projects throughout California under CEQA for state and local governments and municipalities, including the California Department of Transportation (Caltrans).



### **Noise Specialist**

**Philip Ault, MS**, has nine years of experience in noise and air quality environmental impact analysis. He is proficient with the use of the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (FHWA RD-77-108), SOUND32 noise model, FHWA Traffic Noise Model (TNM) 2.5, and SoundPLAN 7.4, a 3-D noise-mapping computer-modeling program. He conducts field noise measurements with the Larson Davis LxT, 720, 820 and 824 models and Extech 407780 model sound level meters in compliance with FWHA, Federal Transit Administration (FTA), and US Department of Housing and Urban Development (HUD) standards. Mr. Ault prepares stand-alone noise and air quality studies as well as studies in compliance with CEQA and NEPA requirements. He has also conducted extensive research into Leadership in Energy and Environmental Design (LEED) for Neighborhood Developments. Mr. Ault has a Master's of Science degree in Advanced Environmental and Energy Studies for Architecture from the University of East London at Center for Alternative Technology in Wales. He also has a Bachelor of Science in Mathematics from Bob Jones University, Greenville, South Carolina.

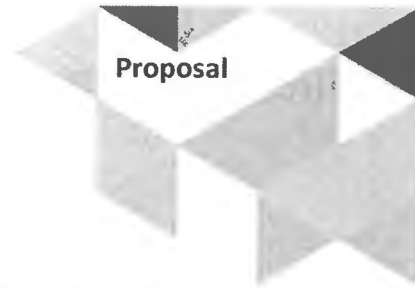
### **Visual Simulations (Environmental Vision)**

**Charles Cornwall** has more than 28 years of professional experience in the fields of environmental and landscape planning. He provides advanced computer simulation and modeling expertise and is also an accomplished visual analyst and environmental planner experienced with project impact assessment and mitigation design. Employing a variety of software and hardware platforms, Mr. Cornwall has developed innovative computer techniques for high-resolution visual simulation and visual analysis and is also an expert in digital photo-documentation techniques. His experience includes a wide variety of urban development and infrastructure improvement projects located throughout the Bay Area and northern California.

**Marsha Gale** has over 30 years of professional experience in the fields of environmental planning and design. She has particular expertise in visual and urban design impact assessment methods for large-scale development projects. Her experience includes many projects located within sensitive viewsheds such as hillside and waterfront landscapes, public recreation lands, residential communities and historic districts. Ms. Gale has extensive CEQA experience for projects located throughout the Bay Area including in the City of Pleasanton. She serves as principal-in-charge for numerous complex visual and aesthetic design studies that include accurate and highly realistic computer-generated simulations.

### **Traffic (Fehr & Peers)**

**Kathrin Tellez** is a Principal in Fehr & Peers' Walnut Creek office with over fifteen years of experience in transportation impact assessment, integrated transportation/land use planning, site plan review, pedestrian and bicycle planning, and parking studies. Ms. Tellez has conducted transportation impact analyses for major residential and commercial development projects, regional parks, schools, medical centers, and university campuses. She has also evaluated the potential for shared parking at mixed-use developments and the effectiveness of Transportation Demand Management programs for a variety of land use types. Her experience also includes several General Plans and Specific Plans. She is also well



versed in the California Environmental Quality Act (CEQA) requirements as they relate to Transportation and has prepared the transportation and circulation sections of numerous environmental documents.

**Ben Fuller** is a transportation engineer and planner with four years of industry experience extending from California to Oregon and Washington. Since moving to the Fehr & Peers' Walnut Creek office in January of 2015, Ben has focused his efforts in the Contra Costa and Alameda counties. He received his Bachelor's Degree in Civil Engineering and continued to graduate school to receive a Master's Degree in Transportation Engineering. His design experience includes design of traffic signal systems and interconnect, signing and striping, street lighting, and intelligent transportation system elements. He also has broad background in transportation planning through his experience with traffic impact studies, corridor studies, citywide and countywide planning studies, and operational analysis. Ben's experience in major metropolitan, suburban, and rural communities all along the West Coast has provided him with the ability to cater solutions to communities by understanding their local goals and needs, while offering new solutions that have been successfully implemented in other regions of similar community types.

## **RELEVANT PROJECT EXPERIENCE**

### **CEQA Services for Fay Major Subdivision Project - Southside Road/South of the City of Hollister, CA**

FCS is providing CEQA analysis services to the San Benito County Planning Department for the proposed Fay Major Subdivision Project- Southside Road. As part of our preliminary analysis, we are considering the extent of analysis that occurred in the General Plan EIR and determining whether there are site-specific or Project-specific issues that require additional analysis. The determination will ensure full disclosure and mitigation of impacts, document these conclusions, and describe how any significant project impacts are adequately mitigated based on the applicable mitigation measures set forth in the General Plan EIR as well as the application of other uniformly applied development policies and standards.

**Reference:** Shandell Clark, Associate Planner, County of San Benito, 831.637.5313

### **East Pleasanton Specific Plan & Draft EIR, Pleasanton, CA**

FCS prepared the Draft EIR for the East Pleasanton Specific Plan in the City of Pleasanton. The Specific Plan encompasses approximately 1,100 acres located east of Valley Avenue and Busch Road and north of Stanley Boulevard. The Plan area includes quarry lakes, public facilities, and undeveloped land. The Specific Plan will guide the development of residential (1,300 dwelling units), commercial, industrial, office, and parks/recreation uses within this area, as well as an extension of El Charro Road to the south, to connect with Stanley Boulevard. The project is no longer moving forward; the Draft EIR was released in April 2015 and the City elected not to complete the Final EIR.

**Reference:** Brian Dolan, Assistant City Manager, City of Pleasanton, (925) 931-5002



### **Trellis EIR for the Jewish Community Center - Pulte Group Project, Walnut Creek, CA**

FCS prepared an EIR for the Trellis Residential Project, which consists of 53 single-family homes and associated improvements on 5.28 acres of an 8.15-acre site in Walnut Creek, California. The project site currently includes a vacant 35,635-square-foot community center, a parking lot, an outdoor pool, a children's play area, various accessory structures, and a commercial landscape nursery, in addition to a portion of the City's Tice Valley Park and Gym. As part of the project, the existing community center and associated structures would be demolished. However, the Tice Valley Community Gymnasium would remain in place on roughly 2.87 acres of the project site. The project generated significant public interest and involvement, primarily related to concerns about existing flooding of Tice Creek and the potential for the project to exacerbate the issues of transportation and congestion of local roadways, the effect the project would have on pedestrian safety due to a lack of sidewalks and bicycle lanes in the project vicinity, compatibility with surrounding densities, and the proposed change from an open space designation to a residential designation.

FCS prepared a comprehensive analysis of the effects of the project, including effects upon Tice Creek and upon traffic levels of service and pedestrian safety. The project included the provision of new sidewalks and pedestrian crosswalks to enhance safety, which directly addresses this issue. When additional public concern over flooding and pedestrian safety was raised at the Planning Commission hearing, FCS was asked to provide further analysis of these issues for the City Council. FCS and the City identified an acceptable third party to peer review the documentation included in the Draft EIR. Additional clarification was provided as part of the City Council packet, but the third-party review confirmed that the project would not contribute to any exacerbation of flooding and would actually improve the existing condition by treating more stormwater flows on site. The EIR was certified and the project was approved by the City Council in December 2015.

**Reference:** Jeremy Lochirco, Senior Planner, City of Walnut Creek, 925.256.5899

### **Kaiser Dublin Medical Center EIR, City of Dublin, CA**

FCS recently completed a project-level Environmental Impact Report (EIR) for the development of an approximately 1.2-million-square-foot medical center on 58 acres in eastern Dublin. The proposed medical center includes a 950,000-square-foot medical campus and a 250,000-square-foot commercial component. The Project would be constructed in three phases over 24 years. The EIR addressed maximum potential development to ensure all future development options are covered by CEQA. The EIR also provided updated transportation analyses in compliance with the forthcoming CEQA amendments resulting from SB 743. FCS recently completed the Final EIR, inclusive of responses to comments made by the public and agencies on the project. FCS's analysis was thorough and generated very little public comment. No public speakers attended the Planning Commission hearing, and the City Council considers the project on September 20, 2016.

**Reference:** Jeff Baker, Assistant Community Development Director, Phone: (925) 833-6610

### **Tassajara Parks EIR, Contra Costa County, California, Contra Costa, CA**

FCS is preparing a comprehensive, project-level EIR for the Tassajara Parks Project, which encompasses approximately 771 acres in the Tassajara Valley area of unincorporated Contra Costa County. The Project is located east of the City of San Ramon and the Town of Danville and adjacent to (but outside of) the Contra Costa County Urban Limit Line (ULL). The Project consists of an approximately 155-acre Northern Site and an approximately 616-acre Southern Site separated by Camino Tassajara Road. The Project proposes to construct 125 single-family residences on a semi-flat 30-acre portion of the Northern Site, along with two trail staging areas and trailheads, a detention basin, various frontage improvements to Camino Tassajara, and minor modifications to portions of a parking lot for the adjacent Tassajara Hills Elementary School. The remaining portion of the Northern Site will be permanently preserved for open space, park, or recreational uses. On the 616-acre Southern Site, an area consisting of approximately five acres may be offered for dedication for potential future use by the San Ramon Valley Fire Protection District. The remaining 611 acres will be permanently preserved for nonurban uses such as parks, open space, grazing, wetlands, and habitat mitigation. The EIR is currently in screencheck phase.

**Reference:** John Osborne, Senior Planner, County of Contra Costa, 925.335.1207

### **CONFLICT OF INTEREST**

FCS has no recent, present or proposed work undertaken by the Consultant, any subcontractor or subsidiary, or any other type of business or other relationship that could represent a potential, real, or perceived conflict of interest with respect to this project.

### **PROFESSIONAL SERVICES CONTRACT AND INSURANCE REQUIREMENTS**

We have reviewed the City's Standard Professional Services Agreement and have no objections to its terms and provisions. FCS can execute the standard agreement as-is, without changes or reductions to the legal terms of the agreement. We also meet the City's insurance requirements that are set forth in Attachment 3 of the City's Request for Proposal (RFP).

The general insurance coverage amounts FCS carries is as follows:

- Professional Liability: \$2 million per claim/\$2 million aggregate
- General Liability: \$1 million per occurrence/\$2 million aggregate
- Automobile Liability: \$1 million
- Workers' Compensation: \$1 million

Upon contract award, FCS will maintain and provide certification of adequate insurance coverage as specified by the City in Attachment 3, Section 4: Insurance Requirements.





**BUSINESS LICENSE**

FCS currently has a valid City of Pleasanton Business License.

**Appendix A:  
Resumes**

**RESOLUTION NO. 07- 107**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLEASANTON  
DISBANDING THE HAPPY VALLEY BLUE RIBBON COMMITTEE**

**WHEREAS**, the Happy Valley Blue Ribbon Committee was established on June 6, 2006, to develop bypass road alignment options and, if possible, a recommendation for Council consideration; and

**WHEREAS**, the Committee held six meetings to discuss various options and developed a recommendation that a majority of Committee members supports; and

**WHEREAS**, the Committee's work is complete with the presentation of its recommendation to Council at the Council's April 17, 2007 meeting.

**NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES RESOLVE, DECLARE, DETERMINE AND ORDER THE FOLLOWING:**

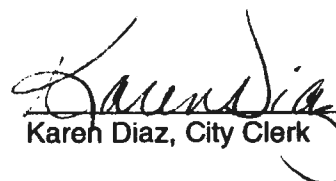
**Section 1:** Thanks the 12 members of the Happy Valley Blue Ribbon Committee for their work, accepts the Committee's report, concludes that the Committee's work is finished, and disbands the Committee.


**Section 2:** This resolution shall become effective immediately upon its passage and adoption.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Pleasanton at a regular meeting held on April 17, 2007.

I, Karen Diaz, City Clerk of the City of Pleasanton, California, certify that the foregoing resolution was adopted by the City Council at a regular meeting held on the April 17, 2007 by the following vote:

Ayes: Cook-Kallio, McGovern, Sullivan, Thorne, Mayor Hosterman  
Noes: None  
Absent: None  
Abstain: None

  
Karen Diaz, City Clerk

APPROVED AS TO FORM:  
  
Michael H. Roush, City Attorney

**CITY COUNCIL AGENDA REPORT**

April 17, 2007  
City Manager's Office

**TITLE: CONSIDER RECOMMENDATION OF THE HAPPY VALLEY BLUE RIBBON COMMITTEE (HVBRC) FOR THE BYPASS ROAD REALIGNMENT AND ADOPT A RESOLUTION THANKING THE COMMITTEE FOR COMPLETING ITS PURPOSE**

**SUMMARY**

The Happy Valley Blue Ribbon Committee was established by the City Council on June 6, 2006 and asked to provide a recommendation to the City Council related to the Callippe Preserve Golf Course bypass road alignment. The Committee began meeting later that month and concluded their activities in November 2006. As the Committee has completed this task, therefore the City Council may disband it.

**RECOMMENDATION**

Accept the report on Happy Valley Blue Ribbon Committee's work to develop a recommended bypass road alignment and accept the Committee's recommendation regarding the preferred bypass alignment, and adopt the attached resolution (Attachment 1) to thank the Committee for completing its purpose.

**FINANCIAL STATEMENT**

There are no fiscal impacts related to the acceptance of the HVBRC recommendations or in the action to disband the committee.

## BACKGROUND

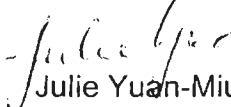
On June 6, 2006, the City Council established The Happy Valley Blue Ribbon Committee. The HVBRC was comprised of various stakeholders and included City staff, an Alameda County representative, property owners, and interested developers. The Committee was charged with the task to discuss the previous alternatives that had been evaluated related to a bypass road alignment as described in the Happy Valley Specific Plan (Attachment 2), review new information, and collaborate towards finding a preferred alternative for a bypass road alignment that would connect the Callippe Preserve Golf Course to Sycamore Creek thereby alleviating traffic movement through the Specific Plan area. The attached report (Attachment 3) provides greater details of the Committee's activities. Lorie Tinfow, the City's former Administrative Services Director, was the staff liaison leading this effort. Ms. Tinfow left the City of Pleasanton in October 2006 but agreed to 1) complete this phase of the project, and 2) present the Committee's work and final results to the City Council.

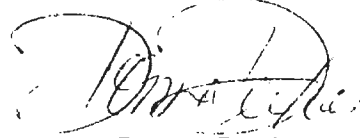
A majority of the HVBRC (8 of the 11 members present) voted to recommend that the City Council consider: 1) the bypass road alignment included in the Greenbriar Homes' current proposal that runs along the western edge of the Spotorno property, connecting with Sycamore Creek Way to the north and Westbridge on the south (Attachment 4), and 2) that any development approved for Lot 98 (aka Spotorno Flat) include consideration of design conditions as outlined in Ms Tinfow's report. No recommendation was made by the HVBRC related to housing density.

## NEXT STEPS

Should the City Council accept the recommendations from the HVBRC, it will mean that the Council finds generally acceptable the realignment of the Bypass Road as depicted on Attachment 4, subject to appropriate environmental review and an amendment to the Happy Valley Specific Plan, both following public review and comment. The right of way, design and construction costs for such realigned Bypass Road will be as provided in the Happy Valley Specific Plan unless the Plan is amended otherwise.

Submitted by:

  
Julie Yuan-Miu  
Deputy City Manager

  
Donna Decker  
Acting Planning Director

Approved by:

  
Steven Bocian  
Acting City Manager

## Attachments:

1. Resolution to accept the HVBRC recommendation and disband the Committee
2. Happy Valley Specific Plan Proposed Circulation System Improvements Aerial depicting recommended alignment, the Callippe Golf Course, a portion of Mariposa Ranch, and the proposed Spotorno project
3. Happy Valley Blue Ribbon Committee's Activities Related to a Bypass Road Alignment Recommendation prepared by Lorie Tinfow
4. Map of Recommended Realignment for Bypass Road

**RESOLUTION NO. 07-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLEASANTON  
DISBANDING THE HAPPY VALLEY BLUE RIBBON COMMITTEE**

**WHEREAS**, the Happy Valley Blue Ribbon Committee was established on June 6, 2006, to develop bypass road alignment options and, if possible, a recommendation for Council consideration; and

**WHEREAS**, the Committee has held six meetings to discussed various options and has now developed a recommendation that a majority of Committee members supports; and

**WHEREAS**, the Committee's work is complete with the presentation of the recommendation to Council at the April 17<sup>th</sup> meeting;

**NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES RESOLVE, DECLARE, DETERMINE AND ORDER THE FOLLOWING:**

**Section 1:** To thank the 12 members of the Happy Valley Blue Ribbon Committee for their work, accept their report, conclude that the Committee's work is finished, and disband the Committee.

**Section 2:** This resolution shall become effective immediately upon its passage and adoption.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Pleasanton at a regular meeting held on April 17, 2007.

I, Karen Diaz, City Clerk of the City of Pleasanton, California, certify that the foregoing resolution was adopted by the City Council at a regular meeting held on the April 17, 2007 by the following vote:

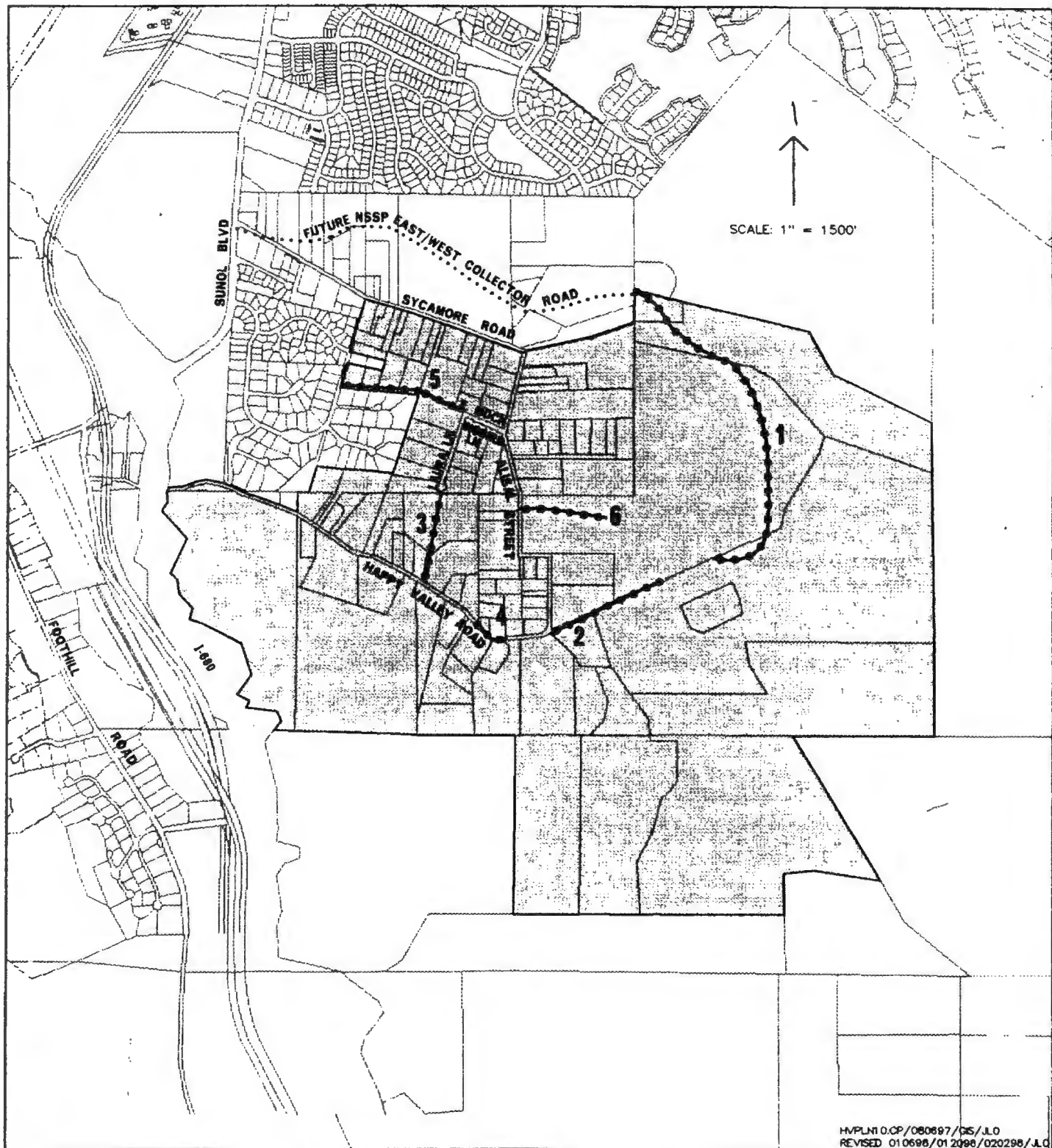
Ayes:  
Noes:  
Absent:  
Abstain:

\_\_\_\_\_  
Karen Diaz, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael H. Roush, City Attorney

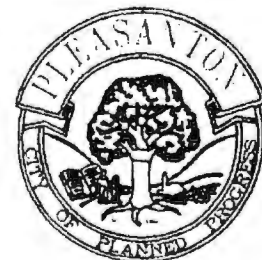
# PROPOSED CIRCULATION SYSTEM IMPROVEMENTS



HVPLN10.CP/080697/GS/JLD  
 REVISED 010698/012098/020298/JLD

**FIGURE VI - 2**  
**LEGEND**

- E.V.A. - Emergency Vehicle Access
- 1. Bypass Road
- 2. Golf Course E.V.A.
- 3. Laura Lane E.V.A.
- 4. Happy Valley Road Curve
- 5. Mockingbird/E. Mockingbird Lane E.V.A.
- 6. Spotorno Flat Area E.V.A.



**Happy Valley Blue Ribbon Committee's  
Activities Related to a Bypass Road  
Alignment Recommendation**

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Presented to the City of Pleasanton  
April 17, 2007

Prepared by Lorie Tinfow



## SUMMARY

The Happy Valley Blue Ribbon Committee was established by the City Council on June 6, 2006 and asked to develop options and, if possible, present a recommendation to the City Council for a bypass road alignment that would serve the Callippe Preserve Golf Course and the adjacent residential development. The Committee began meeting later that month and concluded their activities in November 2006. Over the course of their work, the Committee members discussed previously considered bypass road alignments including the bypass road alignment shown in the Happy Valley Specific Plan, reviewed proposed plans for a new development on the parcel of land known as Sportorno Flat, and ultimately reached majority agreement on a recommendation for a bypass road alignment.

City of Pleasanton staff who were involved in preparing information for the Committee and coordinating the meetings included then Administrative Services Director Lorie Tinfow, Traffic Engineer Mike Tassano, and Management Analyst Debra Farmer. Alameda County staff Art Carrera also attended the meetings.

## BACKGROUND

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 Happy Valley Specific Plan (HVSP). However, the actual road alignment described in the HVSP had been deemed infeasible by the property owner on whose land the road would be built and as a result the City has been left without a clearly viable alignment for the roadway.

In response, Council directed staff at its meeting on March 21, 2006, to convene a blue ribbon committee focused on developing bypass road alignment options. In response to that action, staff held a community meeting on May 9 to identify residents interested in volunteering to serve as committee members. On June 6, the list of volunteers was presented to the City Council along with a strategy to assemble the group. The Council established the Happy Valley Blue Ribbon Committee (HVBRC) and tasked the Committee with developing bypass road alignments and, if possible, making a recommendation to the City Council for an alignment for further City consideration. Nine members were designated by the City Council and three were selected by Alameda County Supervisor Haggerty for a total of twelve; their names follow:

- Kellen Aura
- Patrick Costanzo, Jr.
- Wes Felton
- Jim Freitas
- Gene Jordan
- Vanessa Kawaihau
- Roger Manning
- Bob Maund
- Peter Richert
- Al Schorno
- Tom Smith
- Al Spotorno

Staff from both the City of Pleasanton and Alameda County attended the Committee's meetings and supported the Committee's activities. Because the HVBRC was established by the City Council and thus an official City body, the Committee's activities were subject to the Brown Act. Meetings were held on the following dates June 8, July 13, August 10, September 14 and 28, and November 9.

Highlights of the meetings are described in this report; copies of meeting agendas and minutes are attached for more detail (see Attachments 1-6).

The level of community involvement in the meetings was high. Between 15 and 20 members of the public attended the meetings in June, July and August. Two meetings were held in September and they attracted greater numbers the meeting on September 28 had approximately 75 attendees. The final meeting was held on November 9, 2006, with approximately 25 attendees.

## **HAPPY VALLEY BLUE RIBBON COMMITTEE ACTIVITIES AND RECOMMENDATION**

### **June Meeting**

The June meeting focused on reviewing information related to previous activities associated with the golf course and bypass road with the intent of developing a common foundation of information. In addition, the Committee requested a presentation by Pat Costanzo of Greenbriar Homes, concerning Greenbriar's proposal for development of Lot 98 (the parcel owned by the Sportono family located north of Faith Chapel Church and also known as "Spotorno Flat") and associated bypass road (see Attachment 7). The Committee began to discuss the bypass road alignment in connection with the housing density proposed as part of the project. Staff reminded the Committee that housing density was beyond the scope of their assignment. Several Committee members asserted that since paying for the road was likely to be associated with the housing development, they felt strongly the need to be able to discuss both. Staff agreed to discuss the issue with the City Manager and report back.

### **July Meeting**

At the July meeting staff reported that the City Manager had agreed to allow the Committee to broaden its scope to include consideration of the housing development since there was a desire to do so by the Committee. The Committee then moved on to review the seven bypass road alignments previously considered by a past committee and City staff in 2003 (see Attachment 8). After reviewing these seven options, the Committee eliminated all but one—the connection of Clubhouse Drive to Highway 84. The Committee asked that a revised map showing this option and the Greenbriar alignment be presented at the next meeting.

### **August Meeting**

At the August meeting, the requested map was presented and additional discussion occurred. The Committee eliminated the connection of Clubhouse Drive to Highway 84 from further discussion, and refined the options for further consideration to include these three:

- Maintenance of the status quo – no bypass road and no increased density on Spotorno's land beyond that already permitted by the Happy Valley Specific Plan.
- Greenbriar bypass road alignment
- The upper bypass road shown in the Happy Valley Specific Plan

In addition, the Committee identified a number of design elements (e.g., density on Lot 98, building height, etc.) and asked that a spreadsheet be developed to relate the design elements to the three options so that a consensus could begin to be developed at the next meeting.

### **September Meetings**

At the September 14<sup>th</sup> meeting, the Committee reviewed the spreadsheet and provided input (see Options A, B, and C shown on Attachment 9). After further discussion, Committee members were asked to vote on which of the three options most closely represented an alignment that they could support. The majority (8 of the 11 members) narrowed the number of options down to one—they focused on the alignment that is associated with Greenbriar Homes' current development proposal for Lot 98 (shown as Option C on Attachment 9). However, throughout their discussions over the summer, several Committee members voiced opposition to the number of homes proposed in Greenbriar Homes' development tied to the road alignment. The initial proposal included 79 housing units on the 33 acres which many Committee members (and members of the community) said repeatedly were too many. As a result, the Committee modified several elements of the development proposal and created Option D which, most significantly, reduced the number of homes to 63, configured with three on one-acre lots along Alisal and the remaining 60 on half-acre lots. Six of the ten Committee members present<sup>1</sup> voted to support the bypass road and this modified proposal, and asked Pat Costanzo if he could consider such a revised plan. Pat Costanzo agreed to refine his development proposal based on the Committee's vote and return on September 28 with a new presentation. The entire Happy Valley area was notified of the meeting scheduled for Sept. 28 and that the roadway with associated housing density would be discussed.

On September 28, Pat Costanzo presented two alternative development plans for Lot 98—one included the 63 homes as requested by the Committee and the other included 70 homes. The proposal included consideration of the Committee's interests for some of the design features, i.e., limiting heights to 30 feet, etc. The Committee members voiced appreciation for Pat's responsiveness.

In addition, many residents from the area north of Sycamore Creek Way attended this meeting. Many said they did not know that Sycamore Creek Way was planned for extension in the future and voiced concerns about traffic impacts. Some spoke strongly against constructing the bypass road and/or permitting any additional development. The Committee listened to their concerns but made no decisions related to a recommendation. In addition, several Committee members suggested that further discussion of the project's density be discontinued and instead that they focus only on the bypass road.

At the end of the meeting, the Committee was not ready to make a recommendation. Another meeting was scheduled for November 9 to continue working toward this goal.

### **November Meeting**

At the November 9 meeting, staff presented four recommendation options for Committee consideration. For comparison purposes, each option included an estimate of trips per day likely to be generated based on the standard 10 trips per day per home typically used to calculate traffic impact plus the previously used 35.74 trips per hole at the golf course. These estimates generated the following totals:

- For the golf course, total trips equal 643 per day

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<sup>1</sup> One member left the meeting before the vote was taken.

- The 34 golf course homes would generate 340 trips per day
- Any development on Lot 98 that allowed the 3 homes fronting on Alisal to use that street instead of the bypass road would reduce total traffic on the bypass road by 30 trips per day

These standards and assumptions are used below to develop total trips generated by each option. The options on which the Committee voted follow:

- **Option 1:** The HVBRC recommends the bypass road alignment that runs along the western edge of Al Spotorno's property and connects with Sycamore Creek Way on the north and Westbridge on the south. (This option is intentionally silent on housing density and on potential traffic impacts.)
- **Option 2:** The HVBRC recommends the bypass road alignment that runs along the western edge of Al Spotorno's property and connects with Sycamore Creek Way on the north and Westbridge on the south. The Committee further recommends that the City allow no development of Lot 98 beyond what is permitted in the Happy Valley Specific Plan, and negotiate Mr. Sportorno's donation of the property for the road and appropriate cost-sharing between him (and/or the land developer) and the City for the road construction.

Additional traffic impacts would be:

- a) 16 homes (160-30) plus golf course traffic (643) plus golf course homes (340) = 1113 trips;
- b) 22 homes (220-30) plus golf course traffic (643) plus golf course homes (340) = 1173 trips.

- **Option 3:** The HVBRC recommends the Bypass Road alignment that runs along the western edge of Al Spotorno's property and connects with Sycamore Creek Way on the north and Westbridge on the south. The Committee further recommends that the City allow development of Lot 98 to a maximum of 1 home per acre or 33 homes total (3 of which would access Alisal) in exchange for Mr. Sportorno's donation of the property for the road and appropriate cost-sharing between him (and/or the land developer) and the City for the road construction.

Additional traffic impacts would be: 33 homes (330-30) plus golf course traffic (643) plus golf course homes (340) = 1283 trips.

- **Option 4:** The HVBRC recommends the Bypass Road alignment that runs along the western edge of Al Spotorno's property and connects with Sycamore Creek Way on the north and Westbridge on the south. The Committee further recommends that the City allow development of Lot 98 with 1 home per acre along Alisal (all 3 of which would access Alisal) and 1 home per ½ acre for the remainder or 63 homes total in exchange for Mr. Sportorno's donation of the property for the road and appropriate cost-sharing between him (and/or the land developer) and the City for the road construction.

Additional traffic impacts would be: 63 homes (630-30) plus golf course traffic (643) plus golf course homes (340) = 1583 trips.

The Committee also had the ability to create an additional option of its choosing but there was no consensus to do so.

Committee members were asked to vote "yes" or "no" for each of the options by placing a colored dot on the options that they supported. Committee members could vote for all, some, or none. The vote by the eleven members present follows:

Recommendation Option Description	Vote
Option 1: Bypass road only with no recommendation on development density	8 of 11
Option 2a: Bypass Road and one home per two acres as specified in the Happy Valley Specific Plan (16 units)	3 of 11
Option 2b: Bypass Road and one home per 1.5 acres as specified in the Happy Valley Specific Plan with dedication of "substantial agricultural/open space and trail easement dedications" (22 units)	3 of 11
Option 3: Bypass Road and roughly one home per acre (33 units)	5 of 11
Option 4: Bypass Road and roughly 1 home per acre along Alisal: 1 home per ½ acre for remainder (63 units)	4 of 11

HVBRC member Roger Manning could not be present at the meeting but asked that his email be attached to this report (Attachment 10).

In addition, the Committee agreed that any recommendation would include the following design conditions:

1. Designate the maximum height for homes at 30 feet
2. Monitor traffic on the bypass road after construction for possible installation of traffic calming methods
3. Include a 4 foot crushed granite pathway along bypass road for use by pedestrians and others
4. Plant trees along the bypass road where houses abut but have no trees along rest of the roadway
5. Minimize lighting on road and use safety lighting only where possible
6. Install 3 foot berm along western edge of bypass road to minimize visual impact of cars

Two Committee members suggested a number of additional design elements be considered. The Committee as a whole agreed that the following list of design elements be presented to Council as information but not as part of its recommendation: provide easement rights for people who live along the new proposed road to connect to the road; require a tot lot for housing development with

density higher than 1 unit per acre; reduce the height of dirt taken from the road construction and placed under homes constructed; install a sound barrier along bypass road; convince Al Spotorno to give up property for green space/trails/open space; connect the horse trail from Alisal.

## **CONCLUSION**

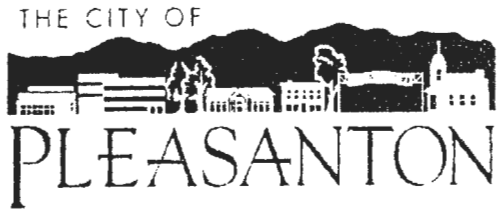
A majority of the HVBRC (8 of the 11 members present) recommended that the City Council consider the bypass road alignment included in the Greenbriar Homes' current proposal and that any development approved for Lot 98 include consideration of the following design conditions:

1. Designate the maximum height for homes at 30 feet.
2. Monitor traffic on the bypass road after construction for possible installation of traffic calming methods
3. Include a 4 foot crushed granite pathway along bypass road for use by pedestrians and others
4. Plant trees along the bypass road where houses abut but have no trees along rest of the roadway
5. Minimize lighting on road and use safety lighting only where possible
6. Install 3 foot berm along western edge of bypass road to minimize visual impact of cars

No recommendation was made related to housing density. The HVBRC's work was completed at its last meeting on November 9, 2006.

## **ATTACHMENTS**

- Attachment 1: Agenda and minutes from June 8 meeting without attachments
- Attachment 2: Agenda and minutes from July 13 meeting without attachments
- Attachment 3: Agenda and minutes from August 10 meeting without attachments
- Attachment 4: Agenda and minutes from September 14 meeting without attachments
- Attachment 5: Agenda and minutes from September 28 meeting without attachments
- Attachment 6: Agenda and minutes from November 9 meeting without attachments
- Attachment 7: Greenbriar Homes' Proposal for Development of Lot 98
- Attachment 8: Map of seven bypass road alignments previously considered
- Attachment 9: Matrix of alignment options and design elements completed at the September 14 meeting
- Attachment 10: Email from HVBRC member Roger Manning who was absent from the November meeting



## Happy Valley Blue Ribbon Committee Agenda

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Faith Chapel, 6656 Alisal St., Pleasanton, CA  
JUNE 8, 2006, 7:00 PM

**A. Call to Order**

**B. Roll Call:** Aura, Costanzo, Felton, Freitas, Jordan, Kawaihau, Manning, Maund, Richert, Schorno, Smith and Spotorno

**C. Accept Agenda Items and Order:** No additional items may be added pursuant to Government Code Section 54954.2.

**D. Approval of Draft Minutes**

- a) None at this time.

**E. Matters Initiated by Members of the Audience**

Any member of the public may address the Committee about any matter not on the agenda for this meeting for up to three minutes. *Committee members may not comment on the matter but may choose to place the topic on a future agenda.*

**F. Matters Before the Committee**

- a) Committee Meeting Logistics  
b) Review Staff Report dated June 6, 2006 (Attachment 1)  
c) Review information requested at May 9, 2006, meeting
- history of the "old" alignment (Attachment 2: copy of report that outlined alternate alignments considered previously)
  - letters written in response to the Happy Valley Specific Plan EIR (Attachment 3)
  - list of current owners of lots at the golf course (Attachment 4)
  - traffic counts – most recent and/or updated (Attachment 5)
  - "safe capacity" of Sycamore Rd., Alisal St., Sycamore Valley Way (verbal)
  - presentation of Greenbriar's current proposal (Attachment 6 plus verbal)
- d) Determine additional information needed and begin discussion of by-pass road alignment options.

**G. Topics for Next Meeting**

**H. Adjournment**

**HAPPY VALLEY BLUE RIBBON COMMITTEE**  
**JUNE 8, 2006**  
**SUMMARY MINUTES**

**A. Call to Order**

City of Pleasanton's staff member Lorie Tinfow convened the meeting at 7:14 p.m. at Faith Chapel.

**B. Roll Call**

**Committee Members:**

Present:

Patrick Costanzo  
Wes Felton  
Jim Freitas  
Gene Jordan  
Vanessa Kawaihau  
Roger Manning  
Bob Maund  
Peter Richert  
Al Schorno  
Tom Smith  
Al Spotorno

Absent:

Kellen Aura

**Staff Representatives:**

Lorie Tinfow, City of Pleasanton  
Mike Tassano, City of Pleasanton  
Debra Farmer, City of Pleasanton  
Art Carrera, County of Alameda

**C. Accept Agenda Items and Order**

No changes made.

**D. Approval of Draft Minutes**

None at this time.

**E. Matters Initiated by Members of the Audience**

Lorie Tinfow indicated that the structure for these committee meetings will start out less formal than council meetings. Audience members are encouraged to participate unless the need arises to structure the meetings differently.

Kevin Close wished the committee luck and reminded them to keep in mind the goals of the Specific Plan, General Plan, and Environmental Impact Plan.

**F. Matters Before the Committee**

- a) Committee Meeting Logistics



Committee members scheduled meetings for Thursday, July 13, 2006 at 7:00 PM; Thursday August 10, 2006 at 7:00 PM; Thursday September 14, 2006 at 7:00 PM. Lorie Tinfow stated the goal is to keep the meetings to no more than two hours with an initial goal of the completion of a recommendation for Council by September. She also explained elements of the Brown Act such as the need for quorum of members before starting meetings and rules for conversation outside of meetings.

b) Review Staff Report dated June 6, 2006 (Attachment 1)

Roger Manning asked if the report was adopted as resolution. Lorie Tinfow confirmed it was and the names of Alameda County representatives on the committee were not received in time to be shown on the report but will be included in the future.

c) Attachment 2 was reviewed and history discussed. Lorie Tinfow stated her understanding is that the initial alignment was supported by residents but was abandoned due to significant environmental issues. A Geotech report was found in staff records indicating those issues; copies were distributed to the committee and audience.

February 11, 2005 letter from Cotton, Shires & Associates, Inc. to Robin Giffin, Associate Planner with the City of Pleasanton was distributed and discussed. Jim Freitas felt it was confusing because he thought the annexation has something to do with the project. Patrick Costanzo stated the Specific Plan annexed only the Spotorno property and the Golf Course. Clarification on voting for annexation was provided by Mrs. Spotorno. She indicates that the 1<sup>st</sup> and 2<sup>nd</sup> time the Spotornos voted, they voted "no" to annexation. The Spotornos finally annexed to protect their farming operation. Mrs. Spotorno further clarified that the first development on their property fell through because of the geological report and that decision was made by the City of Pleasanton.

Janet (audience) stated the City of Pleasanton never conducted a study that was promised. Vanessa Kawaihau shared that in January 2003 (#03008) the City of Pleasanton said a study would be done only regarding the upper bypass road and that hasn't been done to the satisfaction of the Happy Valley residents. Lorie Tinfow stated the City has "undone" that resolution and is now asking this committee to look at other options.

Attachment 3 was reviewed and there were no questions.

Attachment 4 was reviewed with no comments or questions.

Mike Tassano, Traffic Engineer, reviewed information on Attachment 5. Mike explained that the numbers observed for traffic are at the higher part of the bell curve, the 85<sup>th</sup> percentile. Bob Maund requested information at the 50<sup>th</sup> percentile and Mike agreed to provide that information. Mike explained that there are an estimated 12.8 trips per day per home in Happy Valley. Bob Maund asked Mike Tassano for his interpretation of the data. Mike indicated that the speeds are high for a 25 MPH zone. He also shared that he worked with the Police Department and discovered the speeders are primarily users of the golf course. It was asked

what the safe capacity is for the roads in Happy Valley. Mike explained that the most useful available data is on Sycamore Creek because the City of Pleasanton constructed the road. Sycamore Creek is designed to hold up to 9,000 vehicles per day for approximately 20 years before requiring more asphalt. Currently there are approximately 1,200 vehicles per day. Mike shared that the City will typically begin to get complaints from residents in areas experiencing 3,000 or more vehicles per day.

Patrick Costanzo, Jr. presented a video demonstration of the Greenbriar proposal for a bypass road option. Patrick clarified that Greenbriar currently has a proposal in to the City of Pleasanton for 79 units on this development but it has not been approved to date.

Several comments were made regarding concerns about the density of housing on the Spotorno property. Concerns were also expressed that there was a link between the density of the housing and Greenbriar's financial contribution to the bypass road. Lorie Tinfow clarified that the goal of the committee is to only look at bypass road options, not the density of housing.

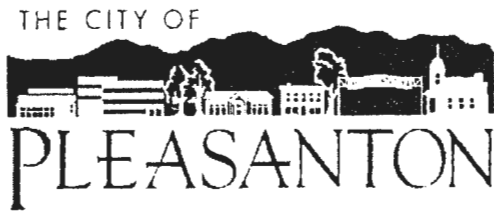
- d) Additional information requested by the committee for next meetings:
  - i. Physical requirements for any bypass road
  - ii. Traffic Data
  - iii. Map with alternate roads previously considered
  - iv. The committee agreed to walk the path(s) of any proposed bypass road(s).

**G. Topics for Next Meeting**

Nothing additional

**H. Adjournment** – Lorie Tinfow adjourned the meeting at 9:30 PM

# **ATTACHMENT 2**



## Happy Valley Blue Ribbon Committee Agenda

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Pleasanton Tennis Center, 5801 Valley Avenue, Pleasanton, CA  
JULY 13, 2006, 7:00 PM

**A. Call to Order**

**B. Roll Call:** Aura, Costanzo, Felton, Freitas, Jordan, Kawaihau, Manning, Maund, Richert, Schorno, Smith and Spotorno

**C. Accept Agenda Items and Order:** Items may be deleted or rearranged in order; no additional items may be added pursuant to Government Code Section 54954.2.

**D. Approval of Draft Minutes**

a) Minutes from meeting held on June 8, 2006 (Attachment 1)

**E. Matters Initiated by Members of the Audience**

Any member of the public may address the Committee about any matter not on the agenda for this meeting for up to three minutes. *Committee members may not comment on the matter but may choose to place the topic on a future agenda.*

**F. Matters Before the Committee**

1. Discussion of Alternate Road Alignments Previously Considered
2. Physical Requirements for any Bypass Road
3. Traffic Data
4. Discussion of Committee walking the path(s) of any proposed bypass road(s)
5. Discussion of Bypass Road Alignment Options

**G. Topics for Next Meeting**

**H. Adjournment**

**HAPPY VALLEY BLUE RIBBON COMMITTEE  
SUMMARY MINUTES  
JULY 13, 2006**

**A. Call to Order**

City of Pleasanton's staff member Lorie Tinfow called the meeting to order at 7:06 p.m. at the Pleasanton Tennis Center.

**B. Roll Call**

**Committee Members:**

Present:

Kellen Aura  
Patrick Costanzo  
Jim Freitas  
Gene Jordan  
Bob Maund  
Peter Richert  
Tom Smith  
Al Spotorno

Absent:

Wes Felton  
Vanessa Kawaihau  
Roger Manning  
Al Schorno

**Staff Representatives:**

Lorie Tinfow, City of Pleasanton  
Mike Tassano, City of Pleasanton  
Debra Farmer, City of Pleasanton  
Art Carrera, County of Alameda

**C. Accept Agenda Items and Order**

No changes made.

**D. Approval of Draft Minutes**

Draft minutes approved.

**E. Matters Initiated by Members of the Audience**

Kevin Close asked that the committee be reminded of the purpose of the bypass road.

Jerry Wagner read a statement indicating that Al Spotorno is not obligated to put in a bypass road, but the City and builder are obligated. He further expressed that Al Spotorno wants 79 houses built in order to become a multi-millionaire. Greenbriar will make millions at the expense of Happy Valley. Jerry stated that the Happy Valley residents don't need to trade houses for a bypass road.

Mrs. Spotorno responded to Jerry Wagner's comments. She indicated that the Spotorno ranch is one of the last four ranches in the City of Pleasanton and has been in their family since 1867. It is a continuing commercial operation. She asked who will compensate them for the land by the bypass road except the housing. She added for Jerry Wagner to say the Spotorno's will be multi-millionaires as a result of the project is an insult.

## **F. Matters Before the Committee**

### **1. Discussion of Alternate Road Alignments Previously Considered**

Mike Tassano presented a map of bypass road alignments previously considered. Al Spotorno indicated there was another Kottinger route that was impossible to build because they could not bridge the canyon. Bob Maund requested that the committee be provided a layout of the alternatives with pros and cons of each for the next meeting. Gene Jordon suggested that maybe it's not necessary to go back at all and just move forward. A brief discussion of each alignment was lead by Mike Tassano. In response to questions about whether other bypass road alignments were studied, Lorie shared that she found a staff report from January 2003 that asked the Council to approve a contract with a consultant to conduct feasibility study of several bypass road alignment options. However, at that time the Council decided to only focus on Option 1, the bypass road on the upper portion of the Spotornos' property, since this was the most viable and widely accepted alternative. Copies of the report and Council minutes were distributed.

After reviewing the seven previous options shown on the map (eight if the parking lot/shuttle option is included), the committee eliminated all but one—the connection of Clubhouse Drive to Highway 84. The committee asked that a revised map showing this option and the Greenbriar alignment associated with their project on Spotorno Flat be presented at the next meeting.

### **2. Physical Requirements for any Bypass Road**

Mike Tassano explained that using Clubhouse Drive as a design standard, the bypass road would be 12-13' lanes with 5' sidewalks on both sides and a 5' bike lane. Depending on what land use there is along the bypass road (homes, businesses, etc.) the speed limit could be 25 to 40 MPH. Kevin Close stated that the Specific Plan said that the road would be built to "country lane" standards, which are quite a bit smaller. Mike Tassano said based on those standards, the road would look more like Sycamore and would not be the standard he would prefer for this kind of use. Pete Richert asked if there's a written standard or if the requirements are arbitrary. Mike answered that there is a written standard. However, traffic engineers make

recommendations regarding collector roads and there is a lot of flexibility in those recommendations.

### 3. Traffic Data

Mike Tassano distributed new traffic data and explained the new data to the committee. Bob Maund asked if the number of trips to and from the golf course could be projected for the future. Mike stated that the Institute of Traffic Engineering compiles those statistics all over the U.S. Mike agreed to provide that data. Janet (audience) asked if the traffic department has considered installing a speed check device to help drivers control their speeds. Mike stated that was an effective tool and the City would consider a number of resources and tools for traffic calming. The traffic calming process is separate from this committee's work and is resident driven.

### 4. Discussion of Committee walking the path(s) of any proposed bypass road(s)

Lorie Tinfow explained that the Brown Act says that any coordinated walk would have to be considered a meeting open to the public. It would not be feasible to openly invite the public to the Spotorno's property.

### 5. Discussion of Bypass Road Alignment Options

Lorie Tinfow said many were having a hard time separating the housing density on the Spotorno's property from the alignment options. Lorie talked it over with City Manager Nelson Fialho and Nelson agreed to permit the committee to discuss the density along with the bypass road options. There was a discussion about the potential to lower the density of housing and have the City compensate for the rest of the costs of the bypass road. Some of the comments offered by the group included the following:

- Develop according to the Specific Plan with a split of the road costs with the City
- Negotiate compromise by offering an incentive to Happy Valley residents.

Pat Constanzo from Greenbriar suggested that he arrange to have the proposed road alignment associated with his project staked before the next meeting so that committee members and the community could get an idea of its impact. All agreed.

### **G. Topics for Next Meeting**

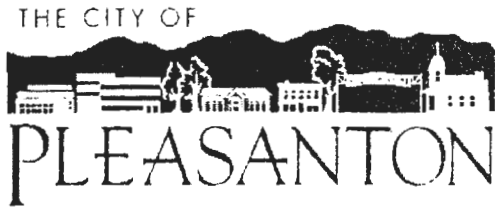
Continue discussion of bypass road alignment options.

### **H. Adjournment** – The meeting was adjourned at 9:30 p.m.

Next meeting scheduled for 7 p.m., on August 10, 2006, at Faith Chapel, 6656 Alisal St., Pleasanton.

# **ATTACHMENT 3**





Happy Valley  
Blue Ribbon Committee  
Agenda

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Faith Chapel, 6656 Alisal St., Pleasanton, CA  
AUGUST 10, 2006, 7:00 PM

**A. Call to Order**

**B. Roll Call:** Aura, Costanzo, Felton, Freitas, Jordan, Kawaihau, Manning, Maund, Richert, Schorno, Smith and Spotorno

**C. Accept Agenda Items and Order:** No additional items may be added pursuant to Government Code Section 54954.2.

**D. Approval of Draft Minutes**

- a) Minutes from meeting held on July 13, 2006 (to be sent out separately by email on Monday)

**E. Matters Initiated by Members of the Audience**

Any member of the public may address the Committee about any matter not on the agenda for this meeting for up to three minutes. *Committee members may not comment on the matter but may choose to place the topic on a future agenda.*

**F. Matters Before the Committee**

- a) Review memo regarding Happy Valley Specific Plan
- b) Discussion of Bypass Road alignment options

**G. Topics for Next Meeting**

**H. Adjournment**

**HAPPY VALLEY BLUE RIBBON COMMITTEE  
SUMMARY MINUTES  
AUGUST 10, 2006**

**A. Call to Order**

City of Pleasanton's staff member Lorie Tinfow convened the meeting at 7:08 p.m. at Faith Chapel.

**B. Roll Call**

**Committee Members:**

Present:

Patrick Costanzo  
Wes Felton  
Jim Freitas  
Gene Jordan  
Vanessa Kawaihau  
Roger Manning  
Bob Maund  
Tom Smith  
Al Schorno  
Al Spotorno

Absent:

Kellen Aura  
Peter Richert

**Staff Representatives:**

Lorie Tinfow, City of Pleasanton  
Mike Tassano, City of Pleasanton  
Debra Farmer, City of Pleasanton  
Art Carrera, County of Alameda

**C. Accept Agenda Items and Order**

No changes made.

**D. Approval of Draft Minutes**

Draft minutes approved as amended to include comments by Laverne Spotorno under Matters Initiated by Members of the Audience. Vanessa Kawaihau asked if the minutes could include the names of individuals suggesting ideas. Lorie Tinfow explained that the minutes are summary minutes only. Matters initiated by members of the audience will include names and a summary of statements.

**E. Matters Initiated by Members of the Audience**

Jerry Wagner expressed concerns that the bypass road is a "screw everybody" and the traffic from cars and motorcycles will be too loud for residents. He felt the road would be an eye sore and a nightmare for Happy Valley. Jerry said that negotiating an incentive

to Happy Valley residents is out of the question. He said that the City already promised to put in a bypass road and a true bypass road is out to 84 or Isabel.

## **F. Matters Before the Committee**

### **a. Review memo regarding Happy Valley Specific Plan**

Lorie Tinfow explained that she spoke to Michael Roush, City Attorney, about the Specific Plan and it was confirmed that the plan only applies to areas that have been annexed. Vanessa stated that the plan is being applied to any unincorporated property accessing City facilities as well. Lorie asked if the County is applying the Specific Plan? Vanessa stated that where properties are accessing sewer and water it applies and that the City is picking and choosing when to use the plan. Jim Freitas clarified that Lorie Tinfow was saying it should not be that way. Vanessa responded that it maybe isn't supposed to be that way, but it is. Lorie Tinfow said she'd take that information back to the City for further discussion.

The memo was read and reviewed by Lorie Tinfow. Vanessa shared that the appellate court ruling said that the time to challenge is if there's evidence that there's no bypass road after a substantial period of time. Lorie Tinfow confirmed.

### **b. Discussion of Bypass Road alignment options**

Lorie Tinfow asked if anyone wanted to add or delete anything to the map showing bypass road options. She also asked what the committee would like to gain from the meeting today.

Pat Costanzo said he believed the committee has the information for the bypass roads right now.

Vanessa Kawaihau asked for Pat to describe the dimensions for the proposed bypass road. Matt (a representative from Greenbriar) explained the dimensions. The road is planned to have two 16 ft lanes. On the east side it would have a 3½ ft. strip with no sidewalk. The west side would have a 5 ft. trail. There would be a 3 ft. berm as a barrier for sight and sound. Jim Freitas asked if the berm is set like that for a reason. Matt answered that it's to keep the grading off of everyone's property. Jim asked if the cars would be visible over the berm. Matt indicated it would be tough to see any cars over the berm.

Tom Smith asked that Option #1 on the map not be eliminated at this point in time.

Bob Maund indicated that it's conceivable there will be no satisfaction with any options and the committee will potentially be looking at status quo as the recommendation.

Wes Felton asked if it is correct that the City does not have to go along with any option that the committee comes up with. Lorie Tinfow confirmed.

Vanessa Kawaihau asked if any portion of the Greenbriar bypass road will be visible from public streets and referred to the specific plan, page 49. Pat Costanzo answered that the proposed development is also requesting a change to the specific plan. He said the proposed bypass road is similar to the one that's going to the golf course.

Loric Tinfow outlined the options currently being considered:

- Option A -- Status Quo (no new road)
- Option B Road connecting to Highway 84
- Option C Original alignment, modified to work with geology
- Option D Bypass road associated with Greenbriar proposal

Mike Tassano stated that the best access route for Option B is via Little Valley Road which runs north by the G.E. property and veers off. This road is currently limited to private access but could be converted to a public road. Mike passed around a topographical map of this option and indicated any of these areas could be accessed on the Internet using "Google Earth".

Wes Felton asked if the golf course could still be accessed from Happy Valley Road with this option. Mike said it would not.

Jim Freitas asked if a connection to Kottinger was considered an option. Al Spotorno indicated there was no way around the canyon.

Vanessa stated that studies were done in 1998 and 1999. There has been no new information stating it was not possible to build the road. The study said it is possible, just costly. The City hasn't provided information that it can't be built. Loric Tinfow responded that the property owner has said he doesn't want to build it there and the City probably will not force it. Vanessa indicated that condemnation is always an option for the City. Loric said the consensus of the committee in the previous meeting was that the committee was not in favor of condemnation.

Jim Freitas said the Spotorno's are already approved for 16 homes on the flat and asked Al Spotorno if he would consider just leaving it at that. Al responded that he has watched everyone split lots and have never complained about what everyone else was doing. He said he would only do what makes sense financially. Jim said that nobody wants the homes and that's the bottom line. Bob Maund stated the committee needed to be careful about linking the bypass road to the development as an endorsement of the development. Roger Manning asked if Al currently has 102 homes approved. Loric Tinfow answered that he doesn't have 102 homes that he can put anywhere. Pat Costanzo added that the current application says they would like to move the housing down from the original location and the number went down from 102 to 79. Gene Jordan said the road is beautiful, but it comes with a cost of a net of 72 homes that the area residents would have to live with. He believes the committee would need to consider accepting the status quo. Vanessa Kawaihau stated that 70% of the floor area ratio is what's being proposed which would open it up for the City to

say that Happy Valley is no longer rural. Al Schorno asked what was the cost of the bypass road. Pat Costanzo answered approximately \$14-15 million. There was a dialogue about the EIR being conducted and the Tiger Salamanders that will be impacted. Pat stated that there is information that is available from the first EIR report, including information about the salamanders. Vanessa said the EIR isn't ready 1½ years later and she wants to see the feasibility before the committee recommends anything. Gene Jordon added that he feels the reports are for someone else to figure out, not the job of the committee. Jim Freitas asked how long it would take to build the bypass road. Pat answered about a year.

Tom Smith asked when the committee will be able to define what will be voted on. Roger Manning suggested that the next meeting should limit the number of the routes to three options and discuss the pros and cons of each. Gene suggested Option B be eliminated. There was no objection from the committee and Option B was eliminated. The committee's issues for discussion are:

- Aesthetics
- Political Condemnation
- Traffic
- Density
- Strategy to get support
- Bike Path/Sidewalk
- Trees
- Environmental Impact
- Geotechnical
- Height: One Story vs. Two Story houses

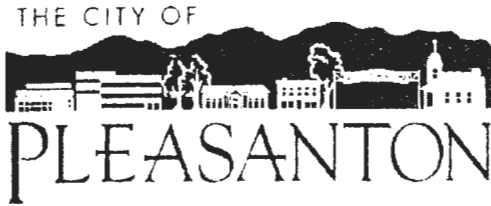
The committee requested a matrix be developed to help them rate each option. Lorie said she would create a matrix for the next meeting. Another meeting was scheduled in case it's necessary. The next meetings are scheduled for September 14, 2006 and September 28, 2006.

#### **G. Topics for Next Meeting**

Nothing additional

**H. Adjournment** – Lorie Tinfow adjourned the meeting at 9:50 PM.

# **ATTACHMENT 4**



## Happy Valley Blue Ribbon Committee Agenda

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Faith Chapel, 6656 Alisal St., Pleasanton, CA  
SEPTEMBER 14, 2006, 7:00 PM

**A. Call to Order**

**B. Roll Call:** Aura, Costanzo, Felton, Freitas, Jordan, Kawaihau, Manning, Maund, Richert, Schorno, Smith and Spotorno

**C. Accept Agenda Items and Order:** No additional items may be added pursuant to Government Code Section 54954.2.

**D. Approval of Draft Minutes**

a) Minutes from meeting held on August 10, 2006 (Attachment 1)

**E. Matters Initiated by Members of the Audience**

Any member of the public may address the Committee about any matter not on the agenda for this meeting for up to three minutes. *Committee members may not comment on the matter but may choose to place the topic on a future agenda.*

**F. Matters Before the Committee**

- a) Discussion of Bypass Road alignment options
1. Review suggested process for discussing alignment options and review matrix (Attachment 2)
  2. Determine process to be used
  3. Discuss options and determine next steps

**G. Topics for Next Meeting on September 28, 2006**

**H. Adjournment**

**HAPPY VALLEY BLUE RIBBON COMMITTEE  
SUMMARY MINUTES  
SEPTEMBER 14, 2006**

**A. Call to Order**

City of Pleasanton's staff member Lorie Tinfow convened the meeting at 7:03 p.m. at Faith Chapel.

**B. Roll Call**

**Committee Members:**

Present: Kellen Aura  
Patrick Costanzo  
Wes Felton  
Jim Freitas  
Vanessa Kawaihau  
Roger Manning  
Bob Maund  
Peter Richert  
Tom Smith  
Al Schorno  
Al Spotorno

Absent: Gene Jordan

**Staff Representatives:**

Lorie Tinfow, City of Pleasanton  
Mike Tassano, City of Pleasanton  
Debra Farmer, City of Pleasanton  
Art Carrera, County of Alameda

**C. Accept Agenda Items and Order**

No changes made.

**D. Approval of Draft Minutes**

a. Pete Richert made a motion to accept the draft minutes as presented. Vanessa Kawaihau seconded the motion. The minutes were approved unanimously as submitted.

**E. Matters Initiated by Members of the Audience**

Jerry Wagner began to express his displeasure with the bypass road. Lorie Tinfow asked Jerry to wait until agenda item F as his comments would be more appropriate when the Committee discusses the bypass road. Jerry agreed to hold comments until agenda item F.

No other members of the public requested to speak.

**F. Matters Before the Committee**

a. Discussion of Bypass Road alignment options

1. Review suggested process for discussing alignment options and review matrix



Lorie Tinfow read through Attachment 2 and asked if the Committee wanted to use this process for purposes of discussing the bypass road. Al Schorno said he believed that Option B was already eliminated in the previous meeting. Lorie responded that several individuals wanted to see it put back on. Al Spotorno said he believed the Committee was working backwards. Vanessa Kawaihau asked if the matrix could be amended to begin with Option C because an EIR will address some of the issues. Roger Manning asked if he could get consensus about Option A because if the purpose of the Committee was to come up with a recommended bypass road alignment, then "status quo" doesn't make sense. Lorie Tinfow asked if there was consensus to eliminate Option A. Jim Freitas stated that Option A is on the matrix because Al Spotorno could put houses on his property right now and that's the purpose for Option A. Al Schorno asked for clarification on Option A. Lorie Tinfow said Option A indicates there will be no new road and housing density would remain consistent with the Happy Valley Specific Plan. She added that Option B is the original bypass alignment modified to work with the geology. Roger asked how the Committee would know modifying Option B could be done. Lorie Tinfow responded that we don't know if it could be done. Lorie reviewed all aspects of the matrix provided. Lighting, trees and the height of the berm were added as elements to the matrix.

2. Determine process to be used

Committee agreed to use the process and matrix with the added three elements for purposes of discussion.

3. Discuss options and determine next steps

Lorie Tinfow introduced Don Bruggers, a geotechnical expert with ENGEO Inc, who is working with Greenbriar on the project that contains the bypass road alignment included in Option C. Don had also reviewed the geotechnical report associated with the original bypass road alignment described in Option B. He explained that Option B has nine specific slide areas and two deep landslide areas that are up to 150 feet deep. Don explained the "massive excavating" that would be required to build a bypass road in accordance with Option B. Don described challenges in having to lower ground water levels and the need to build retaining walls. When asked if Option B is possible, Don stated anything is possible if you put enough money and effort into it, but the road is not economically feasible. He stated that from a geotechnical perspective, Option C is much more realistic. Don indicated that there were four small slide areas in Option C that were much more manageable in size (the largest to approximately 20 feet in depth) and much more feasible to excavate. Several Committee members asked what the approximate cost difference was between the two options. Don said it would be millions of dollars more for Option B. There would be approximately \$10 million more for simple grading alone. Tom Smith asked Don if he had looked at any other alignment options. Don stated he had not. Pat Costanzo stated that constructing a road anywhere in the general area of Option B would include the two large landslide areas. Al Schorno asked again for an approximate amount for the cost difference between Option B and Option C. Pat said they could get an estimate, but he doesn't have that information immediately available. Vanessa Kawaihau said the court agreed with City Attorney Roush that it was costly to put in the bypass road using Option B, but feasible. She said the City has to prove it's environmentally unsound, and clarified that Don had said it's not practical. Don clarified information already presented and said it's problematic.

Don said that it might not be environmentally feasible once you lower the water table. An audience member shared that the road design goes way overboard from what's necessary. Mike Tassano confirmed that the road must be constructed in accordance with today's standards in terms of size and engineering, and must be geotechnically sound. Roger Manning asked if Option B is an option at this point. Vanessa Kawaihau said she believes it is because of the court ruling. Lorie Tinfow asked if anyone had any additional questions about geotechnical issues.

The Committee discussed all elements identified for the three Options being considered. (See attached completed matrix.) Art Carrera shared that if the Committee recommended Option A, it is possible that the County will close Happy Valley Road. However, the Board of Supervisors would still have to approve it.

At this point, public comment and questions were invited.

Jerry Wagner spoke about how unsightly the new road would be. He said there would be noise all day and all night and the berm would propel cars into homes. Jerry said the Committee should vote for a true bypass road going to Highway 84 or Isabel.

Laura Murphy expressed concerns about the impact of the Greenbriar development on schools. She said the school district is already out of room. She is also concerned for the speed of cars coming down the hill. Pat Costanzo answered that the school district has already indicated that they have enough room to support this development. Pat also shared that there is a stop sign planned for the bottom of the hill. Laura said she didn't feel that anyone would stop at a stop sign and that the Committee should go back to the drawing board.

No other speakers addressed the Committee.

Lorie Tinfow asked the Committee to take the stickers she had provided and place one on the Option that represents the Option closest to what they want to support:

- Option A (Status quo) had one (1) vote.
- Option B (original alignment shown in the Happy Valley Specific Plan modified to work with geology) had two (2) votes.
- Option C (the alignment associated with Greenbriar's current project) received eight (8) votes.

Although Option C was the road alignment most preferred, several committee members wanted to discuss how it could be modified to address their concerns about development. The Committee discussed modifying the density of housing in the Greenbriar development. Roger Manning recommended one home per acre. Tom Smith recommended one home per acre. Pete Richert suggested the density be reduced to 63 homes representing 1 acre lots on Alisal and ½ acre lots everywhere else. The Committee then revisited each element to create a modification of Option C and named it Option D.

Option D was defined as follows: 63 housing units as described above; structure height was changed to be consistent with the Happy Valley Specific Plan; a 4-foot crushed granite trail along the bypass road was specified; safety lighting only to be installed; trees to be placed along the bypass road where houses are located but omitted elsewhere; berms installed along the roadway at a height of 3 feet; and traffic calming measures implemented as appropriate.

The Committee was then asked to vote by raising their hand if they supported this new option. One committee member had left; of the ten members remaining, six voted in favor of Option D. Jim Freitas said that the City's recommendation prior was ¾ acre lots and suggested a number smaller than 63 be considered. No majority support was reached for any other number of housing units. Pat Costanzo agreed to study Option D and come back to the Committee with information at the September 28 meeting.

**G. Topics for Next Meeting**

Nothing additional.

**H. Adjournment** – Lorie Tinfow adjourned the meeting at 9:58 PM.

# **ATTACHMENT 5**



Happy Valley  
Blue Ribbon Committee  
Agenda

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Faith Chapel, 6656 Alisal St., Pleasanton, CA  
SEPTEMBER 28, 2006, 7:00 PM

**A. Call to Order**

**B. Roll Call:** Aura, Costanzo, Felton, Freitas, Jordan, Kawaihau, Manning, Maund, Richert, Schorno, Smith and Spotorno

**C. Accept Agenda Items and Order:** No additional items may be added pursuant to Government Code Section 54954.2.

**D. Approval of Draft Minutes**

a) Minutes from meeting held on September 14, 2006 (Attachment 1)

**E. Matters Initiated by Members of the Audience**

Any member of the public may address the Committee about any matter not on the agenda for this meeting for up to three minutes. *Committee members may not comment on the matter but may choose to place the topic on a future agenda.*

**F. Matters Before the Committee**

- a) Review activities at September 14 meeting
- b) Clarify Committee vote on Option D taken at September 14 meeting
- c) Presentation by Greenbriar Homes of revised development proposal
- d) Questions and comments by Committee members
- e) Questions and comments by audience members
- f) Discuss any further modification of Option D
- g) Discuss level of support for final Option D
- h) Determine next steps for developing and/or making recommendation to City Council

**G. Topics for Next Meeting**

**H. Adjournment**

**HAPPY VALLEY BLUE RIBBON COMMITTEE  
SUMMARY MINUTES  
SEPTEMBER 28, 2006**

**A. Call to Order**

City of Pleasanton's staff member Lorie Tinfow convened the meeting at 7:09 p.m. at Faith Chapel.

**B. Roll Call**

**Committee Members:**

Present:

Kellen Aura  
Patrick Costanzo  
Wes Felton  
Jim Freitas  
Vanessa Kawaihau  
Roger Manning  
Bob Maund  
Peter Richert  
Tom Smith  
Al Schorno  
Al Spotorno

Absent:

Gene Jordan

**Staff Representatives:**

Lorie Tinfow, City of Pleasanton  
Mike Tassano, City of Pleasanton  
Debra Farmer, City of Pleasanton  
Art Carrera, County of Alameda

**C. Accept Agenda Items and Order**

No changes made.

**D. Approval of Draft Minutes**

a. Roger Manning requested a change under item F (3) to add his recommendation for one home per acre. Tom Smith also asked that his recommendation for one home per acre be added under section F (3). Vanessa Kawaihau asked for an additional statement be added under item F (3) that geologist Don Bruggers had clarified information already presented and said the original road alignment was problematic. Al Schorno made a motion to accept the draft minutes as amended. Pete Richert seconded the motion. The minutes were approved unanimously.

**E. Matters Initiated by Members of the Audience**

Jerry Wagner expressed his concern that the building of the Greenbriar development not begin until the bypass road is in.

## **F. Matters Before the Committee**

### **a. Review activities at September 14 meeting**

Because a large number of meeting attendees were new to the process, Lorie Tinfow summarized activities that occurred at the September 14 meeting. She discussed the elements that were summarized on a spreadsheet with the different alignment options.

### **b. Clarify Committee vote on Option D taken at September 14 meeting**

At the meeting six of the ten committee members presented voted for Option D (the road alignment associated with the Greenbriar Homes project). At the time, Lorie stated that the vote did not represent a majority because the entire committee is comprised of 12 members so six is only half. However, the total voting was ten (which constituted a quorum) so six votes did reflect a majority opinion. Tom Smith stated he didn't feel that the vote should count because it was late and there were just no real arguments. Kellen Aura agreed with Tom's statement. Wes Felton disagreed and said a quorum is a quorum and it should count. Lorie stated that there was a vote and a presentation requested from Pat Costanzo and instructed the committee that they can revisit the item after the presentation.

### **c. Presentation by Greenbriar Homes of revised development proposal**

Pat Costanzo presented the proposal for 63 lots. The lot sizes are 13,200 sq ft to 21,000 sq ft. Ed from Greenbriar described the plans and elevations. The one-story homes are up to 25 ft and the two story homes are up to 30 ft in height. The single story home plans are calculated at .40 FAR, the two-story plans are calculated at .30 FAR and the 30,000 sq ft lots are calculated at .25 FAR. Half of the development is planned to be single story homes. There are four different plans proposed with three different elevations per plan. There is no park planned. Pat also introduced a development with 70 homes with similar parameters.

### **d. Questions and comments by Committee members**

Several questions were asked about the dollars necessary for the bypass road and questions about profit margin. Pat declined to comment. Roger Manning and Al Schorno asked for confirmation from Pat that the bypass road would be built first, and then the development. Pat indicated that he had said they would be built concurrently. Pete Richert asked how high the dirt would be built up on the flat from constructing the bypass road. Pat said the elevations would be varied up to four feet. Roger asked how many lots are on Westbridge on the proposal with 70 homes. Pat answered there would be eight homes on Westbridge.

### **e. Questions and comments by audience members**

Audience Member: Would Westbridge be closed?

Pat Costanzo: Yes

Audience Member: Would traffic studies be done on Alisal or Sycamore Creek Way?

Pat Costanzo: Sycamore Creek was built to accommodate the traffic from this development and more.

Audience Member: Why are you talking as if you're going down from 102 homes, but I'm looking at it as going up?

Lorie Tinfow: The total number of units has evolved as a negotiations to be able to get the property for the road.

Audience Member: Greenbriar made the development across the road, how big is that one?

Pat Costanzo: 232 homes, two products.

Audience Member: Bridal Creek?

Pat Costanzo: 111 Total

Audience Member: What happens if the next owner wants to develop? Where will that traffic go? Behind the golf course? There's a lot of land left to develop.

Pat Costanzo: The land would have to be annexed.

Audience Member: Is there a reason we're not expanding existing roads rather than a new road?

Lorie Tinfow: They are county roads. The bypass road is not the County's problem to solve and if the existing roads were widened, the City would need to take land from some people's yards to do that. By the Specific Plan, the area is to remain rural.

Audience Member: Where will Westbridge close?

Pat Costanzo: Right after the purple barn.

Audience Member: What is the cost savings of this new alignment instead of the original one?

Pat Costanzo: It would cost approximately 10 times more to build the original bypass road.

Audience Member: How much to build the one in this proposal?

Pat Costanzo: Approximately 12 to 15 million dollars.

Audience Member: One option at the last meeting was to keep status quo. Why did that option go away?

Lorie Tinfow: Because the committee decided to eliminate it.

Bob Maund explained that he lives on Sycamore Creek Way and voted for status quo but the challenge is that this process is about trade-offs. Certain neighborhoods benefit more than others. The reality is you have one representative for your neighborhood but this is just step one of the process. There are things that will have to happen, like changing the Specific Plan. You have the Planning Commission and the Council to go to. You're currently looking at 500 trips per day each way. It will probably go to 2000.

Pete Richert added that the committee has gone through this process all summer. Currently it's a temporary assignment and the existing County roads were not built to withstand the increase in traffic. The committee has looked at condemnation but are trying to stay away from that. The City is under an obligation by court order to build a bypass road. Status quo would take that obligation away. In disclosure, it was told to you there would be building and those roads were built to withstand the increase in traffic.

Lorie Tinfow asked for those who filled out speaker cards to now come up and address the committee.

Bud Barlow: This is my opinion only. If I had my way, there would be no golf course and no road. You have the right to build on your property, but don't have the right to ruin the rural environment. Any new house with access to Alisal should have two acres. The rest I don't care about. I want to keep this area rural. There are a lot of wells and the water quality will go down with the development. The City should have to provide water and sewer. Vanessa Kawaihau responded that the Specific Plan says there can be one home per acre and asked if Mr. Barlow would be comfortable with that. Mr. Barlow answered he would not be comfortable with that, only one home per two acres.



Bill Lincoln: Asked residents of Sycamore Heights and Bridle Creek to please stand. Our community is new. The latest member just closed escrow. The notice we received never mentioned our area. I don't feel that we have adequate representation, only one vote. Last time, the only vote for status quo was from our area. Our resounding vote is for Option A. All of the community is impacted and should share the burden by providing multiple routes. No roads should be closed. There should be a reduction considered in the development and more traffic studies should be done. I am submitting a petition of 48 signatures to further discuss. Vanessa Kawaihau asked if Bridle Creek was part of Sycamore Heights homeowners association. Bill responded that they are not.

James Frost: I am currently in litigation with Greenbriar. It doesn't matter what they say, it matters what is written down. I recommend you have an independent attorney go through everything. Don't rely on the City or City Attorney. If they fail to deliver what is your recourse? The documents don't reflect what's being said.

Kelly Patterson: I live in Sycamore Heights and would like to submit two proposals for a stop sign with solar power and speed bumps.

Bob Guttelli: To Summerhill, from my standpoint, 50 houses have already impacted us. When Bridle Creek was built, the City required the front to be landscaped, but not in Summerhill. I shutter to think when 1,000 cars come down. I feel like at times Greenbriar is deceptive. I am for status quo.

Kellen Aura clarified that status quo means Happy Valley Road will be closed.

**f. Discuss any further modification of Option D**

**g. Discuss level of support for final Option D**

**h. Determine next steps for developing and/or making recommendation to City Council**

Lorie Tinfow asked what would the committee like for next steps? Pete Richert asked what is the financial burden on the City from this proposal? Lorie responded that there was talk about dividing up the cost depending on the use. Vanessa Kawaihau stated that the original road called for the City to pay 1/3. Pat Costanzo shared that the cost would be 45-47% Greenbriar if it is calculated on use. Lorie stated that the formula to share cost is unclear at this point. Bob Maund stated that the current estimate for the road is 12-15 million dollars. If the City's planning on paying 8 million dollars, they only have one million dollars saved.

Jim Freitas said there are several issues to consider: the road needs to be built before the homes, the water from fertilizer will need to be dealt with, someone will need to check the Alisal lots to see if they're really one acre, the height of dirt excavated should be lowered, maybe consider 59 homes and a two acre park, sound barrier, Al Spotorno to give up property for green space/trails/open space, and connect the horse trail from Alisal. Vanessa Kawaihau shared that the EIR says a park isn't needed because of the large lots, maybe not a full park is needed but perhaps a tot lot.

Tom Smith asked if the votes from last time counted. Lorie Tinfow confirmed that they did count, but it was to bring this proposal back to discuss. It wasn't a vote as a

recommendation to Council. Tom Smith said he thinks there could be an agreement on an alignment, but separate from density of housing. Lorie Tinfow asked the committee to vote on who was interested in separating the two issues. Five of eleven members voted to separate the issues. Lorie then asked if the committee was ready to make a recommendation for Council. The committee responded they were not ready to make a recommendation.

A discussion took place about what the vote meant in the prior meeting and several committee members stated they were confused. Lorie Tinfow suggested a continued discussion at the next meeting.

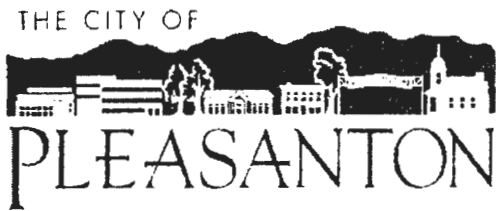
The next meeting is scheduled for November 9 at 7:00 PM.

**G. Topics for Next Meeting**

Nothing additional

**H. Adjournment** – Lorie Tinfow adjourned the meeting at 10:00 PM.

# **ATTACHMENT 6**



## Happy Valley Blue Ribbon Committee Agenda

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Faith Chapel, 6656 Alisal St., Pleasanton, CA  
NOVEMBER 9, 2006, 7:00 PM

**A. Call to Order**

**B. Roll Call:** Aura, Costanzo, Felton, Freitas, Jordan, Kawaihau, Manning, Maund, Richert, Schorno, Smith and Spotorno

**C. Accept Agenda Items and Order:** No additional items may be added pursuant to Government Code Section 54954.2.

**D. Approval of Draft Minutes**

a) Minutes from meeting held on September 28, 2006 (Attachment 1)

**E. Matters Initiated by Members of the Audience**

Any member of the public may address the Committee about any matter not on the agenda for this meeting for up to three minutes. *Committee members may not comment on the matter but may choose to place the topic on a future agenda.*

**F. Matters Before the Committee**

1. Memo: Questions related to Bridle Creek/Sycamore Heights, and Access to Alisal for Residents of Homes constructed on Lot 98 (aka Spotorno Flat) (Attachment 2)
2. Memo: Summary Report and Recommendation Options (Attachment 3)
3. Questions and comments by Committee members
4. Questions and comments by audience members
5. Measure Committee member support for Recommendation Options (Attachment 4)
6. Finalize recommendation for City Council

**G. Adjournment**

**DRAFT**

**HAPPY VALLEY BLUE RIBBON COMMITTEE  
SUMMARY MINUTES  
NOVEMBER 9, 2006**

(Note: These minutes are in **draft** form because, given that this was the last Committee meeting, there was no opportunity to take them back to the Committee for approval.)

**A. Call to Order**

City of Pleasanton's staff member Lorie Tinfow convened the meeting at 7:06 p.m. at Faith Chapel.

**B. Roll Call**

**Committee Members:**

Present:

Kellen Aura  
Patrick Costanzo  
Wes Felton  
Jim Freitas  
Gene Jordan  
Vanessa Kawaihau  
Bob Maund  
Peter Richert  
Tom Smith  
Al Schorno  
Al Spotorno

Absent:

Roger Manning

**Staff Representatives:**

Lorie Tinfow, City of Pleasanton  
Mike Tassano, City of Pleasanton  
Debra Farmer, City of Pleasanton  
Art Carrera, County of Alameda

**C. Accept Agenda Items and Order**

No changes made.

**D. Approval of Draft Minutes**

a. Pat Costanzo asked to amend the September 28 meeting minutes with additional detail about the revised development proposal presented at that meeting which he read aloud and submitted in writing for the record -- see attached. Peter Richert made a motion to approve the minutes as amended. Pat Costanzo seconded the motion. Minutes were approved as amended.

**E. Matters Initiated by Members of the Audience**

No new matters initiated by the public.

## DRAFT

### F. Matters Before the Committee

1. Lorie Tinfow presented a memo that addressed questions related to Bridle Creek/Sycamore Heights, and Access to Alisal for Residents of Homes constructed on Lot 98 (aka Spotorno Flat) included as Attachment 2. The memo said that there were two sets of CC&Rs that applied to Bridal Creek and both noted the Sycamore Creek Specific Plan and/or the Happy Valley Specific Plan. Both plans show that Sycamore Creek Way would be extended eventually. An audience member shared that he was not aware that Sycamore Creek Way would be the only way to get in and out of the golf course area. He also stated that it was confusing because although there were references to the plans made in the CC&Rs, he did not understand the references or what the Specific Plans contained. He said the developer never brought the issue forward and it was not clear to the average person. He also noted that the two sets of CC&Rs didn't cover Sycamore Heights.

Regarding access to Alisal for new development of Lot 98, Bob Maund stated he thought there was no connection between the development of Lot 98 and the bypass road. Lorie Tinfow said the Happy Valley Specific Plan did link the bypass road with development but was silent about how. The document left the decision for Council to make when a development project comes forward.

2. Tinfow presented the summary report for Committee review. Vanessa Kawaihau asked Mike Tassano to explain the standards used to estimate traffic trips. She said in November 2001, 12.8 was the multiplier of trips per day used previously for the golf course. Now the multiplier is 10 trips per day. Why? Mike Tassano answered that he took rates from a 2005 study and rounded to 10 for the multiplier. Vanessa asked what the calculations are for trips per day taking into account the driving range. Mike stated that the current studies include driving ranges already.

Lorie Tinfow reviewed all of the bypass options with the Committee. She explained that members of the Committee could vote for as many options as they wanted to support and the recommendation to Council would report the vote for all of the options. Pat Costanzo asked if the proposal for 70 units could be added to the list of options. Lorie said she'd add it if someone wanted to make a motion to do so. No motion was made. Tom Smith asked where the design conditions would be added. Lorie Tinfow said it was her understanding that the Committee wanted to include the design conditions with whatever option was recommended. Al Spotorno shared that he no longer considered Options 2a and 2b feasible and any pursuit of them would require condemnation.

An audience member objected to the committee taking any vote at all. He stated that the committee was not representative of his interests. He said Lorie Tinfow would be moving to Walnut Creek and had no long-term interest in

## DRAFT

this issue. Lorie Tinfow responded that the Council appointed the group and the group was doing what the Council wanted. A vote would be the next step. Gene Jordan asked why the audience member felt he's not being represented. The audience member answered that only Bob Maund was the only one who represented his interest. Gene asked if the audience member thought that the only person who looked out for his interest was the one from his neighborhood. The audience member confirmed that was his feeling. Lorie Tinfow stated the meeting needed to refocus back to the committee.

Wes Felton asked for a clarification on Option 2 and 3. Al Spotorno responded that he would not accept Options 2 and 3, and he wouldn't offer the property. The City would be looking at condemnation. Wes asked if Option 1 meant there would not be a recommendation on the number of units. Lorie Tinfow confirmed that was the meaning.

Greg O'Conner (audience member) stated he's a Planning Commissioner. He said he brought up the bypass road at the last planning commission meeting and understood that this committee is to only discuss the bypass road alignment, not density of housing. He explained that there were risks associated with opening up the Specific Plan. No matter how many homes were on the flats, the City still had to build the bypass road. He stated he did not understand why the committee was talking about density of housing. Wes Felton asked "Do we have to condemn?" Greg answered it depended on the plan. Vanessa asked if Nelson Fialho, City Manager, said the committee could discuss density? Lorie Tinfow answered that Nelson said the committee could discuss density and that the Council was aware of this action.

An audience member asked how the committee could recommend an alignment if they hadn't walked it. Lorie Tinfow shared that Greenbriar brought a video of the alignment. Jim Freitas added that still pictures were also taken and reviewed.

Gene Jordan said he has missed a couple of meetings and asked why status quo was eliminated as an option. Lorie Tinfow answered that Bob Maund was the only committee member who voted for status quo at the September 28 meeting. Pete Richert said part of the reason the committee got rid of it as an option was that the court order required the City to construct a bypass road and they felt that recommending status quo didn't meet the City's constraints. Gene Jordan responded that he didn't think the traffic was a big problem. Other committee members disagreed. Gene said traffic on Happy Valley from Sunol to the golf course affected less than 63 homes. Pete reminded the group that Alameda County had stated Happy Valley Road would be closed if plans for a bypass road are abandoned. Bob Maund said the intent of the bypass road was to preserve the semi-rural nature of the area. If 63 units went in, that level of development would ruin the area. Pat Costanzo said right now the proposal keeps the area semi-rural.

## **DRAFT**

Lorie Tinfow asked if the committee was ready to vote. The committee voted with the following outcome:

Option 1 -- 8 votes  
Option 2a -- 3 votes  
Option 2b -- 3 votes  
Option 3 -- 5 votes  
Option 4 -- 4 votes

Bob Maund noted that only four Committee members supported 63 units. He noted that if the Committee recommended Option 1, it seemed like a job half done. Pat Costanzo said as a developer he would love consensus, but this was a long process and there would be many more steps. Lorie Tinfow said the group had made progress since this bypass option didn't exist before the Greenbriar project.

Pat Costanzo made a motion to provide a recommendation to Council representative of the vote taken. Kellen Aura seconded the motion. Gene Jordan opposed the motion. All other committee members approved. The motion passed.

Tom Smith suggested that offering easement rights be a part of the recommendation. Seven committee members voted to include easement rights into the recommendation. The recommendation passed.

A recommendation was made to include a "Lot Lot" for any development with a higher density. The suggestion received four votes. The recommendation did not pass.

Jim Freitas suggested a park be included with the development. The suggestion received one vote. The suggestion did not pass.

Lorie Tinfow made a recommendation that all of the secondary design elements be mentioned in the recommendation to Council as ideas that came up during discussion but not be included as part of their recommendation. Al Schorno made the motion to accept Lorie's recommendation. Kellen Aura seconded the motion. The motion passed.

**H. Adjournment** – Lorie Tinfow adjourned the meeting at 8:23 PM.



# **ATTACHMENT 7**

**Spotorno Property  
PUD Residential Community  
Project Description  
March 15, 2006**

This proposed PUD residential community project area is located in the Happy Valley Specific Plan (HVSP) area, within the southern City Boundary of Pleasanton. This project encompasses approximately 34.8 acres; the proposed Bypass Road comprises 3.3 acres and the residential component consists of 79 single-family detached homes on about 31.5 acres of Area. These land use changes require a Specific Plan Amendment (SPA).

This entire property was covered by the original HVSP that was adopted in June 1998, and included approval for 75 Medium-Density Residential (MDR) lots, 5 Low Density Residential (LDR) lots in the Spotorno Upper Valley Area, as well as 22 new lots in the Sportono Flat Area for a total of 102 new residential lots on the Spotorno Property. This was in addition to a Bypass Road through the Spotorno Upper Valley Area, as well as a new 18-hole municipal golf course with 34 new residential lots surrounding the golf course that were also covered by the HVSP

This proposed residential project includes the deletion of 75 lots from the Upper Spotorno Valley, along with the relocation of the proposed Bypass Road to the base of the westernmost hillside. Of those approved 75 lots, 57 are to be relocated to the Spotorno Flat Area to combine with the approved 22 lots for a total of 79 lots in the Spotorno Flat Area. This provides an overall reduction of 18 new residential lots on the Sportono Property from the 102 lots allowed by the original HVSP. By relocating both the residential density and the Bypass Road to the west, there will be considerably less environmental and geologic impacts associated with development. Additionally, this SPA reflects the fact that the proposed golf course has been built and is newly opened and that the residential lots adjacent to the golf course have been developed. Also, the five existing Low Density Residential (LDR) lots along the northern boundary of the Spotorno Property are not affected by this proposed change.

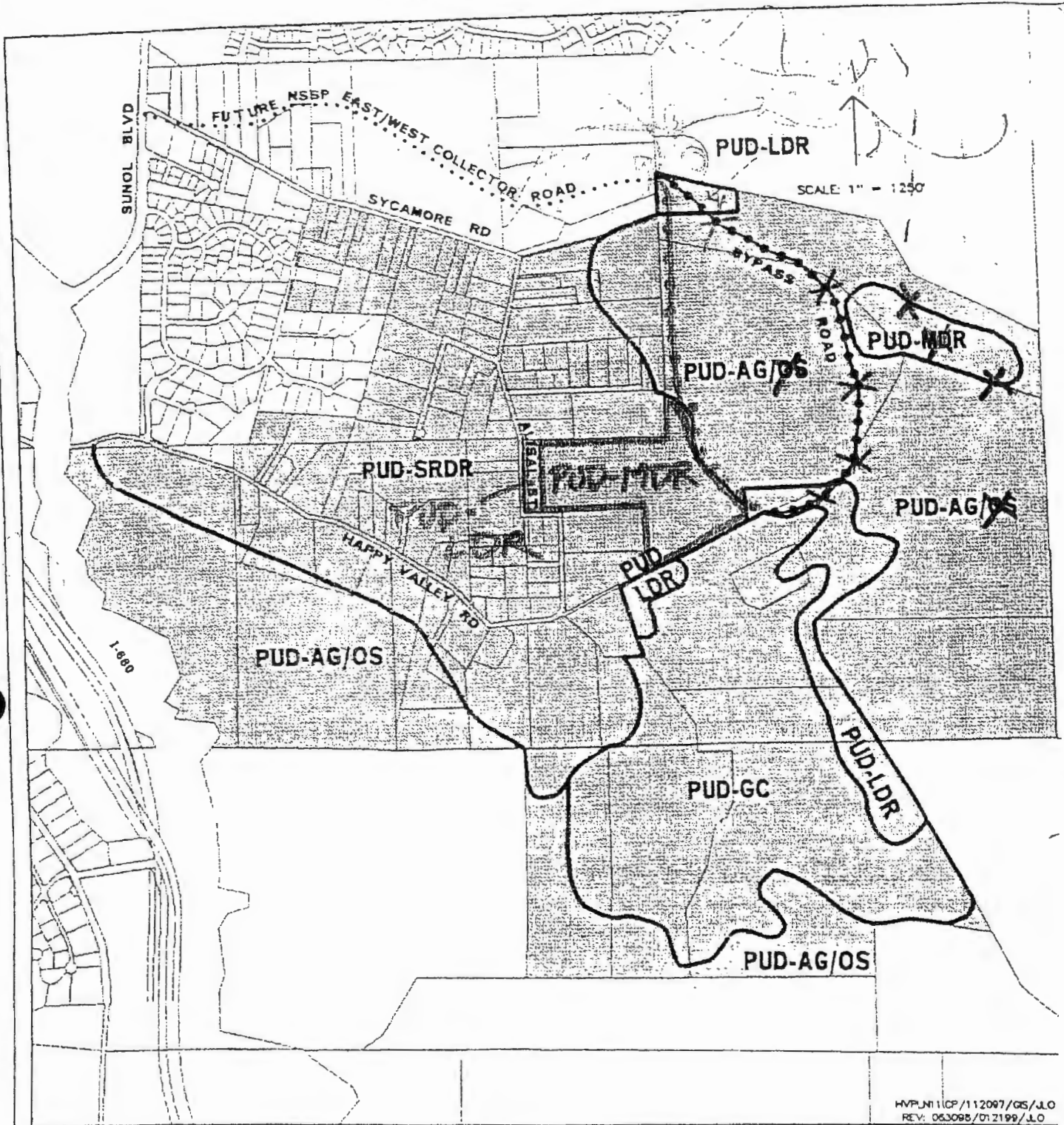
The lot sizes for 34 of the new home sites range from approximately a third of an acre to just under an acre. The three (3) largest lots, each greater than 30,000s.f., are planned to front onto Alisal Street; another six (6) large lots, ranging in size from 20,000 up to 25,000s.f., are contiguous with the properties that are adjacent to the northern boundary of the Spotorno Flat Area. An additional 25 lots comprise more than 12,000s.f. each. The other 45 lots are a minimum of 7,500s.f. in size, though many are significantly larger.

All homes in this new community, with the exception of the three homes that will front onto Alisal Street, will take access off of the Bypass Road. Additionally, all traffic for the newly opened golf course, which currently takes access off of Alisal Street and Happy Valley Road, will also take access off of the Bypass Road, ensuring a significant reduction in existing traffic impacts along those roads.

Project amenities include pedestrian connections between the residential units and the surrounding pathways and trails. The proposed architectural styling is country casual, with traditional detailing; with one and two-story homes ranging in size from about 2,900s.f. up to 6,535s.f. The larger lots along Alisal Street have been specifically located there to provide a transition from the existing neighborhood to the new community. Additionally, one-story homes are proposed along the eastern edge of the property to provide a transition from the adjacent properties to the new community. The primary project entry will be from the proposed Bypass Road. This primary entry area will be heavily, yet informally landscaped with monumentation in order to create a pleasant sense of arrival for this new residential community. Westbridge Lane, which is the access road leading to the newly opened Callippe Preserve Golf Course, will provide a secondary access into this new community.

A great deal of care has been taken to assure that the proposed project blends well with the existing single-family Happy Valley neighborhoods that border the project area on its northern and western edges. These surrounding neighborhoods offer a traditional and eclectic mix of architectural styles on a spectrum of lot sizes, with dense informal clusters of various trees intermittently located around the area. Surrounding streets are of substandard widths which add to the general rural character in the Happy Valley area. The overall planning and design concepts for this new residential community, give it a cohesive and vibrant character within the context of the surrounding neighborhoods.

# LAND USE PLAN



HVPLN111CP/112097/GS/JLO  
REV: 05/30/95/01/2199/JLO

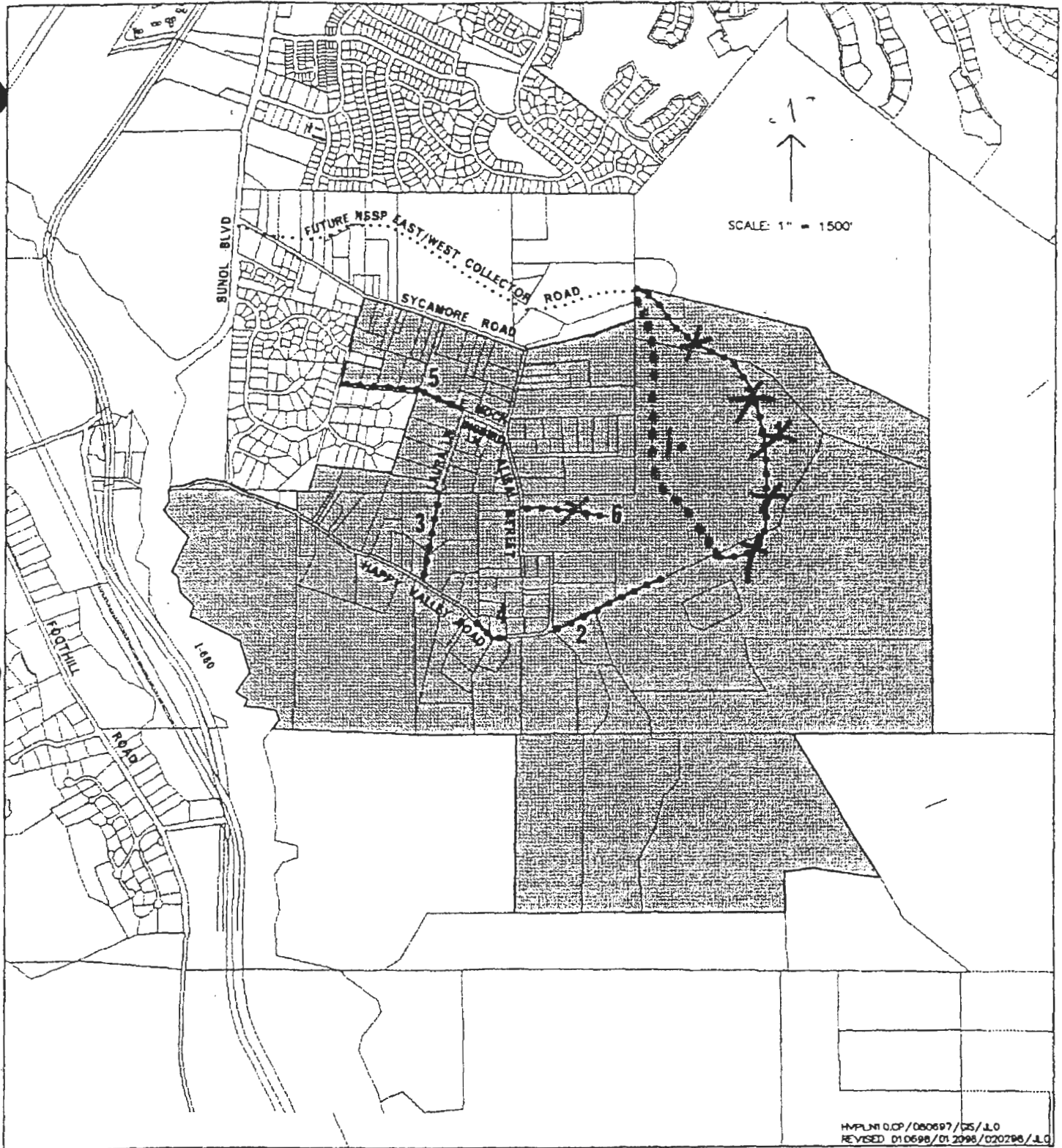
**FIGURE V - 2**

## LEGEND

- |                                     |  |
|-------------------------------------|--|
| PUD: Planned Unit Development       | PUD-SRDR: Semi-Rural Density Residential |
| PUD-MDR: Medium Density Residential | PUD-GC: Golf Course                      |
| PUD-LDR: Low Density Residential    | PUD-AG/OS: Agricultural/Open Space       |



# PROPOSED CIRCULATION SYSTEM IMPROVEMENTS



HMP/NI 0.0P/060697/05/L0  
 REVISED 01/06/98/01/2098/020298/L0

**FIGURE VI - 2**

X = Deleted  
 ----- = Deleted Rd location

## LEGEND

- E.V.A. - Emergency Vehicle Access
- 1. Bypass Road
- 2. Golf Course E.V.A.
- 3. Laura Lane E.V.A.
- 4. Happy Valley Road Curve
- 5. Mockingbird/E. Mockingbird Lane E.V.A.
- 6. Spotorno Flat Area E.V.A.



# **ATTACHMENT 8**

Happy Valley  
Bypass  
Road  
Previously  
Considered  
Alignments



- Alternate 1 – Upper Road Alignment
- Alternate 2 – Connection to highway 84
- Alternate 3 – Extend Alisal to Sycamore Creek – new road through Spotorno Flats
- Alternate 4 – Lower Road Alignment
- Alternate 5 – Use Existing Temp. Alignment as Permanent (keep access as is)
- Alternate 6 – Cul-de-sac Alisal – golf traffic to use Happy Valley Road
- Alternate 7 – Connect to Pleasanton/Sundol Road South of Happy Valley Road
- Alternate 8 – Remote Parking lot and Shuttle (lot location never identified)




# **ATTACHMENT 9**



Matrix Completed at Sept. 14 Meeting

	Aesthetics	Bike Path/ Sidewalk	Environmental Impact	Geotech	Height (one story vs. two story)	Housing Density	Political/ Condemnation	Strategy to get support	Traffic	Trees	Lighting	Trees sprinkled on hillside	Berm Height
Option A: Status Quo - no road	Noise and visibility of cars on Alisal and Sycamore Rd traffic calming devices that may be needed	Lack of either unless provided by the City size of right of way would need clarification as would need for condemnation	Happy Valley Rd may be closed and traffic rerouted if sidewalk added front yards may be impacted and trees might be lost. salamander issues	None	consistent with Happy Valley Specific Plan	consistent with HVSP	If bike path/sidewalk added condemnation may be needed depending on ROW. would status quo be consistent with court obligation?	neighborhood vs neighborhood would need Alisal and Sycamore Rd support	Affects Alisal and Sycamore Rd speed number of cars safety concerns may need calming devices	possible loss of street trees	No change	N/A	N/A
Option B: Original alignment, modified to work with geology				9 shallow landslides (10'-20'). 2 deep slides (one is 150' other is 50'). water level impacted. steep. would require 2:1 cut ratio and substantial retaining walls. movement of about 1 million yards of dirt					Affects Sycamore Creek speed number of cars safety concerns may need calming devices more homes impacted creates positive impact on Happy Valley, Alisal and Sycamore Rd				
Option C: Bypass road associated with current Greenbriar project, as proposed	Visibility of cars and road for the region Noise and visibility of cars on Sycamore Creek Way traffic calming devices that may be needed	included a bike/pedestrian trail includes a trail on one side	Major landslides, fauna loss, wetlands, offhaul dirt, upland habitat, birds	4 landslides in the 15'-20' range and the 5'-10' range less steep with cut ratio of 3:1	consistent with Happy Valley Specific Plan	102 units + 5 as described in HVSP	if Spotorno agreed unlikely City would approve this project if Spotorno did not agree City would have to force via condemnation	neighborhood vs neighborhood with negative effects on Sycamore Creek Way neighborhood	possible loss of trees at creek crossing, more oaks impacted	Lighting consistent with HVSP	N/A	7'	
Option D: Bypass road associated with current Greenbriar project with modifications		4 foot crushed granite	determined by EIR	via report	consistent with Happy Valley Specific Plan and	79 units 63 units, three 1-acre lots along Alisal remaining 30 acres developed in 1/2 acre lots	With approval HVSP and General Plan would be updated	Determine density that can be supported	Same as B impacted	free optional	Optional	optional	2 foot 3' top

# **ATTACHMENT 10**

 You forwarded this message on 11/19/2006 10:52 AM.

**Lorie Tinfow**

---

**From:** Roger Manning [roger@homes-lots.com]

**Sent:** Thu 11/2/2006 12:13 PM

**To:** Lorie Tinfow

**Cc:**

**Subject:** Blue Ribbon

**Attachments:**

Lorie:

As you may remember, I will not be at the 11/9 meeting due to a vacation trip

My vote for submittal to the City Council would be option # 1 which would establish a by-pass route with no recommendation on the number of homes. I have never felt comfortable in establishing a number for the homes, feeling that that is a negotiation item between the City Council, staff and Greenbrier. The road, which has to be built, (the status quo not being an option) has a cost which only can be covered at a cost of "x" number of homes. I don't believe our committee can recommend much less negotiate this without looking at all of the other amenities attached to a typical PUD. The staff and City Council can best negotiate a "total package" that would be acceptable to the residents of Pleasanton.

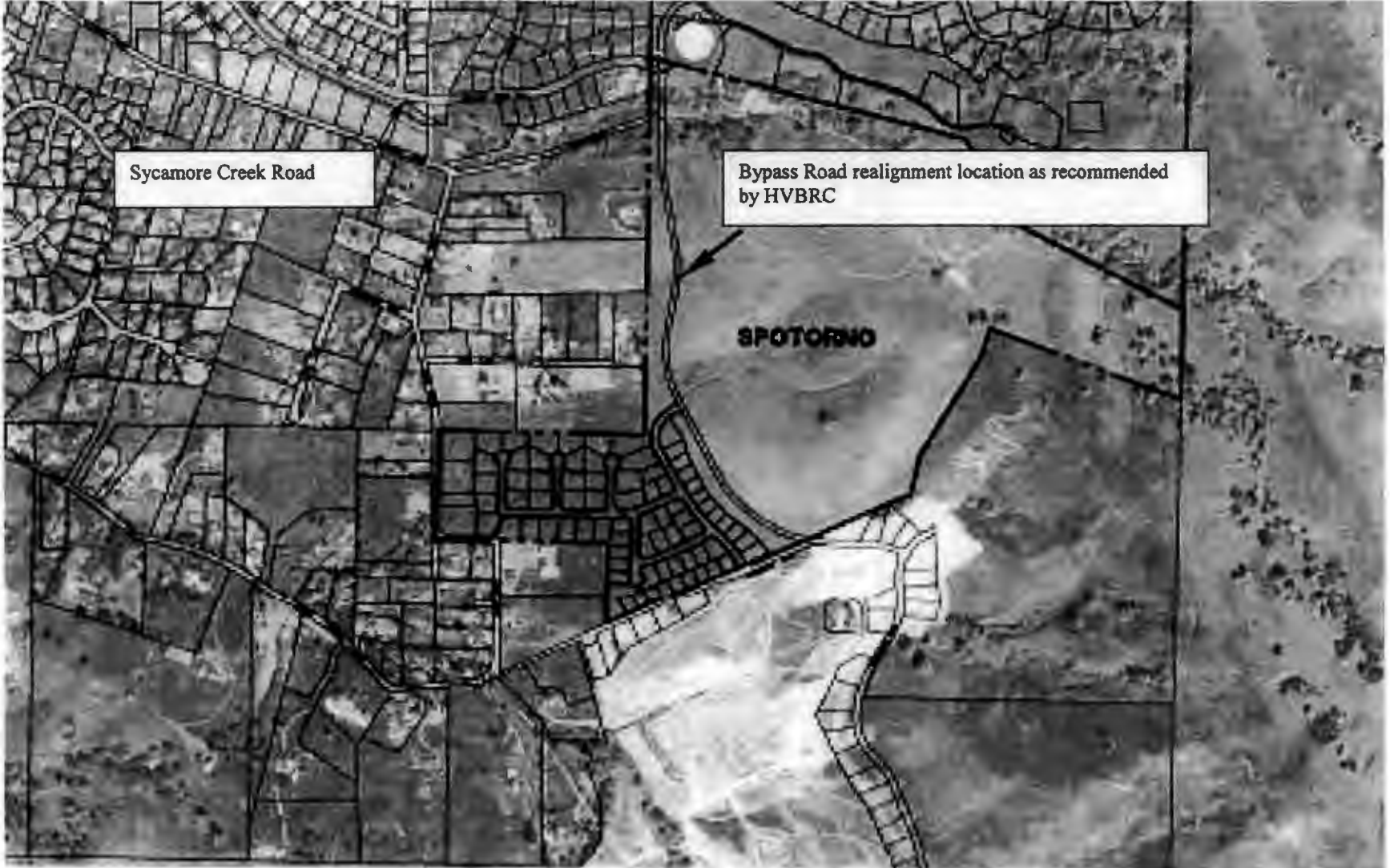
The design and or other suggestions you noted can be submitted for staff consideration.

If the committee feels a need to submit a house number along with a road recommendation my vote would be option #4 in that I don't believe Greenbrier (or even the Spotorno's) would go at all with options 2 or 3.

If I need to clarify this one way or the other please e-mail me back as I will be here until Monday am.

Roger Manning

Ps: Sorry to be losing you. You have done an excellent job with our committee and I wish you the best in Walnut Creek. Congratulations.



with respect to some of the safety issues that the residents have identified. He added the agreement has been extended to the end of July. If they are not able to reach an agreement that the residents and the Council can support, then the ordinance will go into effect in August.

Mayor Hosterman expressed a desire to schedule opportunities for Councilmembers to visit the Park.

In response to question by Councilmember Thorne, the City Attorney noted the maintenance issues are under the control of the State Department of Housing and Community Development and the City's ability to regulate them is more difficult than throughout the City. On the other hand, there are general maintenance responsibilities under the agreement and that is the leverage that the City has tried to use to get the owner to do something out there in the interim. It has been difficult to get voluntary cooperation.

It was noted that letters to the State Department of Housing and Community Development would be helpful as well.

Joseph Partansky addressed the Council regarding public participation and referenced the wording on the Agenda Coversheet which reads ".....the Mayor will generally allow public input on any item listed on the agenda...." He indicated the law states you must allow comments. He asked if you keep the language as stated, perhaps there should be a statement where comments are not allowed so as to be more informational. In addition, referring to Council Reports, he noted it would be nice to have reports out by Boards and Commissions – perhaps quarterly or once a year.

## **PUBLIC HEARINGS AND OTHER MATTERS**

18. ***Pulled from the agenda*** – Public Hearing: Status report regarding community needs for medical marijuana, Alameda County's Identification Card Program, dispensaries within the County, and effects of dispensaries operating in other jurisdictions, and consider introduction of an Ordinance to add a new Chapter 6.18 to the Municipal Code to prohibit the operation of medical marijuana dispensaries
19. Consider recommendation of the Happy Valley Blue Ribbon Committee (HVBRC) for the Bypass Road realignment and adopt a resolution thanking the committee for completing its purpose.

Julie Yuan-Miu, Deputy City Manager, gave the staff report and noted the Happy Valley Blue Ribbon Committee was established by the Council in June 2006 and was asked to provide a recommendation to the Council related to the Callippe Preserve Golf Course bypass road alignment. The Committee began meeting later that month and concluded their activities in November 2006. As the Committee has completed the task, its recommended that the Council disband the committee. She noted Lorie Tinfow handled this project and would be making the presentation.

Lorie Tinfow gave a presentation and noted that the committee was charged with the task to discuss the previous alternatives that had been evaluated related to a bypass road alignment as described in the Happy Valley Specific Plan, review new information, and

collaborate towards finding a preferred alternative for a bypass road alignment that would connect the Callippee Preserve Golf Course to Sycamore Creek thereby alleviating traffic movement through the Specific Plan area.

A majority of the HVBRC voted to recommend that the Council consider : 1) the bypass road alignment included in the Greenbriar Homes' current proposal that runs along the western edge of the Spotorno property, connecting with Sycamore Creek Way to the north and Westbridge on the south and 2) that any development approved for Lot 98 (also known as Spotorno Flat) include consideration of design conditions in the report. No recommendation was made by HVBRC related to housing density.

Should the Council accept the recommendations from the HVBRC, it will mean that the Council finds generally acceptable the realignment of the Bypass Road as depicted on Attachment 4, subject to appropriate environmental review and an amendment to the Happy Valley Specific Plan, both following public review and comment. The right of way, design and construction costs for such realigned Bypass Road will be as provided in the Happy Valley Specific Plan unless the Plan is amended otherwise. It was recommended by staff to accept the report on Happy Valley Blue Ribbon Committee's work to develop a recommended bypass road alignment and accept the committee's recommendation regarding the preferred bypass alignment, and adopt a resolution disbanding the committee for completing its purpose.

The City Manager noted if the Council is supportive of the Blue Ribbon Committee's recommendation, staff would begin discussion with Greenbriar, arrive at a number that staff is comfortable with, submit that recommendation to the Planning Commission and ultimately the City Council. It would be subject to an environmental review process, a public hearing process, an amendment to the Happy Valley Specific Plan that identifies very specifically what the density is, as well as the alignment of the new road.

Council discussion ensued regarding the funding mechanism for the plan.

Councilmember McGovern clarified that if the Council approves the recommendation, the Happy Valley Specific plan will have to be amended and an environmental study completed.

Discussion ensued regarding the traffic study and roadway speeds.

Mayor Hosterman opened the matter for public comment.

Phyllis Lee addressed the Council in opposition to the recommendation of the Happy Valley Blue Ribbon Committee. She voiced concerns with Sycamore Creek Way being the bypass. She noted concerns with traffic, ingress and egress, evacuation plans, speeding and safety of children in the area. She urged the Council not to adopt the recommendation.

Bill Lincoln addressed the Council urging them not to accept the recommendation as he believed the committee was biased. He noted only one of the 12 committee members represented the Sycamore Heights and Bridle Creek Communities. He noted concerns with traffic, open space and quality of life issues.

Steve McGinnis addressed the Council in opposition to the recommendation of the HVBRC. He noted concerns with traffic on Sycamore Creek Way, Sunol and downtown Pleasanton.

Kellen Aura addressed the Council in support of the recommendation of the HVBRC. He noted Happy Valley Loop was never designed to carry the traffic that has been generated by the City's golf course. He noted visibility issues, lighting issues and general traffic concerns in the area. He urged the Council to accept the recommendations by the HVBRC.

Daryl Horan addressed the Council in opposition to the proposed bypass alternative. She noted concerns with noise and exhaust pollution. She commented on the Salamandar endangered species and noted concern with if that had been considered. She urged the Council to reject the proposal for an alternative bypass road.

Sheri Howard addressed the Council in opposition to the recommendation. She noted concerns with traffic, safety, traffic circles, and berm curbs. She also noted with safety due to impaired drivers who may have been drinking after playing golf.

Debi Frost addressed the Council who read sales information that was given to all prospective Bridle Creek buyers by Greenbriar Homes which focused on quality living. She noted concerns with traffic congestion on Sycamore Creek and indicated the bypass road has been a source of contention ever since the Bridle Creek homeowners realized they were duped by Greenbriar Homes. She indicated she feels that Greenbriar was intentionally deceptive in order to command top dollar for the Bridle Creek Homes.

Jim Frost addressed the Council indicating there has not been appropriate disclosures made from the developer. He noted concerns with adequate representation on the HVBRC. He commented on the funding issues as they relate to the development of the bypass road. He concluded by stating if the Council wants to build a community of character, he suggests that they don't do it with Greenbriar as they don't represent the same values as the City does.

Greg O'Connor addressed the Council expressing issues with the process and the resulting recommendations. He noted residents of Happy Valley are currently complaining about the traffic from the golf course. He noted the proposed recommendation would add to the traffic congestion and urged the Council to oppose it. He noted the committees vote on densities should have been reflected in the recommendation.

Kevin Close addressed the Council urging them to accept the recommendation. He added this is an alignment of a quarter of the bypass road and that the first three sections of the bypass road have already been built.

Patrick Costanzo addressed the Council in support of the recommendation. He noted that there will be an EIR to study the salamandar and all other issues and those will be addressed appropriately. As to whether the bypass can be removed from the Specific Plan and have it be okay, he highly doubts it. He also commented that they have provided to the City all the disclosures that were distributed when the homes were sold and noted they legally disclosed the right and proper things. The committee did originally talk about densities, but then it was determined that it really didn't make sense to try to plan a project around the table with twelve people and it should be left to the appropriate process. He noted there was a vote at one time to support 63 homes. He concluded by asking for the Council's support tonight so that they may continue the process and work with the City to get something that works.

LaVerne Spotorno addressed the Council and noted their families contributions to agriculture in the area. She added tonight is the night for the Council to move forward on the decision to accept the bypass road design. It was noted that their ranch property has been tied up for fourteen years. Discussion on a possible bypass road through their ranch actually began with the former update of the General Plan in 1993. She added they are not willing to have their land tied up any longer. She commented that the Spotorno family has paid thousands of dollars on "those hills" for 140 years and they are only developing 1/5 of the their entire property. She added that they are not willing to destroy any more of their working ranch other than what has already been designated for the bypass road. The bypass road is a significant contribution to the City of Pleasanton and is also a huge sacrifice on behalf of their family. They are impacted far more than anyone else in the community. She commented that if this project does not move forward, then for the record they wish to make it known that they reserve the right to be able to use Alisal Street if needed in the future.

Raju Rajagopalan addressed the Council concerning densities and in opposition to the proposed bypass.

Vince Barletta addressed the Council regarding traffic congestion concerns at Bridle Creek and Sycamore Heights. He noted he is not excited about a lower bypass road but if a bypass road is needed, it is better than no bypass road and further noted concerns regarding the Spotorno flat and the number of homes that might be built on it. He concluded by stating support for building the bypass road to to keep the rural flavor as it is intended and less homes is better.

Bob Maund addressed the Council complimenting the committee and staff on a job well done. He added although there is no good route, he believes if the bypass road did not have to be built at this point in time no one would really suggest routing a new road up and over those hills in Pleasanton. He believes the bypass road being recommended would have a number of significant and unintended consequences for everyone in Happy Valley and in Pleasanton. He noted concerns with densities in the area and the funding that would be necessary to complete the bypass road. He further commented on the hills and the quality of life issues, noting it seems incredible that the City would consciously decide to build a road in those hills. The best way to maintain the semi-rural character and the quality of life in Happy Valley would be to build no new roads, and continue to restrict development in Happy Valley. He urged the Council not to support the recommended bypass road.

Harpreet Dhillon, M.D. addressed the Council noting that he became aware of this issue about two weeks ago in the local newspaper. He noted the current access to the golf course is safe and stable. He pointed out that the communities of Bridle Creek and Sycamore Heights are newer communities and have small children. He feels the safety of the children will be greatly compromised by developing the access road. Currently the speed limit is 25 mph and he would hate to think the speed limit would be increased to 35 mph on Sycamore Creek Way. He added in 1992 when this initiative was given thought, the communities of Bridle Creek and Sycamore Heights were basically a twinkle in the developers eyes. He does not believe they should be made to bear the brunt of the developer and other parties who are going to monetarily benefit from this initiative and believe the greater good should be done for the greater amount of people. The course is clear in this setting....the Council has to say "no" to the HVBRC recommendations.



Tom Smith addressed the Council as part of the HVBRC and noted he lives on Happy Valley Road. He indicated he supports the Committee's decision, adding he would like to see one acre parcels and would like to see the people along the road get easements to their property on the backside if they are going to sacrifice getting a road in their backyards. He added he hopes that the road is built first. He urged the Council to support the committee's decision and fulfill the promise that was made a long time ago about getting the quality of life back on Happy Valley Road.

Gene Jordan addressed the Council as part of the HVBRC and noted five or six years ago when the bypass road was being discussed, it was truly a bypass road. It would truly allow people to get to the golf course with minimal intervention to homeowners in the neighborhood. When he became involved on the HVBRC, he found it interesting that option was no longer on the table. He noted as they went through the Blue Ribbon Committee, it became clear that the likelihood of any bypass road to be built would be based on densities of homes that would be built by the Greenbriar development.

Hearing no further requests to speak, the Mayor closed public comment.

Councilmember Cook-Kallio questioned the composition of the Committee and if the meetings were public. Staff responded meetings were available to the public. In terms of the selection of committee members, the Council considered a staff report that designated various stakeholders for the Blue Ribbon Committee. Discussion was held at great length as to who those stakeholders should include. The stakeholder group was identified and staff had initial meetings with the community that was open to the public and ultimately invited representation from the neighborhood to fill those stakeholder groups. She clarified that what was before the Council was the alignment not density. She also clarified that the building of the road would be dependent on an EIR. She also commented on the emotional nature of this issue and indicated she has followed the issue and believes it was a promise of the Council to fund some sort of bypass road and believes the Council is obligated to do that. She clarified any road closures would be part of an on-going negotiation.

City Manager Fialho clarified the Specific Plan for the area contemplates Westbridge being converted to a cul-de-sac once the bypass road is constructed. He noted that is what the General Plan calls for today and should the Council decide to change the policy it could be changed. He stated there is a public review process associated with that, as well as various stakeholders that the City would have to meet with to get that done and that it is basically at the Council's discretion as to when Council would proceed with discussions on development. Staff added that Westbridge will have emergency vehicle access even if it is closed.

Councilmember Cook-Kallio recognized this issue is a difficult balancing act. She does feel the Council is obligated to move forward with a bypass road.

Councilmember McGovern clarified that city staff has not determined the housing density for Spotorno flat at this point. She also clarified that the City is not looking at having the housing pay for the entire road. The City has an obligation to fund as well due to the golf course. She questioned if she were to approve the alignment tonight, Council would still have to be negotiating what type of housing density would be on that property. If the

Council did not come up with the housing density that the landowner wanted, she questioned if they could back out of the alignment that was approved tonight.

City Manager Fialho noted the way the staff recommendation is structured is that by supporting the Blue Ribbon Committee's recommendation the Council is generally accepting that the alignment is in that general vicinity. But, the Council has not amended the Specific Plan, the General Plan and hasn't proceeded with an EIR process or a development application on the part of Greenbriar. All of this must come together before the road ever gets constructed.

Councilmember McGovern stated she honestly believes the City has its integrity and her integrity is on the line. She noted previous Councils, when the golf course was agreed upon, it was also agreed to make permanent to remove traffic away from the rural roads that were in the Happy Valley area as a way of maintaining the rural nature of that portion of the Valley, but also to try to have the least impact on those properties as possible. She is looking for a final solution and is ready to move on and do something here that the City has promised for years. She clarified that the people in Sycamore Heights and Bridle Creek were noticed about the meeting to establish our attempt to find volunteers. The meetings were noticed that staff was planning meetings throughout the summer and the notices included the dates, times and locations of the meetings.

Councilmember McGovern clarified with staff that the Bridle Creek CC&Rs did lead someone to believe that Sycamore would be connected possibly to a bypass road. She also clarified there is one sign at the dead-end of Sycamore Creek that refers to a "future extension."

Councilmember Thorne indicated for him this boils down to some straight-forward facts. The first is that when the City built the golf course, a bypass road was promised. The bypass road originally looked at would have gone over the hill and that was geotechnically impossible and is no longer an option. Given that, he made a motion to accept the recommendation of the HVBRC. The motion was seconded by Councilmember McGovern.

Councilmember Sullivan stated this is one of the most difficult questions the Council is going to have to deal with, along with the density issue coming forward in a couple of weeks. He added it has been the promise from the City to build a bypass road to the golf course around the Happy Valley area. He noted Sycamore Creek Way has always been designated as the bypass road to the golf course. He sympathizes with the confusion of the neighbors. He noted the Blue Ribbon Committee was created to attempt a compromise and noted there is a significant group of stakeholders that were not adequately represented throughout the process. He further noted he has a problem with saying he accepts the report and accepts the recommendation, because he's not real happy with that part of the process. He added this is not the final decision as the Council does need to consider the environmental impacts. He stressed he has no comment as it relates to density associated with the alignment and that will be discussed at a later date through a series of public hearings. He indicated he will be supporting the motion and as the Council goes through the process, he would like to see the Council look at the existing Sycamore Creek Way to see if there's any kind of reconfiguration that can be done there to add additional safety measures to the houses that front Sycamore Creek Way. He would also like to see the City work proactively with the neighbors on issues with that road and traffic calming in other areas along there to keep speeds down and make that as safe as possible.

Councilmember McGovern thanked the Blue Ribbon Committee for their time and efforts in this matter.

The Mayor thanked the members of the Blue Ribbon Committee for their efforts and added they were given the task to grabble with the issue of this roadway.

Motion: It was m/s by Thorne/McGovern, to accept the recommendation of the Happy Valley Blue Ribbon Committee (HVBRC) for the Bypass Road realignment and adopted Resolution No. 07-107 thanking the committee for completing its purpose. Motion passed by the following vote:

Ayes: Cook-Kallio, McGovern, Sullivan, Thorne, Mayor Hosterman  
Noes: None  
Absent: None

20. Consider funding for the City Down Payment Assistance Program.

Assistant City Manager Steve Bocian presented the staff report and noted Pleasanton has maintained a Down Payment Assistance Program to assist first time buyers with obtaining home ownership since 2003. Recently, the City lost its program funding from the California Housing Finance Agency (CalHFA) and this requires a reevaluation of the Down Payment Assistance program. The City has reapplied to CalHFA for a new grant and a decision on its application will not be made until June or July of this year.

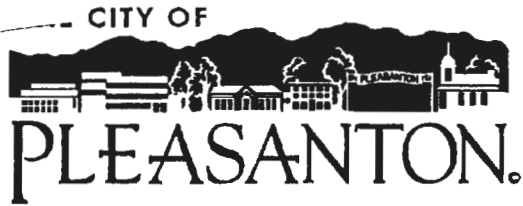
The Housing Commission (HC) met on March 15 to consider the program and recommended that it be funded entirely with \$200,000 from the City's Lower Income Housing fund as an interim measure to fund loan applications that may be approved over the next few months. Final decision on program amendments and funding will be determined following a decision by CalHFA regarding the new grant application.

Approval of the recommendation requires an allocation of \$95,000 from the City's Lower Income Housing Fund (LIHF) to supplement the \$105,000 currently available for the program. The LIHF currently has a balance of approximately \$11 million that will adequately fund the additional allocation. The Council reviewed potential uses for the LIHF last April and determined that mortgage buy downs/low interest loans were an appropriate program use.

Staff recommends approving the Housing Commissions recommendation and directed staff and the HC to reevaluate the DPA program concurrent with a decision from CalHFA regarding the City's grant application.

Councilmember McGovern indicated she feels the \$200,000 will sit there if the City does not make some overall changes in parameters for these loans. She stated she would like to see the Housing Commission take a close look at the loan program and to make some strong recommendations to the Council as to if the loans should be increased and what that amount would be. She would like to know what it is that would make the City's loan program a viable program for the community.

Councilmember Cook-Kallio stressed the need for outreach and the importance of getting



**City Council  
Staff Report**

June 16, 1998  
Planning Department

- SUBJECT:** GPA-97-01, SP-97-01, RZ-97-01
- APPLICANT:** City of Pleasanton
- PROPERTY OWNER:** Approximately 120 different landholdings in the Happy Valley Area
- PURPOSE:** Application for a General Plan amendment, specific plan, and PUD pre-zoning for the 860-acre Happy Valley Area. The project proposes development of an 18-hole municipal golf course, up to 179 new homes, extension of a collector road to serve the southern portion of the Plan Area, and extension of City water and sanitary sewer facilities.
- GENERAL PLAN:** Medium Density Residential, Low Density Residential, Parks and Recreation, and Public Health and Safety/Wildlands Overlay.
- ZONING:** There is currently no City zoning for this unincorporated area. Following proposed annexation to the City, zoning would include Planned Unit Development (PUD) - Medium Density Residential (MDR), PUD - Low Density Residential (LDR), PUD - Semi-Rural Density Residential (SRDR), PUD - Golf Course (GC), and PUD - Open Space (OS).
- LOCATION:** Immediately south of the existing city limits at Sycamore Road and immediately east of I-680.

## **PLANNING COMMISSION RECOMMENDATION:**

Recommended that the Council: (1) approve the Final Environmental Impact Report and related environmental documents prepared for the project; (2) approve a General Plan amendment to accommodate the proposed Specific Plan; (3) approve the proposed Specific Plan subject to certain modifications; and (4) introduce a Planned Unit Development pre-zoning for the 860-acre project area.

## **SUMMARY:**

During the course of the Happy Valley Specific Plan process, numerous planning, engineering, financial, and environmental issues arose which required resolution. Nearly all of these were worked out through the many City/Neighborhood meetings, staff/property owner meetings, mitigated Specific Plan/EIR process, EIR public review process, staff/agency coordination, staff and consultant input, and public meetings of the Golf Course Committee, Planning Commission, Park and Recreation Commission, and Affordable Housing Commission. Staff feels that this process has gone well and is very appreciative of the time, effort, and commitment of all the participants. In addition to the many issues that have been resolved, several remain which are summarized below that the Council may wish to discuss during the upcoming public hearing(s).

### SUMMARY MATRIX OF REMAINING ISSUES

Issue Description	Staff Recommendation	Planning Commission Recommendation	Neighborhood/Property Owner Feelings
1. Greater Happy Valley Area Housing Density	2-acre density with limited density bonus for open space amenities	Generally same as staff	<u>Neighborhood</u> - many support 1-acre density; many others support 2-acre density
2. Spotorno Flat Area Density Bonus	1 home per 1½-acre density for open space amenities	Generally same as staff	<u>Neighborhood</u> - mixed between 1 home per 1½-acre density and 1 home per 2-acre density
3. UGB Clarification at Lots 115, 116, 119, 120, 121, and 124 (south of Happy Valley Road)	Clarify UGB as per Attachment 3	Explore the possibility of clarifying the UGB for these lots	<u>Property Owners</u> - move the UGB back to include additional Semi-Rural Density Residential acreage
4. Phased Annexation of Lots South of Happy Valley Road	Approve a proposed agricultural document prior to annexation so that phasing will not be necessary	Permit annexation of rear lot areas after approval of the agricultural document	<u>Property Owners</u> - generally same as Planning Commission
5. 5-Acre Agricultural Parcels at Lots 119 (Schaffer) and 124 (Grotenhuis/ Chapman)	Permit limited density increase (and 1 lot density transfer for Lot 119) in recognition of agriculture/open space easement dedication	Permit 5-acre agricultural lot-splits	<u>Property Owners</u> - same as Planning Commission
6. Trail 7 (Minnie Road)	Keep trail in Specific Plan	Delete trail from Specific Plan	<u>Property Owner</u> - same as Planning Commission
7. Spotorno Agricultural Compound	Permit subject to restrictions as to location and visibility	Explore as a possibility	<u>Property Owner</u> - permit as shown on Attachment 4
8. Additional Spotorno Lots in the South Spotorno Hill Area	Permit transfer of 3 Spotorno lots, and permit 1 new Golf Course lot	Explore transfer of 6 Spotorno lots as a possibility	<u>Property Owner</u> - Permit transfer of 6 Spotorno lots or transfer of 6 Spotorno lots and 1 new Golf Course lot; <u>Neighborhood</u> - feelings not known
9. Bypass Road Cost-Sharing	Use formula outlined in Draft Specific Plan	Require more City participation in cost-sharing	<u>Property Owner</u> - generally same as Planning Commission
10. Water and Sewer Cost-Sharing	Use formula outlined in Draft Specific Plan	Require installation of facilities up to private lots at cost to future developers only	<u>Neighborhood (non-developers)</u> - same as Planning Commission; <u>Neighborhood (developers)</u> - same as staff

## **STAFF RECOMMENDATION:**

Staff recommends that the Council take the following generalized actions: More detailed recommendations are provided at the end of this staff report for use at the City Council meeting:

1. Approve the Final Environmental Impact Report as per Attachment 6.
2. Approve the proposed General Plan amendment to accommodate the proposed Specific Plan as per Attachment 8.
3. Approve the Specific Plan as per Attachment 9 with the additional staff recommendations presented at the end of this staff report.
4. Approve the proposed Planned Unit Development pre-zoning as per Attachment 10.

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Honorable Mayor and Members of the City Council:

## **BACKGROUND**

The first City land use study of Happy Valley was initiated in 1983. Although significant progress was made, the project ended with a division of opinion among the residents and an ultimate decision not to adopt a plan. The primary issue raised by the study was the high cost of providing City water.

In 1988, the Pleasanton Unified School District (major plan area land owner) and other area property owners requested that a specific plan process be initiated for the northern 135 acres of Happy Valley (North Sycamore Specific Plan Area). With input from a citizens advisory committee, the North Sycamore Specific Plan was subsequently prepared by City staff and consultants and adopted by the City Council in June of 1992. Annexation of the 135-acre area to the City followed shortly thereafter.

The concept of developing a municipal golf course in the southern portion of Happy Valley then became a topic of considerable community discussion starting in 1994. Informal neighborhood meetings, City/property owner negotiations, and General Plan Update meetings all focused on this use. In May 1996, the City Council directed staff to initiate a formal City/Neighborhood planning process. The object was to seek input for narrowing the alternatives for a possible golf course while also considering surrounding land use, traffic circulation, water and sewer service, and possible annexation. City/Neighborhood meetings were held between July and October of 1996, and a concept plan was developed for the area. Then in March of 1997, the Council directed staff and City consultants to proceed with the preparation of a draft specific plan and EIR, based upon the concept plan.

The Draft Happy Valley Specific Plan and EIR were completed in February 1998. A 45-day public review period followed during which time staff received a series of written comments from public agencies, organizations, and individuals. In addition, recommendations and oral comments were provided during this time at meetings held by the Happy Valley Neighborhood, Golf Course Committee, Park and Recreation Commission, Affordable Housing Committee, and Planning Commission. Responses to all comments pertaining to the Draft EIR were then prepared by the City's environmental consultant and integrated into a Response to Comments document. Comments and recommendations regarding the Draft Specific Plan are presented in Attachment 11 of this staff report.

The Planning Commission subsequently conducted two additional public hearings on the project (April 22, 1998 and April 29, 1998) and acted to recommend that the Council certify the Final Environmental Impact Report (EIR) as complete and adopt the proposed General Plan amendment, Specific Plan (subject to modifications), and PUD pre-zoning.

The final step in the "specific plan" process is for the Council to act on the Final EIR, General Plan amendment, Specific Plan, and pre-zoning.

## **SPECIFIC PLAN SUMMARY**

The Draft Specific Plan includes an 18-hole municipal golf course and up to 34 new approximately half-acre home sites on the Golf Course Properties. These home sites are proposed to help defray a portion of the cost of acquiring the Golf Course Properties and constructing a "Bypass Road" to serve it. The Upper Spotorno Valley Areas are designated for 15 acres of Medium Density Residential and five acres of Low Density Residential. Housing density in the Greater Happy Valley is one home per two acres with a limited density bonus provision. The remaining hillside areas that surround Happy Valley are designated for Open Space. Vehicular access to the south Happy Valley Area is to be provided by the Bypass Road designed to "country road" standards. Temporary access to serve the Golf Course Properties from the Happy Valley Loop would be allowed until such time as the Bypass Road can be constructed. Water and sanitary sewer facilities are planned throughout the Plan Area. Storm water drainage improvements such as detention basins are proposed for the Golf Course and Spotorno Properties in order to reduce the peak storm water flow and decrease the risk of area flooding.

The Specific Plan proposes that cost-sharing of public water and sewer facilities be undertaken on a pro-rata share basis from the City for the Golf Course, future residential developers for the homes they build, and existing homeowners choosing to connect. Water and sewer services would be extended by the City to the Golf Course Properties with partial reimbursement from others served. Other future developers within the Specific Plan Area would be required to



extend these services to the sites they develop and pay partial reimbursement for commonly-used facilities. Current property owners would have the option of extending these services to their homes.

## **GENERAL PLAN AMENDMENTS**

In order to maintain consistency between the Specific Plan and the General Plan, an amendment to the Land Use Element of the General Plan is required. This includes: (1) replacement of 20 acres of Parks and Recreation (golf) with 20 acres of Low Density Residential (LDR) on the General Plan Map; (2) replacement of 40 acres of Public Health and Safety/Wildlands Overlay with 40 acres of Parks and Recreation on the General Plan Map to accommodate a portion of the Golf Course; (3) extension of a collector road ("Bypass Road") through the Upper Spotorno Valley south to the Golf Course on the General Plan Map; and (4) modification of the Land Use Element text wording on page II-8 and the General Plan Map for the Greater Happy Valley Area as it relates to density when development occurs in conjunction with major open space land dedication and/or open space easement dedication.

## **ENVIRONMENTAL IMPACT REPORT**

The environmental analysis for the Specific Plan is contained in the Final Environmental Impact Report (EIR). The Final EIR includes an analysis of potentially significant project-related environmental impacts, measures for mitigating potentially significant environmental impacts, an analysis of possible project alternatives, and responses to comments raised by agencies and the public on the Draft EIR.

The Draft Specific Plan and EIR were prepared concurrently by City staff and consultants. This process provided the opportunity for the environmental consultants to recommend mitigations for otherwise potentially-significant environmental impacts which were then incorporated directly into the Specific Plan. The result is what is called a "mitigated plan," or a specific plan which contains the environmental mitigations within its text. This approach allowed for a more interactive exchange of information between the staff who prepared the Plan and the consultants who evaluated the environmental consequences of the Plan.

Following completion of the Draft EIR, a 45-day public review notice (and in many cases, the actual Draft Specific Plan and EIR) was mailed to reviewing agencies, City Commissions and Committees, Happy Valley property owners/residents, property owners within 1,000 feet of the Plan Area, and other interested persons. Notice was also published in the Tri-Valley Herald. All interested parties were encouraged to present in writing any comments and/or desires for additional environmental information with regard to the Draft EIR. Public meetings were also held by the Planning Commission and Golf Course Committee to receive oral comments on the

Draft EIR. Following the close of the 45-day public review period (March 30, 1998), City staff and consultants prepared written responses to each applicable environmental comment received. Both the public comments and City staff/consultant responses are contained in the attached "Response to Comments" document. This document, together with the Draft EIR, compose the Final EIR.

In addition, a letter (Attachment 15) dated June 2, 1998, was recently submitted by the Alameda County Water District (ACWD). This letter was prepared as a follow-up to the City's response in the Final EIR to previous comments from the District regarding potential salt-loading impacts from irrigation in the Specific Plan project. A response to this letter has since been prepared by the City's environmental consultants and is attached to this staff report (Attachment 15). Both the District letter and City staff response should be considered as a part of the Final EIR.

ACWD expressed concern that irrigation of the golf course and landscaped areas of the residential units would result in increased salt in their downstream groundwater basin. They further requested a commitment from the City to participate in efforts to reduce salt-loading. The City's consultant, Baseline, reviewed ACWD's concerns and determined that any water imported for irrigation would have a lower salt concentration than existing groundwater. While any addition of salt might have an impact on the local groundwater basin under the Golf Course, impacts on ACWD's downstream groundwater basin could only be caused by surface water run-off. Zone 7 is currently developing a regional plan for the salt-loading issue, and Pleasanton is participating in that process.

## ANALYSIS

### Specific Plan/Annexation Area Alternatives

During the initial stages of planning for a municipal golf course in Happy Valley, a variety of Specific Plan/annexation area alternatives were considered. Due to a strong interest expressed by residents from the area to annex, the City Council decided to proceed with a specific plan and annexation application that includes the entire 860-acre Happy Valley area. Other alternatives which were initially identified but not pursued are presented below.

1. Partial Greater Happy Valley Area - Includes the Spotorno Property, Golf Course Properties, and a portion of the Greater Happy Valley Area which would create a continuous block of incorporated land. Other portions of the Plan Area such as lots along Happy Valley Road might remain in the County without creating an island of unincorporated land.
2. Spotorno Property/Golf Course Area - Includes all of the Spotorno Property, Golf Course Properties, Faith Chapel (Lot 99), Mortensen Property (Lot 100), Wentworth Property (Lot 107), Newman Property (Lot 108), and "Christesen Property" (Lots 109 and 110). This would allow these properties to develop while

the remaining Greater Happy Valley Area would stay unincorporated and generally as it currently is.

3. **Greater Happy Valley and Golf Course** - Includes all of the proposed Specific Plan Area except for the Spotorno Property. This implies a revised Specific Plan that would more closely reflect the current General Plan Map designations for the Happy Valley Area (i.e., Golf Course housing would be reduced or eliminated and the Bypass Road would be eliminated).
4. **No Annexation** - The City could apply to Alameda County for approval to develop the Golf Course and leave the Golf Course Properties under the unincorporated jurisdiction of the County. The ten-acre portion of the Christesen property (Lot 110) would have to be acquired outright by the City if it were to be included in this alternative. The Bypass Road would be eliminated. A specific plan would not be applicable, but an amendment to the Pleasanton General Plan would be required if housing on the Golf Course Properties were to be proposed.

The flexibility remains for the Council to amend the Specific Plan boundary depending upon the outcome of the project public hearing(s). Additionally, the Council may pursue an annexation alternative which either matches or is different from any Specific Plan Area. Staff is supportive of the full 860-acre Specific Plan and annexation area as proposed in the Draft Specific Plan.

Because the actual annexation has several boundary alternatives, and because property owners may wish to see how the outcome of the Specific Plan process affects their property, staff has scheduled the Happy Valley annexation hearing for July 7, 1998, following Council action on the Specific Plan. This will allow staff to gauge initial support for the various alternative annexation boundaries and permit property owners to comment directly on annexation with prior knowledge of the Specific Plan implications for their property.

### **Greater Happy Valley Area Housing Density**

On March 4, 1997, the City Council adopted the Happy Valley Concept Plan to serve as a guide for preparing the Specific Plan. Approval was based partially upon a decision that the "housing density for the Greater Happy Valley Area would be determined later during the Specific Plan and environmental review process."

City staff and consultants subsequently concluded that it would be necessary to specify an alternative density for the Greater Happy Valley Area in the Draft Specific Plan in order to achieve a complete plan document for which a complete environmental evaluation could be conducted. Since the Greater Happy Valley Area is designated for Low Density Residential with a density of one home per two acres in the General Plan, this density was used as the alternative for the Specific Plan. The actual density was not to be determined until such time as

the City Council had the opportunity to review the Plan and its companion Environmental Impact Report (EIR), consider the recommendations of staff and the Planning Commission, and receive public input through the public hearing process.

Five land use/density alternatives were evaluated in the Draft EIR which demonstrate a wide range of density scenarios from which to consider. These include the following:

1. The "no project" which assumes no additional homes, no golf course, and no annexation.
2. The current General Plan concept for the Plan Area which includes an 18-hole golf course, two-acre housing density throughout the Greater Happy Valley area, and 80 homes in the Upper Spotorno Valley Area (138 total new homes).
3. One-acre density inside the Happy Valley Loop, two-acre density outside the Loop, an 18-hole golf course, 34 new Golf Course homes, and 80 homes in the Upper Spotorno Valley Area (211 total homes).
4. One-acre density throughout the Greater Happy Valley Area, an 18-hole golf course, 34 new Golf Course homes, and 80 homes in the Upper Spotorno Valley Area (224 total homes).
5. Build-out of the Plan Area under the current County General Plan with no annexation and no golf course (890 total homes).

Members of the Happy Valley Neighborhood remain split in their feelings regarding density. A sizeable number of neighbors support one-acre throughout Greater Happy Valley, while numerous others favor two-acre density. Staff supports a two-acre density (with a limited density bonus) in order to preserve the "semi-rural" character of the Neighborhood which is a primary goal of the General Plan. The Planning Commission also supports two-acre density with a limited density bonus.

### **Spotorno Flat Area Density Bonus**

The General Plan contains provisions for the grant of a density bonus as an incentive for housing developers to propose public amenities beyond those normally provided. Examples of amenities which could qualify a project for a density bonus include affordable housing, preservation of substantial common open space, public dedication of open space land or easements, and public trails.

An increased density is proposed for the Spotorno Flat Area (Lot 98) by the Draft Specific Plan similar to the density bonus concept. This would permit up to one home per one-and-one-half

acres instead of one home per two acres, and increase the potential housing yield for this 33-acre area from 16 to 22 homes. This density would be permitted in recognition of the required granting of an agriculture/open space easement on the 154-acre area which is designated as Open Space on the Spotorno Property.

### **Christesen Property Density Bonus**

Last year while the Golf Course Committee was studying alternative sites for developing the Golf Course, the City received a proposal from the attorney representing the owners of the former Christesen property (Lots 109 and 110). The proposal included an offer to dedicate ten acres of land designated on the General Plan Map as Open Space (and situated beyond the Urban Growth Boundary line) on Lot 110 to the City for golf course use. In return, the City would grant a density of one home per one-and-one-half acres which would permit one additional home site on the 6.4-acre Low Density Residential portion of Lot 110. Based in part upon this offer, a routing concept plan for the Course was developed and ultimately adopted by the Golf Course Committee and City Council. This concept was then integrated into the Specific Plan.

### **Urban Growth Boundary**

The General Plan Map designates an Urban Growth Boundary (UGB) line around the edge of land planned for urban development at General Plan buildout. The line distinguishes areas generally suitable for urban development and the provision of urban public facilities and services from areas 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 UGB is intended to be permanent and to define the line beyond which urban development will not occur.

An actual "adjustment" or relocation of the UGB (beyond a precise clarification as to location) requires an amendment to the General Plan Map. In the case of a minor adjustment (such as one which would allow for limited additional housing and an expansion of a residential land use designation into an Open Space area), an application would have to go before the Council for approval and specific findings would have to be made. A "major adjustment" to the UGB (such as one which would result in significant additional housing and an expansion of a residential land use designation into an Open Space area) is permitted only by a vote of the citizens of Pleasanton.

Minor adjustments require that all of the following criteria be found to exist by the Council, as set forth in the General Plan. Adjustments which: (1) are otherwise consistent with the goals and policies of the General Plan; (2) would not have a sufficient 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.

With the exception of a generalized alignment of the UGB in the South Pleasanton Area (Happy Valley, Lund Ranch II, and Kottinger Hills), the UGB location is precisely aligned on the General Plan Map as it extends around the remainder of the City. The northern boundary line is located along I-580; the western line is mostly contiguous with the eastern border of the Measure F Ridglands Preservation Area; and the eastern line extends on a straight line projection of El Charro Road from I-580 to Stanley Boulevard, and then around the Shadow Cliffs Regional Recreational Area, the Vineyard Corridor Specific Plan Area, and the Ruby Hill development.

In the Happy Valley Area, the UGB line extends several hundred feet south of Happy Valley Road and then through the proposed Golf Course. It then extends northerly along the foot of the Manning and Spotorno Hills and ends up along the southern border of the Upper Spotorno Valley Medium Density Residential (MDR) Area. The basic concept developed during the General Plan Update for the UGB in Happy Valley was to: (1) permit limited additional housing along the south side of Happy Valley Road; (2) generally surround the proposed Golf Course (although the Course is considered to be a "parks and recreation" use which is permitted beyond the UGB); (3) permit limited additional development in eastern Happy Valley up to the foot of Spotorno Hill; and (4) permit residential development of the 15-acre Spotorno MDR Area behind (east of) the Spotorno Hill ridgeline.

Staff feels that from a planning standpoint, the precise location of the UGB in Happy Valley needs to be clarified through the Specific Plan process. It is at this level of planning that adequate topographical mapping, wetland delineations, geological mapping, etc. become available to establish the level of alignment precision necessary for meaningful use. The Specific Plan therefore proposes that the UGB in Happy Valley be clarified as follows:

1. The line in the front of Lots 115 and 117-124 extends along the alignment shown on Attachment 3. This is based upon the physical characteristics of the area as well as the avoidance of existing buildings and does not result in additional housing.
2. The line in the front of Lot 110 (TTK Partnership - formerly Christesen) is configured to include the buildable area in the north/central portion of the lot. The same amount of land designated by the current General Plan for residential and open space acreage is maintained.
3. The line at the foot of Spotorno Hill at Lot 98 (Spotorno Flat Area) and Manning Hill at Lot 101 (Golf Course Property) aligns generally where the 15-percent grade level of each hill starts to be exceeded. This allows for housing development in the valley areas while preserving the sloping hillsides and ridgelines.

## **Neighborhood Park Considerations**

Existing plus new single-family homes projected for the Plan Area would contain a population of approximately 900 people, thus creating a demand for approximately 4.5 acres of parkland. However, since Plan Area residents have generally not favored the development of a neighborhood park within the Plan Area, none are proposed.

In regard to the location of neighborhood parks, the General Plan provides the following:

"Program 11.8: Locate neighborhood parks within one-half mile of the residential area they serve. To the greatest extent possible, such parks should not be separated from the neighborhood they serve by major arterials, commercial centers, and topographical or other features which create a direct or perceived physical barrier to the park."

Staff feels that the absence of a neighborhood park is mitigated by several factors. Primary among these is the semi-rural character of the Happy Valley Area. Most of the existing as well as most of the potential future homes will have considerable private open space, offering the potential for private recreational opportunities within an open space setting. The overall low density of development in the Greater Happy Valley Area together with the relatively small scale of proposed project development limits potential adverse impacts on recreation and parks. The open space setting of the Plan Area, while not a substitute for active recreation facilities, offers scenic value and the opportunity to enjoy nature and exercise through use of the trails system. Further, the proposed municipal golf course will provide a major recreational amenity within the neighborhood.

Although the Specific Plan does not propose a neighborhood park site, requests have been received by staff from various South Pleasanton residents (i.e., from the Rosepointe and Carriage Gardens developments and other neighborhoods) for a neighborhood park in the general area. Staff has therefore been looking throughout South Pleasanton for a possible site which is consistent with locational siting criteria provided in the General Plan. One possibility for the Specific Plan Area is the PUD-Open Space subarea where parks are conditionally permitted. In addition, staff recommends that parks be added to the list of conditional uses allowed in the SRDR subarea so as not to reduce the potential for a Happy Valley neighborhood park in the future.

## **PLANNING COMMISSION RECOMMENDATIONS**

Several major modifications to the Specific Plan were recommended by the Commission which are discussed in greater detail below.

## Lots South of Happy Valley Road

At the April 29, 1998 Planning Commission meeting, the owners of Lots 115, 116, 119, 120, 121, and 124 made several requests (letter dated April 27, 1998, Attachment 11) to the Commission for modifying the Specific Plan. The Commission supported several of the requests as reflected in Numbers 26, 28, 29, and 30 of the recommended modifications to the Draft Specific Plan (Attachment 9). Staff feels that modifications No. 28, 29, and 30 present issues which either required additional follow-up or justify further consideration and are therefore discussed below.

Urban Growth Boundary (UGB) Clarification at Lots 115, 116, 119, 120, 121, and 124 (Modification 28) - The Commission recommended that the following UGB location study be undertaken by staff for review by the Council:

"Staff should work with the owners of Lots 115, 116, 119, 120, 121, and 124 to clarify the precise location of the Urban Growth Boundary line as it passes through this area prior to final City Council action on the Specific Plan. The line shall be sensitive to the site topography, current building locations, and other relevant environmental conditions. The line shall not be located in such a way as to allow for additional housing yield."

Staff has since had the opportunity to meet with representatives of several of the above lots to discuss their desires. As a result, staff is recommending that the UGB be clarified as to location in the Specific Plan as illustrated in Attachment 3. In recommending this clarification, staff has maintained the development potential projected by the General Plan for these lots, simplified the UGB where possible by following property lines, kept the UGB below the top of the ridge, and kept the UGB close enough to Happy Valley Road to allow reasonable access for utilities and fire personnel. The steep slopes, distance to the ridge top, and high visibility of the ridge preclude any further southerly extension in staff's view. While there are potential home sites beyond the ridge which are not visible, these are clearly beyond the intent of the UGB to keep new development out of the area south of the Happy Valley Road ridge.

The above clarification does not include any change to the UGB on Lots 115 or 116. Staff feels that the slope, elevation, and visibility of these lots from outlying areas preclude them from the clarification proposed by the owners because they would not meet the Specific Plan goals of protecting the open space which surrounds Happy Valley. In addition, Lot 116 is designated exclusively as Open Space on the General Plan Map and includes an existing home. No further housing development is therefore permitted here by the General Plan.



Some of the affected property owners would like the UGB moved back beyond the location proposed by staff in order to allow for limited additional housing. This would, however, require a separate application for consideration of a "minor adjustment."

Phased Annexation of Lots South of Happy Valley Road (Modification 29) - The Commission was supportive of a request by several property owners for phasing the annexation of lots which contain both Semi-Rural Density Residential and Open Space designations:

"Portions of Lots 115 and 117-125 which are designated as PUD-SRDR should be annexed to the City as a part of the Happy Valley Specific Plan annexation application. Portions of Lots 115 through 124 which are designated as PUD-OS may be considered for annexation later upon the joint acceptance of an agricultural operations document between the owners of these lots and the City. The document shall include agricultural operations provisions similar to existing State and County standards and promote agricultural business in the Happy Valley area."

The document is envisioned as a consolidated effort combining State, County, and City agricultural standards into uniform guidelines intended to preserve and promote viable ranching ventures within the Plan Area. Topics that it might address include animal shelter construction, fire control, grazing densities, noise, dust and odor control, and other related topics.

Staff feels that it would be preferable to expedite the preparation and joint approval of the proposed agricultural document so that the rear portion of these lots could remain part of the overall Happy Valley annexation. This would preclude the need for split LAFCO applications, double fees, and substantial processing time.

Five-Acre Agricultural Parcels at Lots 119 and 124 (Modification 30) - The Commission was supportive of the property owners' request for:

"...a single five-acre lot-split within the PUD-OS portions of Lots 119 and 124 upon annexation to the City, with the condition that future buildings on these lots be located so as not to be visible from Happy Valley Road."

The General Plan, however, does not permit land designated as Open Space to be subdivided and developed beyond a single home site. In this regard, the General Plan reads as follows:

"No development is allowed in these areas (Public Health and Safety Open Space lands) other than one single-family home on existing lots of record as of September 16, 1986...."

In order to permit the proposed five-acre open space parcels, the General Plan would first have to be amended. This type of amendment is not covered under the current project application; nor is it addressed in the EIR. It would therefore have to be properly noticed, evaluated with regard to its potential impact on the environment, and acted upon under a new application. Staff is concerned that a blanket amendment of this type would present potentially undesirable implications for other areas designated as Open Space in Pleasanton. A different approach is therefore recommended. Staff recommends that a one-home per one-and-one-half-acre density be applied to Lots 119 (Schaffer) and 124 (Grotenhuis/Chanpman) similar to that permitted at the Christesen and Spotorno Properties for the dedication of major agriculture/open space easements. This would allow for a total of three new lots (instead of two) for Lot 119 and eight new lots (instead of six) for Lot 124.

This one home per one-and-one-half-acre density concept would require a technical modification to the fourth General Plan amendment which is proposed for the Happy Valley Specific Plan project. This change would allow for a one-and-one-half -acre density based upon a major open space land dedication as now proposed, or with the dedication of an agriculture/open space easement on a major area of land designated as Open Space.

Staff further recommends that a density transfer of one lot be permitted for Lot 119. This property contains a total of 43.81 acres of which only 4.5 acres is proposed in the Draft Specific Plan as Semi-Rural Density Residential (SRDR) , and 39.31 acres as Agriculture/Open Space. According to the proposed one-and-one-half-acre density provision proposed above, this property would receive only one new lot in return for the 39.31-acre easement dedication. This would be the case because of the limited size (4.5 acres) of the SRDR area where development could occur. A density transfer of one additional lot would allow the owners to receive a similar return for the agriculture/open space easement dedication as the owners of Lot 98 (Spotorno - six lots for 104 Open Space acres, or 1:17), Lot 110 ("Christesen Property" - one lot for 25 acres, or 1:25), and Lot 124 (Grotenhus/Chapman - two homes per 40 acres, or 1:20). Staff therefore recommends that a density transfer allowing for one additional lot be permitted to another area designated as SRDR and exceeding 4.5 acres within the Specific Plan Area. The owner of the sending lot (119) would be responsible for negotiating the transfer with the

receiving property owner. City approval of the transfer would be considered during the tentative subdivision map review process for the receiving lot. In no case would the overall density of the SRDR portion of the receiving lot be allowed to go below one home per one-and-one-half acres.

### **Trail 7 (Minnie Road)**

The Specific Plan proposes a system of trails that extend through the Greater Happy Valley Area, around the proposed Golf Course, and into the outlying hills. One segment of this system is "Trail 7," as shown on page 55 and described on pages 56 and 57 of the Draft Specific Plan. Trail 7 is proposed as a connecting link (along Minnie Road on the Spotorno Property) between the Sycamore Road/Alisal Street intersection and the proposed Bypass Road (approximately 1,800 feet in length). It would provide the key link from both the North Sycamore Specific Plan (NSSP) area and the northern portion of the Happy Valley Specific Plan Area to the Bypass Road trail and beyond.

Mr. Spotorno has expressed opposition to this trail because he feels that enough trails are already proposed by the Specific Plan and that it would interfere with his agricultural operations. Upon review of this issue, the Park and Recreation Commission and Planning Commission recommended deletion of Trail 7 from the Specific Plan.

Staff, however, feels that this is a fundamental element of the overall trail system and should be given further consideration for the following reasons:

1. It provides the critical link from the proposed creek trail planned in the center of the NSSP area to the outlying Happy Valley open space trail system (Bypass Road Trail, Golf Course Loop Trail, and various future regional trails). Without the Trail 7 link, all users from the NSSP area would have to exit the NSSP creek trail and travel by way of the East/West Collector Road in order to access the outlying Happy Valley open space trails. This would require pedestrians to use the East/West Collector Road sidewalk and bikers and equestrians to use the travel lanes. Not only would this raise safety concerns, but it would also discourage use by some equestrians, thus limiting the opportunity to utilize the outlying open space trails.
2. It would provide direct access from the northern Happy Valley area to the outlying open space trails without having to travel north (out of the way) to the East/West Collector Road in order to eventually gain access.
3. It would be located on an existing driveway (Minnie Road) and thus not require further grading or disturbance to the natural environment. Other uses of the trail

would be for farm vehicles accessing the Spotorno agricultural area to the south, and as an easement containing sewer lines.

4. It could be fenced off from the Spotorno agricultural operation so as to preclude potential conflicts between the two.
5. It would extend along the creek through a very beautiful area, thus offering a unique and valuable recreational experience for all users.

For the above reasons, staff supports retaining Trail 7 in the Specific Plan.

### **Spotorno Agricultural Compound**

During the recent Planning Commission hearings, the Spotorno family requested that the Specific Plan be modified to allow for an agricultural "compound" (ranch house and agricultural building) on the north face of Spotorno Hill. The Commission responded to this request by suggesting that a concept description and site location plan be submitted to staff and the City Council for possible integration into the Specific Plan, and that views of the buildings from outlying areas generally be precluded by their location on the site.

Concept plans have since been submitted (Attachment 4) which consist of a new home, barn, and driveway. The primary issues raised by the proposal include the potential view of the buildings and driveway from outlying areas and the location of the home beyond the Urban Growth Boundary (UGB). The hill on which the buildings are proposed is highly visible from a substantial portion of Pleasanton to the north and west, including I-680. The hill is the same one on which the controversial Balch home (east end of Sycamore Road) is now being constructed.

Although proposed to be located somewhat below the actual ridgetop and sited to be partially screened by trees, staff feels that the home, barn, and driveway would still be highly visible from Greater Pleasanton. For comparative purposes, the barn is proposed to be located at elevation 635 and the home at elevation 605, as compared to the Balch home which is at elevation 575.

Policy No. 12 of the General Plan Land Use Element provides guidance regarding hillside/ridgeline locations for development and reads as follows: "Preserve scenic hillsides and ridge views of the Pleasanton, Main, and Southeast Hills." The "Southeast Hills" includes the Spotorno Hill and the other hills which surround the Happy Valley Area.

Staff feels that every effort should be made to accommodate a ranch compound on the agricultural remainder parcel. However, in order to comply with the General Plan and the requirements of the UGB, this will require the use of strict development standards such as the following:

1. The house pad shall be located at an elevation not higher than 30 feet above the existing fronting driveway to the Spotorno home (Minnie Road).
2. The barn shall not exceed 25 feet in height and shall be constructed on the north side of Spotorno Hill and on a pad which does not exceed elevation 600.
3. The massing, colors, materials, and other architectural details used for the house, barn, and any other buildings shall be designed to blend with the natural setting of the site.
4. A visual analysis shall be conducted during the PUD development plan review process for the house, barn, any other buildings, and driveways in order to ensure that they are screened to the maximum extent from outlying views.
5. The proposed home shall be counted as one of the five potential home sites allowed in the Spotorno PUD-LDR Area.

#### **Additional Spotorno Lots in the South Spotorno Hill Area**

At the April 29, 1998 Planning Commission meeting, SummerHill Homes, representing the Spotorno Property, verbally proposed a concept that would allow six lots to be developed along the southern border of the Spotorno Property. In return, the maximum number of lots permitted on the Upper Spotorno Valley MDR Area would be reduced by six from 75 to 69. The Commission generally supported this proposal and suggested that the developer submit a proposal to the City Council for possible integration into the Specific Plan. The developer subsequently prepared two alternative concept plans (Attachment 5) for Council review at the upcoming meeting.

The six lots are proposed to be situated along the southern border of the Spotorno Property (Lot 98), north of the Manning house (Lot 102). Terrain is moderate to steep with panoramic views of the Golf Course area from the higher elevations. Some portions of the area are located inside of the Urban Growth Boundary (sloping areas less than 15 percent) and some portions are beyond the UGB (sloping areas exceeding 15 percent). A small creek with several mature oak trees exists on the Golf Course Properties to the immediate south. Views of the proposed site from Greater Happy Valley are generally screened by the hill on which the site is located.

Alternative 1 - proposes a shifting of six lots from the 15-acre Spotorno MDR Area to the site. This proposal raises the following issues which would be difficult to resolve:

- More than half of the proposed site exceeds 15 percent in slope and is therefore located beyond the UGB. Development here would require a "minor" modification to the UGB (under a new application) in order for this alternative to proceed.
- Due to the long narrow configuration of the proposed lots, coupled with the steep terrain, the difference in elevation from the front to rear of lots varies as much as 78 feet (Lots 3 and 4). This would make rear yards and fencing highly visible from the Golf Course and render the rear yards practically unusable.
- Substantial grading would be necessary to accommodate homes, yards, and driveways.
- Narrow lot widths of generally 80 to 90 feet (as measured perpendicular between side property lines) would result in a strong visual line of homes located close to one another.
- The uphill prominence of homes and access road above the abutting Golf Course homes would negatively impact the privacy and value of the Golf Course homes.

Alternative 2 - proposes a shifting of six lots from the Spotorno MDR Area to an area which includes both the Spotorno and Golf Course Properties. This would require a lot-line adjustment between both properties. It would also allow for one additional Golf Course home site to be developed.

Staff feels that this proposal also raises issues which would be difficult to resolve, including the following:

- Due to the number of proposed lots on the Spotorno Property, lot widths at the road frontage would be reduced to an average of only about 78 feet. This would result in even more of a negative visual impact on the Golf Course than Alternative 1.
- Removal of several mature oak trees in the Golf Course housing area would probably be required to accommodate this alternative.

By sharing land between the Spotorno and Golf Course Properties, this alternative is able to resolve many of the negative impacts posed by Alternative 1. However, staff feels that

too many lots are proposed for the site and this would result in a visual "wall of housing" on narrow lots. Staff is therefore not supportive of Alternative 2.

Alternative 3 - was developed by staff as an attempt to present a scaled-down plan that would be physically more workable for the site. This includes shifting three lots from the Spotorno MDR Area to an area involving both the Spotorno and Golf Course Properties. This would require a lot-line adjustment between both properties and would allow for one additional Golf Course home site. Staff feels that the problems relating to the General Plan, UGB, slope, lot width, site elevation, grading, aesthetics, and oak tree removal would all be mitigated by this alternative.

Staff recommends that Alternative 3 be integrated into the Specific Plan, subject to the resolution of issues pertaining to the requisite land swap as a part of a Memorandum of Understanding between the Spotorno Property owner and the City.

Any of the above alternatives would imply amending the General Plan Map in conjunction with the current application in order to designate Low Density Residential where Public Health and Safety are proposed on the Spotorno property.

### **Bypass Road Cost-Sharing**

The Planning Commission recommended that the Bypass Road be constructed as soon as possible and that construction costs be fronted by the City, if necessary. The Draft Specific Plan provides the following guidance regarding the timing of the Bypass Road construction:

"Early construction of the Bypass Road is a high priority. Every effort shall be made to complete the Road connection to the Golf Course/Spotorno Flat Area prior to the opening of the Golf Course, assuming the full length of the East-West Collector road is completed through the NSSP area at least one year earlier. If the full length of the East-West Collector road is not completed within at least one year in advance of the opening of the Golf Course, then every effort shall be made to complete the Bypass Road within one year following completion of the East-West Collector road. In such case, temporary vehicular access to the Golf Course from the Happy Valley Loop will be permitted until the Bypass Road can be completed."

The Planning Commission also felt that cost-sharing from the development of the Spotorno Property should be determined on the basis of a formula that gives consideration to the fact that vehicular trips on the road will be generated from more than the Spotorno Property.

Staff feels that the Bypass Road cost-sharing formula outlined on page 50 of the Draft Specific Plan provides an equitable method of assigning costs based upon standard City policy and traffic

generation. It requires that the Spotorno developer fund the cost of extending the Bypass Road from the east end of the East/West Collector Road (North Sycamore Specific Plan Area) to the 15-acre Spotorno MDR Area. The Golf Course, Golf Course housing, and Spotorno Flat Area developments would then share in the cost of constructing the road south from the Spotorno MDR Area to the south end of the Bypass Road based upon the proportion of traffic that each development generates.

This formula reflects standard City policy in that it requires the developer to pay for the non-oversized road on the developer's own property (from the NSSP area to the Spotorno MDR Area) from which point on it is required to serve solely off-site development to the south. No oversizing of the section north of the Spotorno MDR Area would be necessary to concurrently serve future downstream development.

Cost-savings to the Spotorno developer would result from the participation of downstream development (Golf Course) in the funding of the Bypass Road. In order to provide two points of access for emergency vehicles to the Spotorno MDR Area, a road similar to the Bypass Road (although narrower in width) would otherwise have to be constructed solely by the Spotorno development in the Bypass Road location. This access road would probably also require the acquisition of an off-site easement for the road in order to avoid significant impacts to the environment caused by grading.

The total cost of constructing the Bypass Road is estimated to be \$3,800,000. The City's share would be \$1,000,000, and the Spotorno share would be \$2,800,000 under the Draft Specific Plan. A cost-sharing formula as proposed by the Planning Commission would split the \$3.8 million cost as follows: City share - \$1,910,000 (Golf Course plus 34 homes); Spotorno share - \$1,890,000 (102 homes), pro-rated along the full length of the Road. This does not include water, sewer, and other utility lines required for sole use by Upper Spotorno Valley development.

### **Water and Sewer Cost-Sharing**

The extension of public water and sewer service to Happy Valley is a major component of the Specific Plan. Many residents desire these services due to current public health problems relating to underground water quality, failure of some septic systems, and inadequate water supply for fire protection. The costs of extending water and sewer to existing homes, however, is substantial. The ultimate phasing and cost-sharing of these facilities is therefore a major issue. Four cost-sharing alternatives (including the Draft Specific Plan formula) and other financing options are outlined below to provide background on the various approaches to solving this issue that have been studied thus far.



Draft Specific Plan Cost-Sharing Formula (Alternative 1) - The Draft Specific Plan proposes that all developers and existing homeowners who connect to water and sewer services be responsible for sharing in the costs on a pro-rata basis when they connect. This is the standard by which similar projects in Pleasanton have been treated in the past, and the one which staff recommends for Happy Valley.

For the water system, the Draft Specific Plan requires those connecting to pay for their cost-share of the public water tank and pump station needed for water pressure and fire protection. The homes that front on the water mainline in Alisal Street would share in the mainline costs with the Golf Course. New system expansions needed to serve specific subareas would be paid by the homeowners served within those individual subareas. Homeowners and subdividers would also be responsible for the construction costs of the line from the home to the street, connection fees, and meter costs.

For the sewer system, the Plan requires those connecting to pay for their share of the mainline and any public pump stations on a pro-rata basis. The homes that front on the sewer mainline in Alisal Street would pay a share of the mainline costs with the Golf Course. New system expansions needed to serve specific subareas would be paid by those who benefit. Homeowners and subdividers would also be responsible for the construction costs of the line from the street to the home and connection fees.

Due primarily to existing terrain, low density of development, varying topographic conditions, and rising connection fees, the cost of extending water and sewer service to the Happy Valley will generally be very high. Total costs would average \$41,600 per home. This will make it very difficult, if not impossible, for some existing homes to connect. Each existing homeowner would, of course, have the option of whether or not to connect to either or both of the services.

Alternative Cost-Sharing Formula (Alternative 2) - Some Happy Valley residents have suggested an alternative cost-sharing program for the water and sewer systems. This program was supported by the Planning Commission and recommended by the Commission as an amendment to the Draft Specific Plan. Under this program, current homeowners would pay for the connection fees, meter fees, and on-site connection lines to their meters. The water connection cost would be about \$9,800 ( for a 5/8-inch meter) and the sewer connection cost would be about \$10,700. All other system costs would be paid by the developers of new homes (up to 65) in the Greater Happy Valley Area, the developers of the Golf Course housing (up to 34 homes), and the City for the Golf Course Clubhouse. The City would construct water and sewer lines on Alisal Street, Happy Valley Road, Byrd Lane, East Mockingbird Road, Laura Lane, Horan Lane, and Anna Lane. The City would also construct the water tank and pump station and sewer pump station facilities. This construction would take place in conjunction with the development of the Golf Course. Homeowners would have the option of connecting to the water and/or sewer systems or to continue to use existing wells and/or septic systems.

The water and sewer systems required for the Golf Course would serve only a limited number of existing homes. Additional extensions would be required to serve the remaining Happy Valley Area. Construction costs for these would be an additional \$2,000,000. Under the Alternative Cost-Sharing Program, the developers of approximately 99 new homes in the Greater Happy Valley Area and the Golf Course Clubhouse would have to fund these extensions. This program would require the City to finance the design and construction of these systems up front and be paid back over time, as development occurs.

In response to this method of financing, the City Attorney has indicated that:

"There is no statutory authority allowing the City to form an assessment district and charge only new development 100 percent of infrastructure costs, when existing development also receives a benefit. Furthermore, we have not been able to identify any other funding mechanism which would permit charging new development 100 percent of the infrastructure costs."

Staff is concerned that City funding of the Specific Plan infrastructure beyond that required for the Golf Course as recommended by the Planning Commission would be problematic in that it would: (1) set a precedent which is inconsistent with past City policy; (2) commit potentially substantial public funds to improvements which will not benefit the general community but only a limited number of individuals; (3) not directly benefit the Golf Course project; (4) add to the Golf Course project costs which already significantly exceed the current budget; and (5) raise potential legal concerns as outlined above by the City Attorney.

Equal Cost-Sharing (Alternative 3) - Under this alternative, participating existing homeowners and new development would pay the same pro-rata cost-share for water and sewer systems, no matter what subarea they are located in. Each homeowner's cost-share would be the total cost of the water and sewer systems divided by the number of existing homes, developer homes, Golf Course homes, and Golf Course Clubhouse share. Each home would also pay for connection fees and hook-up costs. Total water and sewer costs (including connection fees and hook-up costs) would be about \$41,600 per home. With the exception of the proposed equal cost-sharing component (instead of spreading costs by subarea), this alternative is the same as the Draft Specific Plan formula.

City Pays Cost of Public Facilities for Existing Homes (Alternative 4) - This alternative was developed by staff in an attempt to accomplish what the neighbors and Planning Commission were suggesting in Alternative 2 in a way that would not raise the legal issues of concern to the City Attorney. Under this alternative, new homes would pay the same pro-rata cost share no matter what subarea they are located in. Each new home would share in the total cost of water and sewer systems divided by the number of existing homes, developer homes, Golf Course homes, and the Golf Course Clubhouse share. Each new home would also pay for connection

fees and hook-up costs. Total water and sewer costs (including connection fees and hook-up costs) would be about \$41,600 per new home.

Current homeowners would initially pay for only their connection fees, meter fees, and on-site connection lines to their meters. The water connection cost would be about \$9,800 (for a 5/8-inch meter) and the sewer connection cost would be about \$10,700. All other system costs would be paid by the City.

A comparison of the projected costs for each of the above four alternative cost-sharing formulas is presented in the tables in the following two pages.

**Optional Financing Methods.** The Public Facilities Chapter of the Specific Plan provides a recommended cost-sharing formula for constructing the water and sewer systems, but does not get as detailed as to outline an actual financing mechanism (i.e., assessment district, benefit district, deferred payment, etc.). It is anticipated by staff that this would be undertaken following adoption of the Specific Plan as the Area planning progresses. However, since questions relating to financing mechanisms have been raised in the past, staff has prepared the following background information for the Council.

1. **Assessment District.** The City might form an assessment district for all or portions of the Happy Valley Area if approximately 70 percent or more of property owners in the area to be covered decided to participate in this type of financing. Bonds would be sold to finance the construction of the water and sewer systems. Participating homeowners and developers would be required to pay the assessments as part of their annual property tax. Payments would typically be over a 20-year period. Connection fees and hook-up costs could also be included in the district. Total assessment formation costs, bonding costs, and interest over time would increase the total cost of the project, but large lump-sum payments by property owners up front would not be required. The estimated annual assessment for water and sewer without connection fees would range between \$2,300 and \$2,500 for a residence based on the Specific Plan formula. If the connection and hook-up costs were included in the assessment district, the estimated annual cost would increase to between \$4,200 and \$4,500. This cost allocation assumes the Spotorno and the Golf Course Properties would pay their cost of infrastructure up front and therefore not be included in the assessment district.

Some property owners could elect to utilize the assessment district, and others could prepay their entire allocation and avoid the interest exposure.

2. **Benefit District.** A benefit district differs from an assessment district in that it has lower formation costs, may not involve bonding, and has fewer requirements and restrictions. A benefit district could be formed for all or a portion of Happy

**DETAILED COST SHARING COMPARISONS BETWEEN ALTERNATIVE WATER AND SEWER SYSTEMS**

**Table - 1**

<b>Water/Sewer Improvements</b>	<b>Alternative-1 Draft Specific Plan Formula (per D.U.E.)</b>	<b>Alternative-2 Draft Specific Plan Formula using average cost share (per D.U.E.)</b>	<b>Alternative-3 "Alternative cost Sharing Formula" (PI. Com. Rec.) using average cost share (per D.U.E.)</b>	<b>Alternative-4 City Pays cost of public facilities for existing homes using average cost share (per D.U.E.)</b>
<b>City Costs to pay for Existing Homes in Alternative - 4 only</b>				
<b>Infrastructure</b>				
Water	0	0	0	1,174,000
Sewer	0	0	0	740,000
	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,914,000</b>
<b>Golf Course &amp; Clubhouse</b>				
<b>Infrastructure</b>				
Domestic Water Service	194,000	204,000	488,000	204,000
Irrigation Water Service	507,000	507,000	507,000	507,000
Sewer Service	324,000	218,000	640,000	218,000
	<b>\$1,025,000</b>	<b>\$929,000</b>	<b>\$1,633,000</b>	<b>\$929,000</b>
<b>10 Golf Course Lots (City)</b>				
<b>Infrastructure</b>				
Water	9,700	10,200	24,300	10,200
Sewer	16,200	10,900	32,000	10,900
	<b>\$25,900</b>	<b>\$21,100</b>	<b>\$56,300</b>	<b>\$21,100</b>
<b>24 Golf Course Lots (core owners)</b>				
<b>Infrastructure</b>				
Water	9,700	10,200	24,300	10,200
Sewer	16,200	10,900	32,000	10,900
	<b>\$25,900</b>	<b>\$21,100</b>	<b>\$56,300</b>	<b>\$21,100</b>
<b>Other New Home Development</b>				
<b>Infrastructure</b>				
Water	6,200 to 14,100	10,200	24,300	10,200
Sewer	4,700 to 15,500	10,900	32,000	10,900
	<b>14,500 to 27,100*</b>	<b>\$21,100</b>	<b>\$56,300</b>	<b>\$21,100</b>
<b>Existing Homes</b>				
<b>Infrastructure</b>				
Water	6,200 to 14,100	10,200	0	0
Sewer	4,700 to 15,500	10,900	0	0
	<b>14,500 to 27,100*</b>	<b>\$21,100</b>	<b>\$0</b>	<b>\$0</b>

**Note: All houses, existing and new, would pay connection fees, meter charges, and private line connections from the street edge to the residence. These costs are estimated to be \$9,800 for water and \$10,700 for sewer or \$20,500 total. The Golf Course /Clubhouse connection fees are estimated to be \$100,000.**

\* The lowest max and min sewer and water costs to do not apply to the same subarea.

## FUNDING IMPLICATIONS TO THE CITY FOR WATER AND SEWER SYSTEM ALTERNATIVES

Table - 2

	DUE's	Total Cost to City				Total Up-Front Cost to City			
		Alt. 1	Alt. 2	Alt. 3	Alt. 4	Alt. 1	Alt. 2	Alt. 3	Alt. 4
<b>Clubhouse &amp; Facilities*</b>	20	1,077,000	1,029,000	1,733,000	1,029,000	1,077,000	1,029,000	1,733,000	1,029,000
<b>10 Golf Course Lots (City)</b>									
Water & Sewer Costs	10	259,000	211,000	563,000	211,000	259,000	211,000	563,000	211,000
<b>City Share of 24 GC Lots</b>									
Water & Sewer Costs	24	0	0	0	0	622,000	506,400	460,000	595,000
<b>Existing homes served by core system</b>									
Water & Sewer Costs	34	0	0	231,000	717,400	179,000	270,000	652,000	842,000
<b>Future homes served by core system</b>									
Water & Sewer Costs	45	0	0	0	0	236,000	357,000	862,000	1,115,000
<b>Existing homes not served by core system</b>									
Water & Sewer Costs	65	0	0	441,000	1,372,000	0	0	1,246,000	1,611,000
<b>Future homes not served by core system</b>									
Water & Sewer Costs	20	0	0	0	0	0	0	383,000	496,000
<b>Total</b>	<b>198</b>	<b>1,336,000</b>	<b>1,240,000</b>	<b>2,968,000</b>	<b>3,329,000</b>	<b>2,373,000</b>	<b>2,373,000</b>	<b>6,899,000</b>	<b>6,899,000</b>

\*Note: Connection fees are included only for the Clubhouse. Connection fees for homeowners/developers will be paid by each homeowner/developer using any of these alternatives.

Up front costs to City for Alternative 1 and 2 assume that an assessment district is formed to serve the core system home sites and City costs would be 30% for existing and future residents.

DUE's are Dwelling Unit Equivalents.

Alt. 1 - Draft Specific Plan Formula (per D.U.E.)

Alt. 2 - Draft Specific Plan Formula using average cost share (per D.U.E.)

Alt. 3 - "Alternative cost Sharing Formula" (Pl. Com. Rec.) using average cost share (per D.U.E.)

Alt. 4 - City Pays cost of public facilities for existing homes using average cost share (per D.U.E.)

Valley, depending on resident interest in participation. The City would pay for the water and sewer systems out of City funds or from bonds. As homeowners connect, the City would be reimbursed, with interest, for a share of the system costs. Allocation of system costs could be done a number of ways between the City, current homeowners, and developers, as described earlier.

When residents connect to the system, they would pay 100 percent of their share of the cost in addition to any interest accumulated on the City funds used. Although there would be no assessment district formation costs or bonding fees, there would be substantial City costs to administer the district.

3. Deferred Payment of Public Facility Construction Costs. Under this financing mechanism, the cost of all public water and sewer facilities would be fronted by the City. Existing homeowners would have the option of hooking-up to the system. Those choosing to hook-up would pay for connection and meter fees and on-site connection lines to meters. The pro-rata share of the off-site public infrastructure costs for existing homes would be deferred until such time as the connecting lots were to sell or be transferred to a new owner. At that time, the new owner would be required to pay the outstanding amount, with interest. Although the City would ultimately be reimbursed for much of the initial cost of construction, it might take many years and considerable accounting time, thus transferring much of the actual cost to the City.

In the Council is inclined to support a new cost-sharing formula, staff recommends that it direct staff to draft revised wording for the Specific Plan and prepare a financial impact analysis prior to Council action on the Specific Plan.

## **FISCAL ANALYSIS**

The proposed annexation and development of Happy Valley presents significant financial considerations for the City. It is anticipated that the "Mayor's Tax-Sharing Agreement" for the project will be accepted by the County, and thus ensure that annexation of the Happy Valley Area will not create a tax burden to the City. Tax-sharing negotiations between the City and Alameda County are currently underway.

Additional important financial considerations which relate to the Specific Plan include the following:

1. Funding for the Golf Course is addressed in the Golf Course budget previously adopted by the Council. The current estimate is \$18,340,000, which includes Golf

Course construction and infrastructure up to and on the Golf Course site. (The cost of the Bypass Road and potential neighborhood infrastructure improvements are not included.) The City is purchasing the Golf Course land through a combination of lot entitlements and a long-term payment stream derived from the Golf Course revenues. Long-term costs for maintaining the Course are to be paid through revenues generated primarily by green fees.

2. The City's share of the cost of constructing the Bypass Road (estimated to be \$1,000,000) is planned to be funded through the creation and disposition of seven to ten home sites situated around the Golf Course. However, if the Golf Course project proceeds before the Spotorno development, the City would have the option of fronting the Spotorno share (estimated to be \$2,800,000, not including potential water, sewer, and other utility line costs). Funding for these up-front costs is not currently budgeted.
3. The Draft Specific Plan water and sewer cost-sharing formula would result in the City paying and fronting approximately \$2,300,000 to cover the cost of supplying water and sewer service to the Golf Course ("core system"), with ultimate reimbursement of up to \$1,700,000 from the owners of existing homes who choose to hook-up to these facilities and the developers of new homes. The City may also become involved in fronting up to 30 percent of the cost of extending these facilities to various areas in Happy Valley where the owners of at least 70 percent of a given area desire to hook up. This could cost the City up to an additional \$600,000. The current Golf Course budget assumes a total cost of \$2,300,000 for the extension of water and sewer facilities to the Golf Course Properties.
4. The Draft Specific Plan contains a "Specific Plan Preparation Fee" which is to be imposed on the future subdividers of land within the Plan Area. The purpose of the fee is to help defray consultant costs to the City for preparing the Specific Plan and EIR. It is estimated that the total consultant cost for completing these documents will be approximately \$210,000. A portion of this cost will be borne by the City for its share of the work done for the Golf Course and Golf Course housing, but the City would ultimately re-coup between \$100,000 and \$130,000 from benefiting subdividers of other parcels within the Plan Area.

Two key provisions for cost-sharing are included in the Draft Specific Plan. These deal with the funding of the Bypass Road and area-wide water and sewer facilities. Both are based upon standard City policy. Modifying either of these could have significant fiscal effects on the City and the Golf Course project. If the Council chooses to modify either, then staff recommends that it direct staff to prepare revised draft wording for the Specific Plan and a financial analysis for Council review prior to acting on the Specific Plan.

## **PREVIOUS WRITTEN AND ORAL COMMENTS**

A variety of public and agency comments have been received regarding the Draft Specific Plan and EIR documents since the time of their release in February. Written comments relating directly to the Specific Plan are attached to this staff report (Attachment 11). Written and oral comments relating to the Draft EIR are included in the EIR Response to Comments document along with a formal City response to each applicable environmental comment (Attachment 12).

## **REQUIRED CEQA ACTIONS**

In order to meet the legal requirements of the California Environmental Quality Act (CEQA) for approving the Final EIR, the Council needs to make findings that the document was prepared in accordance with CEQA and adopt a resolution (Attachment 6) certifying that the Final EIR is complete. Three related environmental documents also need to be adopted in conjunction with the proposed project. These include:

1. A statement of findings in support of the Happy Valley Specific Plan which contain the reasoning under which it was determined that the mitigation measures incorporated in the Specific Plan will be effective ("CEQA Findings").
2. A statement of overriding considerations which identifies the potentially unavoidable significant environmental effects caused by the project which cannot be substantially mitigated, and findings regarding project alternatives.
3. A mitigation monitoring plan which identifies the mitigation measures recommended in the Final EIR and incorporated into the Specific Plan, and identifies the time at which the applicable mechanisms and procedures already in place will be applied to assure that the mitigations and other requirements of the Plan are accomplished as intended.

These documents were prepared in conformance with the project as currently recommended by staff. Should the Council wish to make significant modifications to the draft General Plan Amendment, Specific Plan, and/or PUD pre-zoning, the documents may also require changes to conform to the actual approval. Staff feels that this would best be done by continuing final approval of the project to the following Council meeting to allow time for final documents to be prepared for subsequent Council review and approval.



## STAFF RECOMMENDATION

Staff recommends the Council take the following actions:

1. Take public testimony on the General Plan Amendment, Specific Plan, and PUD pre-zoning, and adequacy of the Draft Final EIR.
2. Certify the Final EIR by adopting the attached draft resolution (Attachment 6).
3. Determine the Council's position on issues which have not been fully resolved (the summary matrix at the beginning of this staff report may be used as a checklist).
4. Approve the Mitigation Monitoring Plan by adopting the attached draft resolution (Attachment 7).
5. Find that the draft General Plan Amendment is internally consistent with the General Plan and adopt it by resolution (Attachment 8).
6. Find that the Draft Specific Plan is consistent with the General Plan and adopt it by resolution (Attachment 9), subject to the following changes:

- a. Amend Modification 28 to read as follows:

~~"Staff should work with the owners of Lots 115, 116, 119, 120, 121, and 124 to clarify the precise location of the Urban Growth Boundary line as it passes through this area prior to final City Council action on the Specific Plan. The line shall be sensitive to the site topography, current building locations, and other relevant environmental conditions. The line shall not be located in such a way as to allow for additional housing yield. Clarify the location of the Urban Growth Boundary as it passes through Lots 115, and 117-124 as shown on Attachment 3."~~

- b. Amend Modification 29 to read as follows:

~~"Portions of Lots 115 and 117-125 which are designated as PUD SRDR should be annexed to the City as a part of the Happy Valley Specific Plan annexation application. Portions of Lots 115 through 124 which are designated as PUD A/OS may be considered for annexation later upon Pursue the joint acceptance of an agricultural operations document guidance regarding animal shelter construction, fire control, grazing densities, noise, dust, and odor"~~

control, etc.) between the interested owners of these lots—Lots 119 and 124 and the City prior to annexation. The document shall include agricultural operations provisions similar to existing State and County standards and promote agricultural business in the Happy Valley Area."

- c. Amend Modification 30 by changing Subsection c.1) on page 29 of the Draft Specific Plan, to read as follows:

~~"A single five acre lot split may be permitted within the PUD A/OS portion of Lots 119 and 124 upon annexation to the City. Future buildings on these lots shall be located so as not to be visible from Happy Valley Road. Maximum density: one home per two acres. (Exceptions: one additional parcel beyond this density limit [four total] shall be permitted at the 6.4-acre PUD-SRDR portion of Lot 110\*, and up to six additional parcels [22 total] shall be permitted at the 33-acre PUD-SRDR portion of Lot 98\*, up to one additional parcel [three total] shall be permitted at the 4.5-acre PUD-SRDR portion of Lot 119\*, and up to two additional parcels [eight total] shall be permitted at the 12-acre PUD-SRDR portion of Lot 124\* in return for a major dedication of open space land or agriculture/open space easements and trails easements to the City at the time of final subdivision map approval.)~~

In addition, a density transfer allowing one more lot shall be permitted for Lot 119 in return for its required contribution of an agriculture/open space easement. A transfer of one lot shall be permitted to another area designated as SRDR and exceeding 4.5 acres within a lot located in the Specific Plan Area. The owner of the sending lot (119) shall be responsible for negotiating the transfer with the receiving property owner. City approval of the transfer shall be considered during the tentative subdivision map review process for the receiving lot. In no case may the overall density of the SRDR portion of the receiving lot be allowed to go below one home per one-and-one-half acres.

\*Current Lot Owners:

- Lot 98 - Spotorno
- Lot 110 - TTK Partnership ("Christesen")
- Lot 119 - Schaffer
- Lot 124 - Grotenhuis (Chapman)

- d. Eliminate Modification 31 which reads:"

~~Eliminate Trail 7 (Minnie Road) from the Specific Plan." (This would have the effect of keeping Trail 7 in the Specific Plan.)~~

- e. Amend Modification 32 to read as follows:

~~"A concept description and site location plan for a ranch 'compound' requested by the Spotorno family may be submitted to the City Council for possible integration into the Specific Plan. The compound may consist of one home and agricultural buildings required for the Spotorno farming operation and be located in the PUD/A OS portions of Lots 97 and 98. Views of the home and farm buildings from outlying off site areas shall generally be precluded by the site location. The proposed Spotorno Ranch Compound may be permitted, subject to the following requirements:~~

1. The house pad shall be located at an elevation not higher than 30 feet above the existing fronting driveway to the Spotorno home (Minnie Road).
2. The barn shall not exceed 25 feet in height and shall be constructed on the north side of Spotorno Hill and on a pad which does not exceed elevation 600.
3. The massing, colors, materials, and other architectural details used for the house, barn, and any other buildings shall be designed to blend with the natural setting of the site.
4. A visual analysis shall be conducted during the PUD development plan review process for the house, barn, any other buildings, and driveways in order to ensure that they are screened to the maximum extent from outlying views.
5. The proposed home shall be counted as one of the five potential homes permitted in the Spotorno PUD-LDR Area.
6. The proposed home shall be counted as one of the five potential home sites allowed in the Spotorno PUD-LDR Area.

- f. Amend Modification 33 to read as follows:

~~"Up to six home sites may be transferred from the Spotorno PUD MDR Area to the area along the southern border of Lot 98 near the Manning residence. Plans indicating these home sites may be submitted to the City Council for possible integration into the Specific Plan. Assuming that the terms of a land swap can be agreed upon between the owner of the Spotorno property and the City, then three additional one-half-acre minimum-sized parcels on Lot 98 and one additional one-half-acre minimum-sized parcel on Lot 101 may be permitted as generally indicated on Alternative 3 of Attachment 5. The three Spotorno parcels shall be subtracted from the up-to-75 parcels which are otherwise permitted in the Spotorno MDR Area in order to facilitate the change."~~

- g. Delete Modification 34 which reads as follows:

~~"Modify all applicable sections of the Specific Plan text to ensure that water and sewer infrastructure cost sharing reflect the following principles: New development should pay for the cost of extending water and sanitary sewer service throughout the Plan Area. New development should also pay for its site specific hook up costs. Existing homes should only have to pay for the cost to hook up to these systems, and these costs should be evenly distributed among all existing homeowners who participate."~~

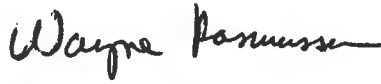
- h. Delete Modification 35 which reads as follows:

~~"Also, relative to implementation of the Specific Plan, the Bypass Road should be constructed as soon as possible. Construction costs should be fronted by the City, if necessary, and reimbursed by development of the Spotorno Property on the basis of a cost sharing formula that gives consideration to the fact that vehicular trips on the road will be generated from more than the Spotorno Property."~~

- i. Add a "park" as a conditional use within the SRDR subarea (Section V.B.4.b.2).

7. Find that the draft PUD pre-zoning is consistent with the General Plan and the purposes and objectives of the PUD Ordinance and introduce the draft ordinance Attachment 10).

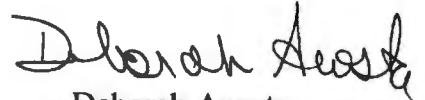
Respectfully submitted,



for Brian W. Swift  
Director of Planning  
and Community Development



Sue Rossi  
Finance Director



Deborah Acosta  
City Manager

Attachments:

1. Specific Plan (previously distributed to Council).
2. Draft Final EIR, composed of Draft EIR (previously distributed to Council) and Response to Comments.
3. Happy Valley Road Urban Growth Boundary Clarification.
4. Spotorno Ranch Compound Concept.
5. Alternative Lot Plans for the South Spotorno Hill Area.
6. Draft EIR Resolution.
7. Mitigation Monitoring Plan.
8. Draft General Plan Amendment Resolution.
9. Draft Specific Plan Resolution.
10. Draft PUD Pre-Zoning Ordinance.
11. Specific Plan correspondence.
12. Happy Valley Specific Plan Water and Sewer Systems Report.
13. Planning Commission meeting minutes of April 22, 1998 and April 29, 1998.
14. Park and Recreation Commission meeting minutes of March 12, 1998.
15. Correspondence and City response to comments regarding a letter from the Alameda County Water District, dated June 2, 1998.

**ATTACHMENT 1**

**DRAFT SPECIFIC PLAN**

(Previously distributed to Council)

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**ATTACHMENT 2**

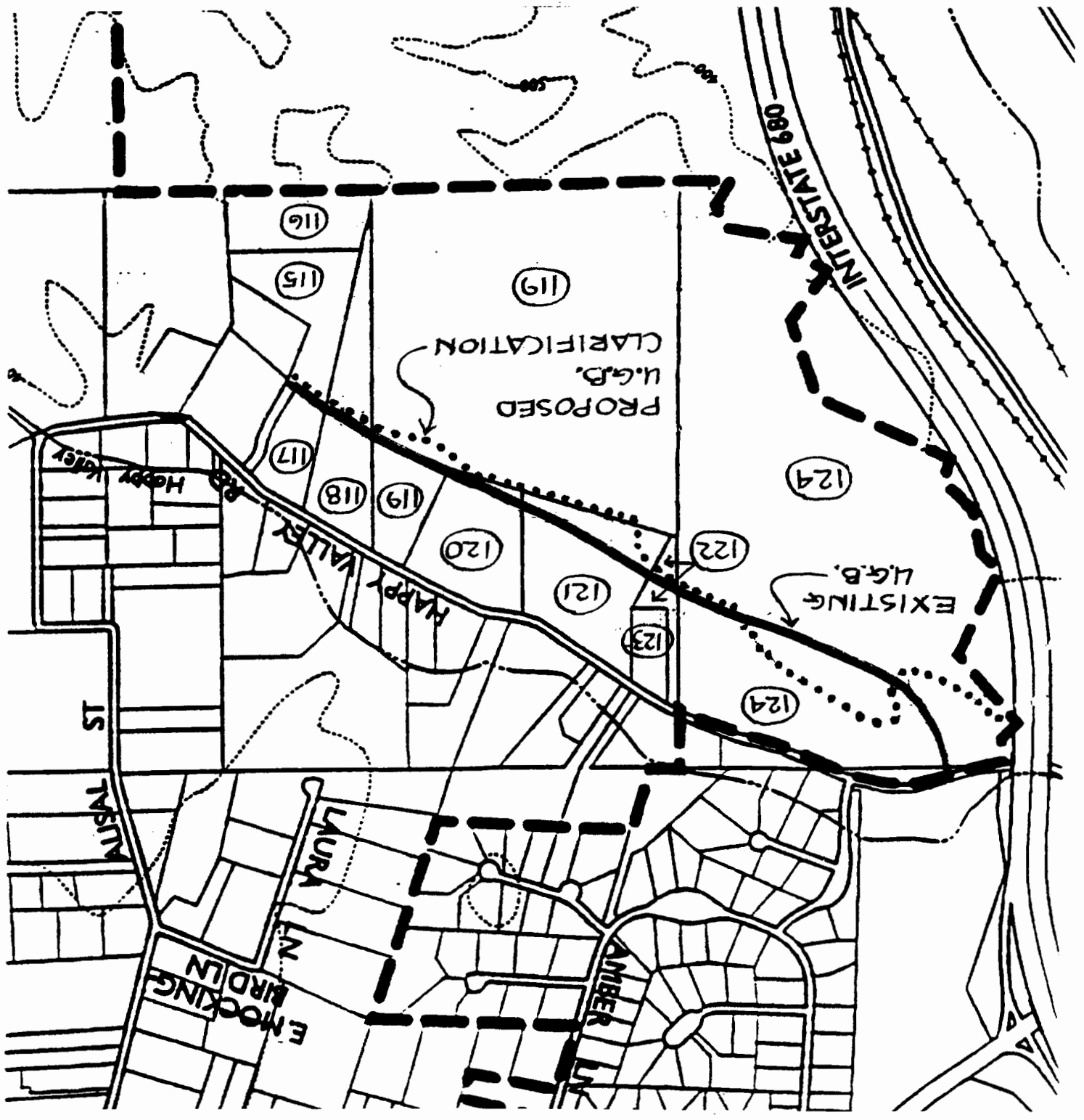
**DRAFT ENVIRONMENTAL IMPACT REPORT**

(Previously distributed to Council)

Also, please refer to "Response to Comments" Document

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HAPPY VALLEY ROAD  
URBAN GROWTH BOUNDARY CLARIFICATION  
SHEET-1



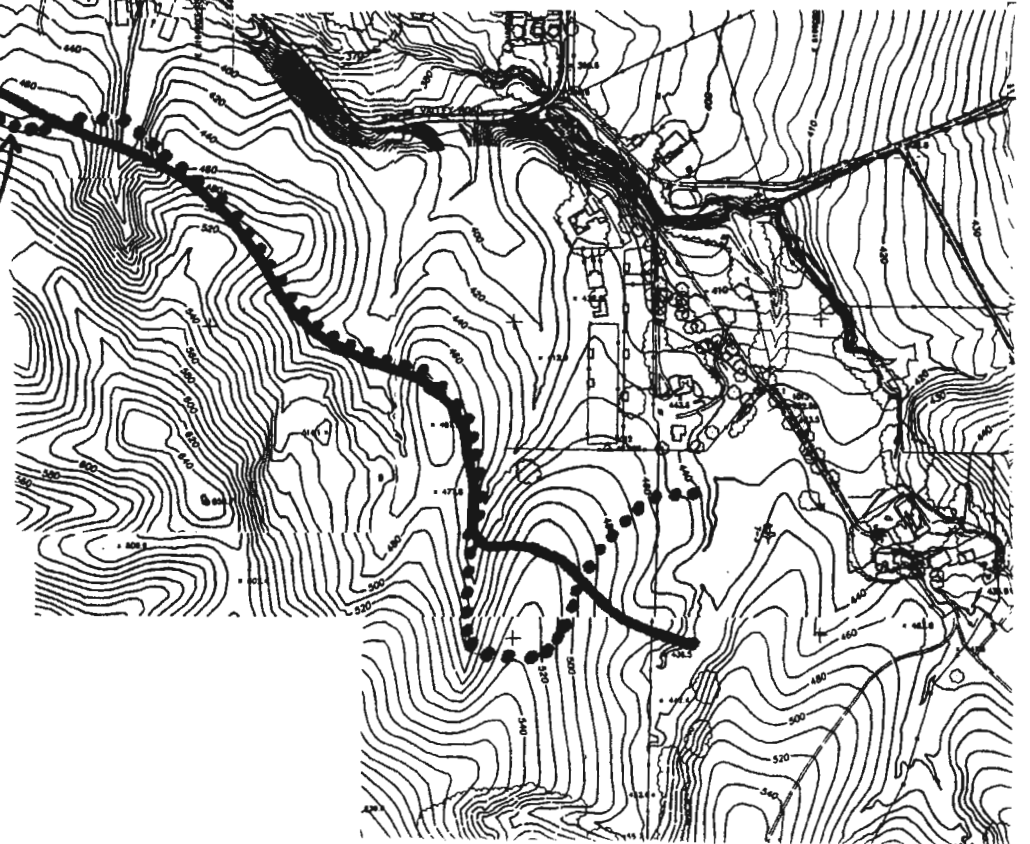




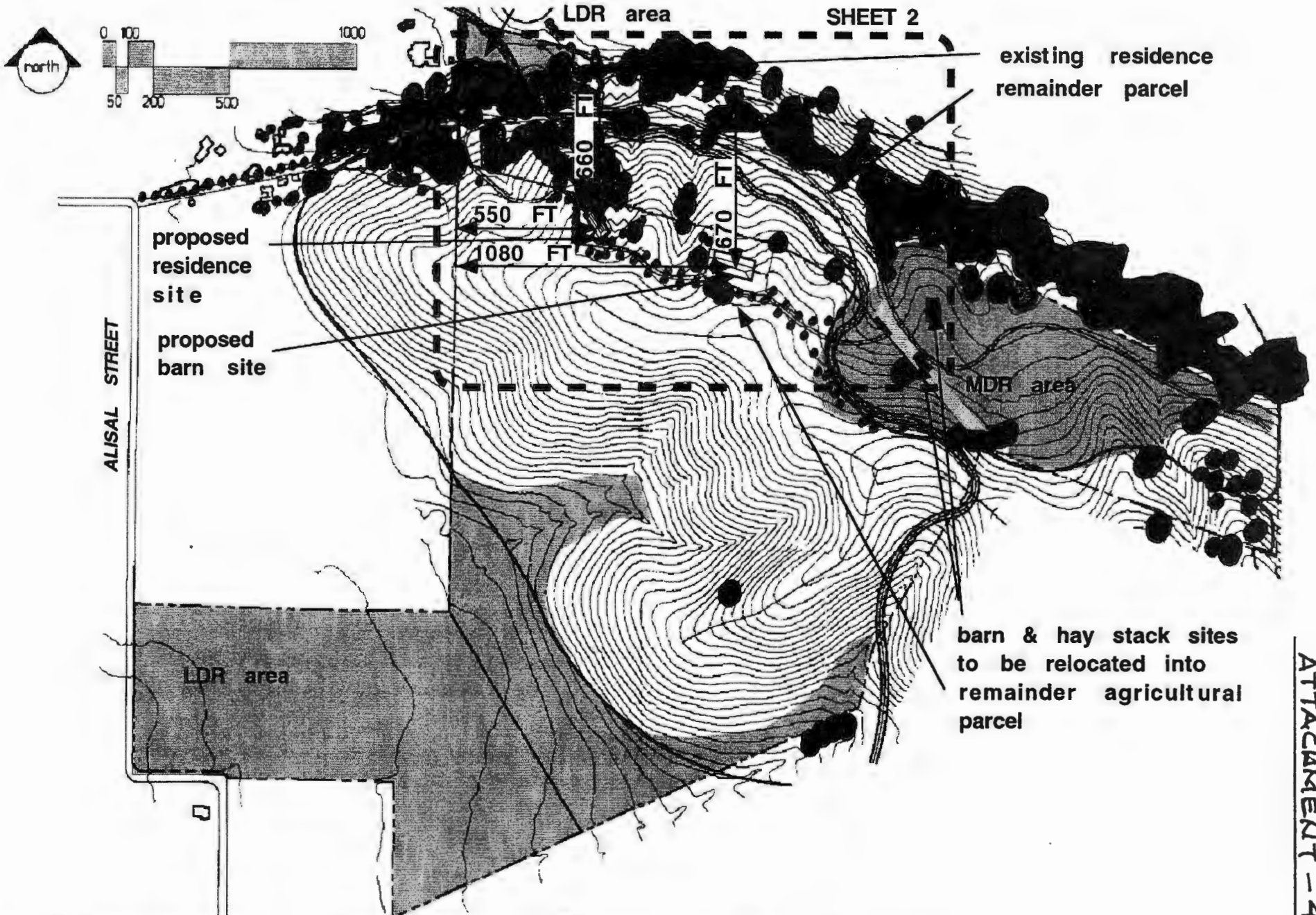
EXISTING U.G.B.



PROPOSED U.G.B.  
CLARIFICATION



HAPPY VALLEY ROAD  
U.G.B. CLARIFICATION  
SHEET-2



# Spotorno Property Remainder Parcel.

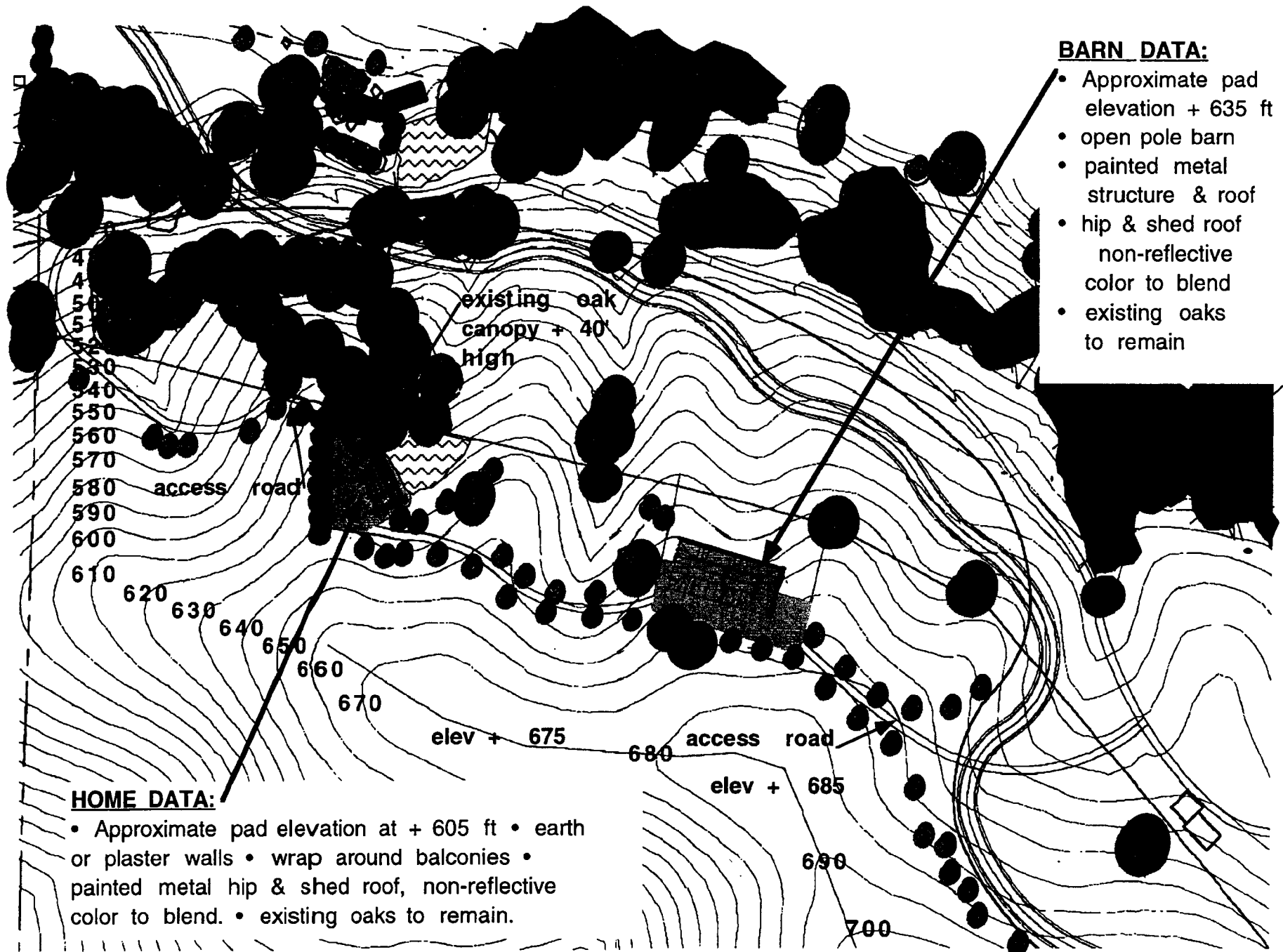
Residence Compound, Site Plan Study, Alameda County CA. 5-13-98

Prepared by, John Spotorno Architect-CA17025

ATTACHMENT - 4

1

sheet



# Spotorno Property Remainder Parcel.

Residence Compound Site Plan Study, Alameda County CA. 5-13-98

Prepared by, John Spotorno Architect-CA17025

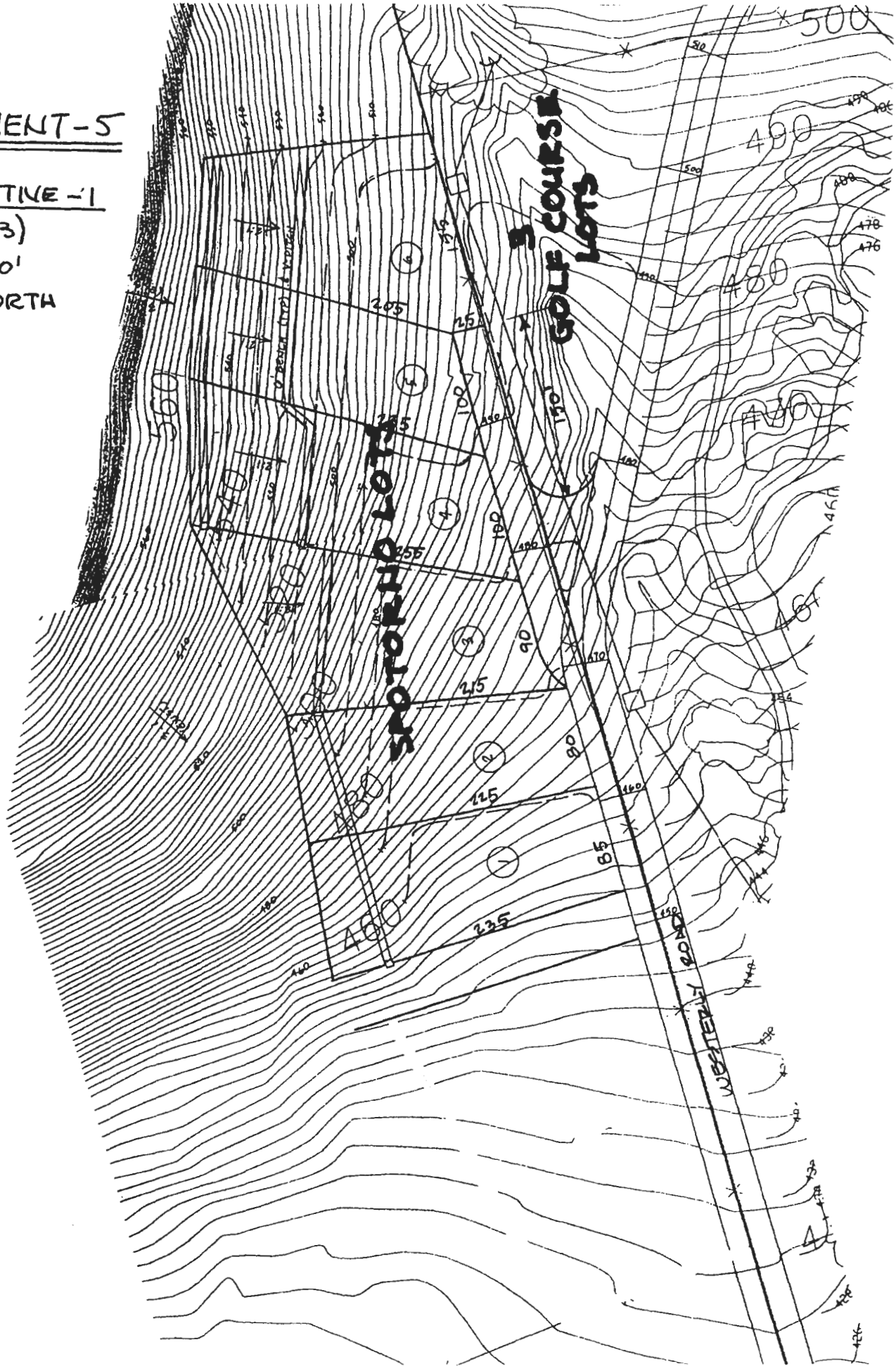
ATTACHMENT-5

ALTERNATIVE -1

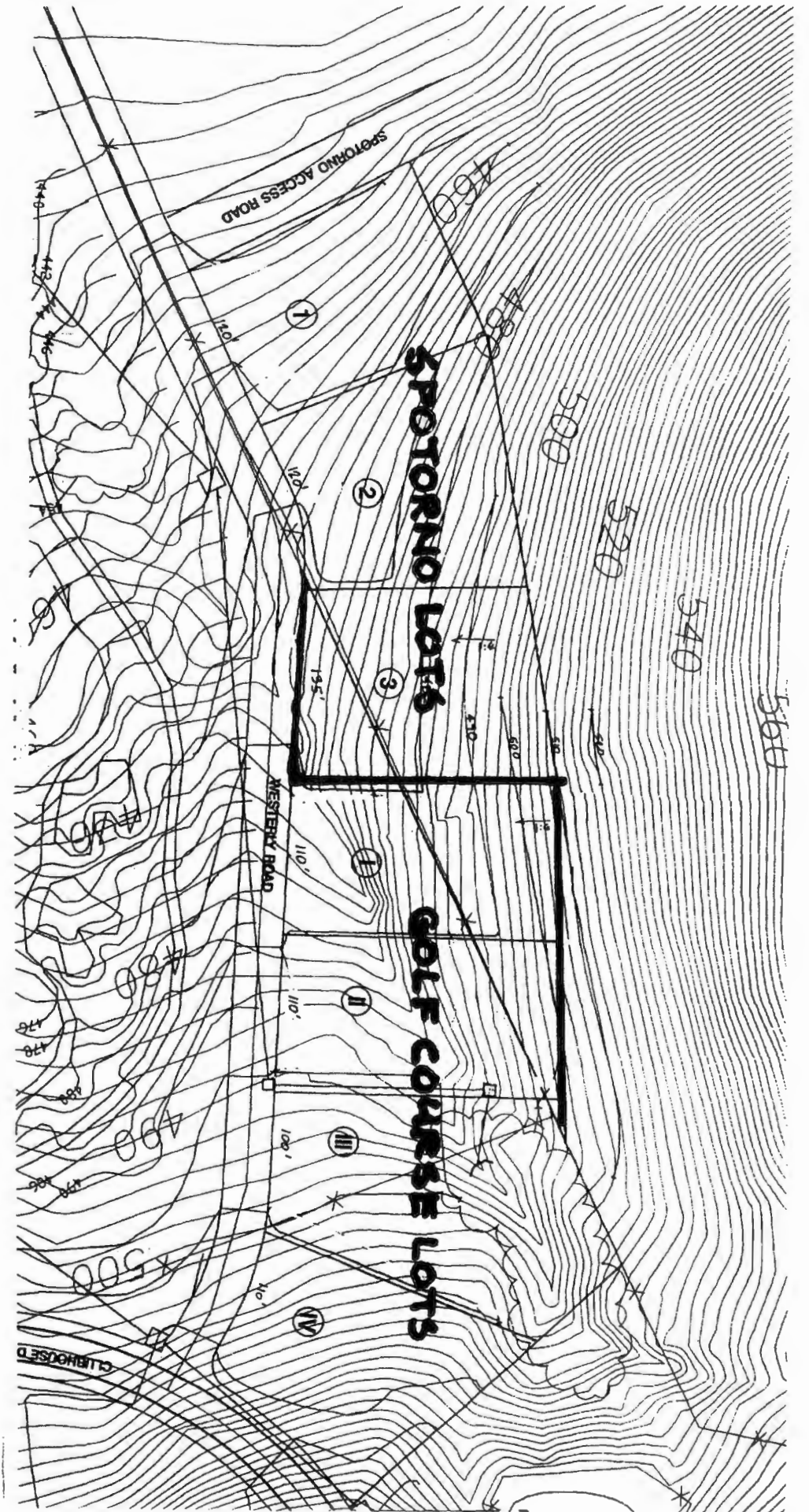
(1 OF 3)

1" = 100'

← NORTH







→ NORTH

1" = 100'  
(3 OF 3)

STAFF PROPOSAL

ALTERNATIVE-3



October 23, 2015

Michael O'Hara  
Tim Lewis Communities  
12667 Alcosta Boulevard, Ste. 170  
San Ramon, CA 94583

**Re: P15-0564/Application for Preliminary Review of a 39 single-family home development on the Spotorno property located at 1000 Minnie Street**

Dear Mr. O'Hara,

Thank you for your application for the above referenced project. Staff has reviewed the proposed 39-lot single-family residential development that is proposed on an approximately 112-acre site, known as Lot 98 in the Happy Valley Specific Plan. Below are staff's preliminary comments on the proposed development. Please note that because this project involves changes or interpretations to major City land use policies/documents (General Plan, Measure PP, Happy Valley Specific Plan, Urban Growth Boundary, etc.), our comments below may be refined as we learn more about the project and discuss the proposal with interested individuals.

- 1. Urban Growth Boundary.** The 2005-2025 General Plan designates an Urban Growth Boundary (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. Per the 2005-2025 General Plan Land Use Map, the UGB line runs through the eastern portion of the proposed development.

The 2005-2025 General Plan Land Use Element Policy 22 does not allow urban development beyond the UGB boundary. The following General Plan programs allow urban services in the areas within the UGB and adjustments to the UGB if certain criteria are met:

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

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

**COMMUNITY DEVELOPMENT**

**P. O. BOX 520, Pleasanton, CA 94566-0802**

<b>Planning</b> 200 Old Bernal Ave. (925) 931-5600 Fax: 931-5483	<b>Building &amp; Safety</b> 200 Old Bernal Ave. (925) 931-5300 Fax: 931-5478	<b>Engineering</b> 200 Old Bernal Ave. (925) 931-5650 Fax: 931-5479	<b>Traffic</b> 200 Old Bernal Ave. (925) 931-5650 Fax: 931-5479	<b>Inspection</b> 157 Main Street (925) 931-5680 Fax: 931-5484
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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.

To determine if the adjustment to the UGB boundary is minor, input from the Planning Commission and/or City Council in the form of a workshop may be required. If the adjustment to the UGB boundary is not considered minor, then per Program 22.5 below, the adjustment would require a citizen vote.

**Program 22.5:** The foregoing Policy 22 and Programs 22.1 through 22.4, this Program 22.5, and the Urban Growth Boundary designated on the City of Pleasanton General Plan Map as adopted by the Pleasanton Urban Growth Boundary Initiative in November 1996, shall be amended only by a vote of the people.

Staff recommends that the proposal be modified so that no portion of the project would be located outside the Urban Growth Boundary line.

**2. General Plan Land Use Designation.** The project site has three General Plan land use designations: Low Density Residential, Medium Density Residential, and Open Space – Public Health and Safety. The General Plan allows the following development within each land use area:

**Low Density Residential:** A maximum of two dwelling units per gross developable acre. In the Happy Valley area the density allowed is one dwelling unit per two gross acres with one unit per one-and-one-half gross acres when developed in conjunction with major open-space land or agricultural/open space easement dedication.

**Medium Density Residential:** a density range of 2-8 dwelling units per acre

**Open Space- Public Health and Safety:** one single-family home on each existing lot of record as of September 16, 1986, which meets City requirements for access, public safety, building site, and architectural design, etc.

The proposed development would not conform to the General Plan density requirement as there would be too many residential units proposed within the portion of the lot that has a Low Density Residential land use designation. We recommend that you revise the plan so that it conforms to the General Plan.



3. **Measures PP and QQ.** Pleasanton voters adopted two hillside development initiatives in November 2008, known as Measures PP and QQ.

Measure PP (PP) included specific hillside development restrictions, as follows:

**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 ridge-line. 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 (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.

PP does not contain definitions of several key terms. As a result, it left various items open to interpretation, including the definition of a "structure," calculation of a slope, ridgeline identification, and application of the 100-foot setback from the ridgeline. As you know, the City is formally reviewing the Lund Ranch II Project, which would include the development of 50 residential units near the terminus of Lund Ranch Road. That project will require the City Council to make interpretations regarding the application of PP. Until such time as the City Council determines how to interpret PP, staff cannot meaningfully comment on whether the proposal complies with PP. However, staff has enclosed excerpts from the Lund Ranch II EIR and Planning Commission staff report related to PP for your review. Please refer to these two documents for staff's analysis of and guidance in measuring slope, identifying ridgelines, evaluating ridgeline setback, and the treatment of artificial slopes in the context of uncertainty regarding the ultimate interpretation of PP. A key outstanding issue that may affect the Spotorno 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. We urge you to proceed slowly with your application until the outstanding Measure PP issues are resolved by City Council as part of its review of the Lund Project. But please also note that PP-related interpretations made as part of the City Council's deliberations on Lund Ranch II may apply only to that project.

4. **Inclusionary Zoning Ordinance (IZO).** As stated in the Pleasanton Municipal Code, the City's Inclusionary Zoning Ordinance is intended to ensure that housing development helps achieve the City's affordable housing goals by increasing the supply of residential units affordable to households with very low, low, and moderate incomes. The IZO requires all new single-family residential projects of 15 units or more to ensure that at least 20 percent of dwelling units are affordable to very low, low, and/or moderate income households. The proposed development of 39 homes would be subject to IZO requirements. The IZO also provide alternatives to constructing IZO units on site. Options include land dedication, payment of a lower income housing in-lieu fee, etc. Please refer to Chapter 17.44 (Inclusionary Zoning) and indicate how you propose to comply with the IZO.
5. **Happy Valley Specific Plan (HVSP).** The HVSP was approved by the City Council in June 1998 and establishes regulations for land use development and capital improvements within the plan area. The project site is identified as Lot 98 by HVSP; thus, the proposed development would be subject to the following:
  - ▣ **Bypass Road.** HVSP requires the construction of a Bypass Road that will extend from the east of an "East-West Collector" road in the North Sycamore Specific Plan, around Spotorno Hill, and terminate at the Golf Course/Spotorno Flat Area<sup>1</sup>. In April 2007, the City Council received a report discussing realignment of the Bypass Road from Sycamore Creek Road (the "East-West Collector" road of the North Sycamore Specific Plan) to the Spotorno Flat Area. The purpose of the Bypass Road was to divert traffic away from the rural roads in the Happy Valley area as a way to maintain the rural character of the Happy Valley area. The City believes the Bypass Road is desired by many residents in the Happy Valley area, who are concerned about traffic levels along Happy Valley Road and Alisal Street. These residents are likely to be concerned about a project that would preclude the construction of the Bypass Road. Additionally, 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. While staff believes the Bypass Road would result in undesirable impacts to existing hillsides and other natural resources in the Southeast Hills area, we also recognize that there is a strong community desire to build the Bypass Road. Resolution of this issue will require input from the Planning Commission and/or City Council, likely in the form of a workshop on the project.
  - ▣ **Trails.** HVSP requires a trail to be constructed along the full length of the Bypass Road and the granting of a public access easement. The trail should be for pedestrian, equestrians, and bicycles. The trail should be six feet wide, including a four-foot paved segment and a two-foot unpaved segment. The trail surface should be asphalt/graded and compacted earth. If your proposal eliminates the Bypass Road, please clarify if the trail would also be removed. Please consider retaining the trail and funding its construction, as a community amenity.

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<sup>1</sup> The Spotorno Flat Area is defined by the HVSP as the 33-acre portion of Lot 98 next to Alisal Street.

In addition to the Bypass Road Trail, the HVSP requires a Spotorno Flat Area Trail and a Spotorno MDR/Foley Ranch Trail Connection. Please ensure the proposal addresses these two trails.

- **Emergency Vehicle Access (EVA).** The HVSP requires an EVA within the Spotorno Flat Area connecting to Alisal Street. This EVA needs to be designed to accommodate pedestrian, equestrian, and bicycle uses. Vehicular use is limited to emergency vehicles. The proposed Site Development Plan shows one point of access to and from the project site via Westbridge Lane with no connection to Alisal Street. An EVA needs to be proposed within the development. Please revise the plan to conform to this requirement.
- **View Corridor.** HVSP requires the siting and height of structures and landscaping located on the project site be established based upon providing maximum view potential of the Golf Course from the vicinity of southern Alisal Street. The proposed development does not satisfy this requirement.
- **Wildlife.** Wildlife Species of Specific Concern, such as California tiger salamanders and California red-legged frogs, were found within the HVSP area. The HVSP requires that a California tiger salamander Mitigation and Monitoring Plan be prepared and submitted to the California Department of Fish and Wildlife for review and approval, and that a mitigation plan for California red-legged frog be prepared in consultation with the U.S. Fish and Wildlife Service. The HVSP also requires that a pre-construction survey be conducted to verify the presence or absence of active raptor nests.

The HVSP also identifies a pond that is located on the hill southeast of the Spotorno Flat area. Please show the pond on the site plan. If the construction of the proposed development would affect the pond, a pre-construction survey of the pond should be conducted to verify the presence or absence of active tri-colored blackbird nests. A qualified biologist should determine if any active nests are present at the pond. The required biological resources studies should be submitted with the formal application submittal.

- **Heritage Tree Preservation.** The HVSP requires that a Master Landscape and Tree Preservation Plan be prepared for the Spotorno site to protect heritage trees. An arborist report prepared by a certified arborist acceptable to the City (please see the attached list) will be required if there will be any proposed improvements (e.g., construction, grading, paving, trenching) located below the dripline of an existing tree with a diameter of six inches or greater or if any trees with a diameter of six inches or greater are proposed to be removed. The report must specify the precise location, size, and species of the existing trees on the site, including any trees off the property with driplines that overhang into the proposed construction area. The report must determine the health and value of the existing trees, the effects of the proposed development on the trees, and recommendations for any special precautions necessary for their

preservation. Any trees that are proposed to be removed or pruned must be clearly indicated in the report and on the plans.

6. **Zoning and Rezoning.** The project site has three zoning designations: Planned Unit Development – Semi Rural Residential Density (PUD-SRDR), Planned Unit Development – Medium Residential Density (PUD-MDR), and Planned Unit Development – Agriculture/Open Space (PUD-AG/OS). The formal application submittal should include an overlay of the current zoning designations over the project site (i.e., Lot 98).

The HVSP allows Lot 98 to have a maximum density of one home per 1.5 acres, with a maximum of 22 lots permitted within the 33-acre PUD-SRDR portion of the site if the proposal includes a major dedication of open space land or agriculture/open space easements to the City at the time of final subdivision map approval. The HVSP does not allow density transfer on Lot 98, i.e., to transfer units allowed in the PUD-MDR portion of the site to the PUD-SRDR portion of the site. The proposed 39-lot development exceeds the maximum number of lots allowed by the HVSP. Please revise the proposal so that it conforms to HVSP, in order to avoid rezoning the site.

The PUD-AG/OS allows one single family home on an existing lot of record as of September 16, 1986.

7. **Site Development Standards.** The PUD-SRDR district requires the following development standards:

HVSP Requirements		Proposed
Lot Size	One Acre (43,560 sq. ft.) min.	21,000 to 35,700 sq. ft.
Lot Dimension:		
Lot Width:	175 feet min.	140 feet min.
Lot Depth:	175 feet min.	140 feet min.
Setbacks For Main House:		
Front Yard:	35 feet min.	35 feet
Side Yard:	25 feet min.	25 feet
Rear Yard:	35 feet min.	35 feet
Height for Main House <sup>1</sup>	30 feet max. (as measured from the highest to the lowest elevation of the building)	30 feet
Floor Area Ratio (FAR)	25% max. (for two-story building) 40% max. (for one-story building)	25% for two-story building 40% for one-story building
Parking	Two garage-parking spaces with four total on-site spaces min.	--

<sup>1</sup> HVSP requires a minimum of six homes in the Spotorno Flat Area to be limited to one-story in height.

The HVSP allows for flexible site development standards to account for unusual site conditions as long as any new standards are consistent with the intent of the Specific Plan. Please state the unusual site conditions on the project site which trigger justifying the proposed site development standards. If no unusual conditions exist on the project site, please revise the proposal to conform to the HVSP.

8. **Environmental Review.** An Initial Study/Mitigated Negative Declaration (IS/MND) or Environmental Impact Report (EIR) will be required to address environmental impacts of the proposed development. An EIR would be required if the project would result in significant unavoidable impacts, and background technical studies would likely be required to ascertain the likelihood of such impacts. Areas of impacts that should be explored include flora/fauna, habitat areas, tree removal; circulation/traffic (including changes in traffic patterns resulting from removal of the Bypass Road); noise; grading, drainage, and stormwater runoff/quality; visual impacts of the homes and the modification of natural terrain due to grading; archaeological sites; geotechnical/geologic issues; public facilities, including parks and schools; public safety, including Emergency Vehicle Access (EVA) and wildland fire hazards to the proposed homes; loss of productive grazing land (if any); hazardous materials (if any); air quality; land use compatibility and land use policies; and growth inducing impacts. Public scoping session(s) will be held if a new EIR is required prior to Planning Commission and City Council review of the PUD application. After preparation of the appropriate background studies, we would appreciate an opinion from your legal counsel regarding the appropriate environmental review document for this project. We would share this opinion with our City Attorney for review and final opinion.
9. **Proposed Plan.** Following is a list of staff's comments and questions concerning the Site Development Plan and the front elevations of the proposed homes. We request that the Site Development Plan be revised to conform to the General Plan, Happy Valley Specific, and existing zoning regulations. If that is not possible, we will want to revisit the site plan to achieve the design/planning objectives established in the HVSP, particularly those that relate to retaining the rural character of the area. In that case, such design approaches may include clustering, providing additional open space buffers along Alisal Street, etc.

**Community Development Department - Planning Division**

- 1) Please overlay the proposed development onto the 2005-2025 General Plan Land Use Map to determine the location of UBG line.
- 2) The Site Development Plan shows an existing private road to be quitclaimed. Please provide a title for the private road, including owner and use of this road.
- 3) Alisal Street is located in unincorporated Alameda County. Please make sure you have permission from the County to allow two of the proposed homes to directly access Alisal Street.

- 4) The HVSP states that vehicular access from Alisal Street should be considered during the PUD development plan review process.
- 5) Please specify the use and ownership of Parcel A.
- 6) The Site Development Plan includes an eight-foot wide trail. It is unclear if the proposed trail is the existing unpaved area on the west side of Westbridge Lane or it indicates a proposed trail along the roadside. Please clarify.
- 7) The HVSP provides design objectives for homes to be located in the PUD-SRDR district: 1) maintain the area's semi-rural character, 2) maintain the open-space feeling, 3) minimize the visual prominence of homes, and 4) encourage diversity in landscaping design. The guidelines encourage a diversity of architectural styles suitable for the area and informal landscaping plantings. It discourages two-story structures unless building mass can be broken up with attached one-story elements, such as porches or entry roofs. Please make sure the design of the proposed homes reflect what is specified in HVSP.
- 8) Staff strongly prefers side-entry or stand-alone backyard garages.
- 9) The project site is approximately two miles from the nearest neighborhood park (Mission Hills Park) or community park. Staff recommends that a neighborhood park with play equipment be provided within the development. In addition, please provide a trail plan showing how the proposed open space would be integrated into the proposed development.
- 10) All homes will need to meet the City's Green Building Ordinance and the State of California Green Building Standard Code, "CALGreen."
- 11) The proposed landscape plan needs: a) to minimize or avoid turf areas, b) utilize drought-tolerant landscaping in compliance with State of California's Model Water Efficient Landscape Ordinance and Bay Friendly Basics Landscape Checklist, and c) emphasis on native species, as appropriate for a site in close proximity to major open space resource.
- 12) Please indicate the use(s) for the remaining portions of the site.
- 13) Please give some thought to an enhanced open space buffer, with berms, along Alisal Street to preserve the rural look/feel of the area.
- 14) The HVSP provides detailed requirements regarding water, sewer and stormwater connections. Please contact the Engineering Department or Operation Service Center for additional detail.

### **Community Development Department - Traffic Division**

- 1) Traffic Division staff believes that a Bypass Road should be included the proposal in order to be consistent with HVSP. Please see previous comments regarding the need for a Planning Commission/City Council workshop to receive feedback on the future viability/desirability of the Bypass Road.
- 2) The proposal should include pedestrian access to Alisal Street within the project.
- 3) All residential driveways should be a minimum of 22 feet long (back edge of sidewalk to garage).

Should you have any questions regarding Traffic Division comments, please contact Matthew Nelson (925) 931-5671/[manelson@cityofpleasantonca.gov](mailto:manelson@cityofpleasantonca.gov).

### **Engineering Department**

- 1) A geotechnical report and a slope stability analysis should be provided with the formal application submittal.
- 2) The formal application submittal needs to show a concrete valley gutter and a bench with an adequate width for maintenance vehicles behind Lots 19-24.
- 3) Any existing on-site septic tank should be abandoned in accordance with Alameda County Department of Environmental Health requirements.
- 4) If there is any on-site well to be retained, a backflow protection device needs to be installed at the water meter. The use of well water would be limited to irrigation purposes only.
- 5) Each building will be required to have an independent connection to a public water main and public sanitary sewer main.
- 6) The developer will need to grant to the City all required rights-of-way and easements necessary for the installation of streets, utilities and public facilities.
- 7) As part of formal application, the developer will need to submit:
  - a. Stormwater Requirement Checklist (see link below) with an exhibit showing existing impervious area, impervious area to be removed and replaced, and new impervious area to be created:  
<http://www.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=23767>
  - b. Water demand calculations
  - c. Sanitary sewer load calculations
  - d. Hydrologic and hydraulic calculations

Should you have any questions regarding the Engineering comments provided above, please contact Daniel Sequeira at (925) 931-5656 / [dsequeira@cityofpleasantonca.gov](mailto:dsequeira@cityofpleasantonca.gov).

#### **Operation Services Center - Public Utilities**

- 1) A sanitary sewer capacity study needs to be prepared and submitted as part of the formal application submittal.
- 2) Stormwater runoff from the proposed development needs to be retained and treated on-site.
- 3) The project's water distribution system and sanitary sewer should be constructed per City of Pleasanton Standard Specifications.

Should you have any questions regarding the public utilities comments provided above, please contact Scott Walker at (925) 931-5527 / [swalker@cityofpleasantonca.gov](mailto:swalker@cityofpleasantonca.gov).

#### **Livermore-Pleasanton Fire Department**

- 1) A second access route onto Alisal Street is required.
- 2) Provide a conceptual civil drawing with proposed hydrants and a water supply engineered to deliver 1,500 gallons per minute (gpm) of fire flow and 1,000 gpm for domestic demand, for a total of 2,500 gpm.
- 3) Provide a LPFD truck turning exhibit which shows all proposed street parking. Provide 26 feet of unobstructed road width for 20 feet on both sides of all proposed hydrants.
- 4) Please provide a civil drawing with conceptual hydrant spacing of 400 feet.
- 5) Please verify that water pressure can be provided for firefighting from the most remote proposed hydrant.

#### **APPLICATION PROCESS**

Development of the property will require the following steps:

1. UBG Line. Please revise the proposal so that it conforms to the UBG line.
2. General Plan Amendment.
3. Specific Plan Amendments if the proposal does not conform to HVSP.



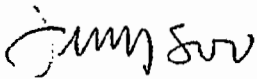
4. PUD Rezoning and Development Plan. The PUD rezoning and development plan submittal should include the following:
- Written narrative detailing the proposed development.
  - Site plan of the proposed development, including a table listing land area, the proposed building square footage for each plan/model, landscaped areas, etc.
  - Elevations of the proposed buildings, including building heights; design details such as window trim material, roof material, and a materials/color board.
  - Floor plans.
  - Landscape plan showing the plant species, sizes, and quantities. Drought-tolerant species and water-conserving drip systems should be used.
  - Grading and drainage plan.
  - Utility plan.
  - Off-site improvement plans.
  - Green Building Checklist.
  - Climate Action Plan Checklist.

Please refer to the attached PUD development plan brochure for additional submittal requirements.

5. If the PUD is approved, you would then need to file a subdivision application. Please review the attached handout describing the subdivision process.
6. Prior to the Planning Commission hearing, the proposed trail(s) would be presented to the Bicycle, Pedestrian & Trails Committee and Park and Recreation Commission for review.

Staff looks forward to working with you to address the above questions/comments. If you have any questions, please call me at (925) 931-5615, or email at: [jsoo@cityofpleasantonca.gov](mailto:jsoo@cityofpleasantonca.gov) As our review proceeds, there may be additional requests for information and comments.

Sincerely,



Jenny Soo  
Associate Planner

07

GENERAL ELECTION  
Tuesday, November 5, 1996

CITY

CITY OF PLEASANTON MEASURES

<b>DD</b> MEASURE DD. ADVISORY MEASURE: Shall the Pacific Locomotive Association's excursion train, currently operating between Niles and Sunol on the first and third Sundays of the month, be permitted to extend its operations to Downtown Pleasanton with the Pleasanton Railroad Association and the Pacific Locomotive Association being solely responsible for the funding, construction and completing this project at no cost to the City of Pleasanton?	YES 159 ➡
	NO 160 ➡

<b>EE</b> MEASURE EE: Shall an ordinance be adopted to limit a councilmember to two consecutive terms of four years each and to limit a mayor to four consecutive terms of two years each?	YES 162 ➡
	NO 163 ➡

➡ <b>FF</b> MEASURE FF: Shall the Pleasanton Urban Growth Boundary Initiative be adopted to require voter approval of all but minor changes to the City's Urban Growth Boundary?	YES 164 ➡
	NO 165 ➡

<b>GG</b> MEASURE GG: Shall the Pleasanton Residential Buildout Initiative be adopted which provides that the maximum number of residential units at buildout shall not exceed 29,000 units and cannot be changed except by a vote of the people?	YES 166 ➡
	NO 167 ➡

DISTRICT

EAST BAY REGIONAL PARK DISTRICT MEASURE KK

<b>KK</b> MEASURE KK: Shall a resolution be adopted which approves and continues the existing East Bay Regional Park District assessment (A/CC-1) to fund maintenance and park ranger patrols for over 1,000 miles of regional trails in Alameda and Contra Costa Counties at no increase in the current rate (in the maximum amount of \$5.44 per parcel, \$2.72 per apartment, per year)?	YES 170 ➡
	NO 171 ➡

END OF BALLOT



\*N07008\*

N 07-008 T-33-34, 86, 111, 113, 119

THIS SPECIFIC INITIATIVE. LET'S GET IT RIGHT OR WE CHANGE NOTHING!

s/KARIN MOHR  
s/JACK HOVINGH  
s/KEITH WARDIN  
s/DAGMAR O. FULTON  
s/HARVEY KAMENY

**NO REBUTTAL TO ARGUMENT AGAINST MEASURE EE WAS SUBMITTED.**

CITY OF PLEASANTON MEASURE FF	
<b>FF</b> MEASURE FF: Shall the Pleasanton Urban Growth Boundary Initiative be adopted to require voter approval of all but minor changes to the City's Urban Growth Boundary?	YES
	NO

**FULL TEXT OF MEASURE FF**

**THE PLEASANTON URBAN GROWTH BOUNDARY INITIATIVE**

The People of the City of Pleasanton do hereby ordain as follows:

**Section 1. Declaration of Purpose**

The purpose of this measure is to:

- A. Achieve and maintain a complete, well-rounded community of desirable neighborhoods, a strong employment base and a variety of community facilities.
- B. Preserve open space areas for the protection of public health and safety, recreational opportunities, use for agriculture and grazing, the production of natural resources, the preservation of wildlands,

and the physical separation of Pleasanton from neighboring communities.

- C. Reaffirm and readopt General Plan programs and policies establishing Pleasanton's Urban Growth Boundary (UGB).
- D. Provide a method for residents to participate in the review and amendments to the City's General Plan by requiring, with certain exceptions, any change in the UGB to be approved by a vote of the people.

## **Section 2. Findings**

- A. The General Plan Map designates an Urban Growth Boundary (UGB) line around the edge of land planned for urban development at General Plan buildout. The line distinguishes areas generally suitable for urban development and the provision of urban public facilities and services from areas 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 UGB is intended to be permanent and define the line beyond which urban development will not occur.
- B. 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 western UGB line is coterminous with the eastern border of the Pleasanton Ridgeland open space area. This 13,000-acre area is protected for parks and recreation, and large-lot agricultural uses, as a result of a voter approved initiative adopted in 1993, and through parallel policies adopted by Alameda County and the City of Hayward. The northernmost UGB is coterminous with the Pleasanton/Dublin city limit line. The eastern UGB extends through the Pleasanton quarry lands. Since the future use of land in this area will not be determined until after mining activities are completed, the Pleasanton General Plan stipulates that the line be re-evaluated at such time as comprehensive land use changes are considered for the reclaimed lands. The eastern UGB south of the quarry lands is coterminous with the Pleasanton/Livermore city limit line as it extends through the Ruby Hill development. 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 also situated in nearby hilly locations to accommodate future development which has been permitted by the General Plan for many years.
- C. Lower densities should be encouraged along the inside edge of the UGB to provide a transition/buffer for preventing potential conflicts with uses immediately beyond the boundary such as agriculture and wildlands.
- D. In order to implement the UGB, the Land Use Element of the General Plan adopted August 6, 1996 provides Policy 11 and its related programs as follows:

- Policy 11: Maintain a permanent Urban Growth Boundary (UGB) beyond which urban development shall not be permitted.
- Program 11.1: Permit only non-urban uses beyond the UGB.
- Program 11.2: Extend Urban Services only to areas within the UGB, with the following possible exceptions for selected Urban Services: (1) areas beyond the UGB where the public health and safety present overriding considerations; (2) as to water service, areas which are within the boundaries of the former Pleasanton County Township Water District and where the service extension is consistent with the 1967 Joint Powers Agreement between the City and the District; and (3) on reclaimed land which is currently designated as Sand and Gravel Harvesting in East Pleasanton when the potential future use is non-urban.
- Program 11.3: Because the UGB is considered to be permanent, future adjustments to the line's location are discouraged; provided, however, minor adjustments may be granted that meet all the following: (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.
- Program 11.4: Encourage lower intensity uses immediately inside the UGB, as necessary, to prevent potential land use conflicts with outlying non-urban uses.

E. Pleasanton's UGB reflects a commitment to focus future growth within the City to prevent urban sprawl. The UGB is based on a realistic assessment of Pleasanton's ability to extend City services such as sewer and water and is designed to protect environmentally sensitive areas such as the Ridgeland and the Southeast hills. The UGB complements General Plan policies promoting additional housing opportunities, emphasizing infill development, and supporting a thriving employment center. The UGB will:

- Encourage efficient growth patterns and protect the City of Pleasanton's quality of life by concentrating future development largely within existing developed areas;
- Promote uses that foster public health and safety and productive investment for agricultural enterprises on lands outside the boundary;

- Foster and protect the community character of Pleasanton while encouraging appropriate economic development in accordance with the City's unique local conditions;
  - Concentrate growth within the boundary in order to limit the extent of required City services and restrain increases in their costs;
  - Allow the City to continue to meet the housing needs for all economic segments of the population, especially lower and moderate income households, by directing the development of housing into areas where services and infrastructure can be provided more cost effectively; and
  - Promote stability in long-term planning for the City by establishing a cornerstone policy within the General Plan designating the geographic limits of long-term urban development and allowing sufficient flexibility within those limits to respond to the City's changing needs over time.
- F. The General Plan has a policy that Pleasanton residents will participate in land-use planning and decision making and that Pleasanton residents will participate in the review and update of the General Plan as conditions change. Consistent with that policy and to ensure that the Urban Growth Boundary remains permanent and not be substantially adjusted without the Pleasanton voters' consent, the voters must approve an amendment to the Pleasanton General Plan as provided in this measure.

### **Section 3. General Plan Amendments Regarding the Urban Growth Boundary**

#### **A. Reaffirmation and Readoption of Urban Growth Boundary**

The Pleasanton Urban Growth Boundary Initiative hereby reaffirms and readopts (1) the Urban Growth Boundary designated on the Land Use Designations Map of the City of Pleasanton General Plan adopted August 6, 1996, a reduced copy of which is attached to the initiative for illustrative purposes as Exhibit A, and (2) Land Use Element Policy 11 and its Programs 11.1 through 11.4 of the City of Pleasanton General Plan as set forth in section 2.D of this initiative.

#### **B. Adoption of Urban Growth Boundary Amendment Policy**

The following text is added to the Land Use Element of the City of Pleasanton General Plan adopted August 6, 1996 immediately following Program 11.4:

- \* Program 11.5: The foregoing Policy 11 and Programs 11.1 through 11.4, this Program 11.5, and the Urban Growth Boundary designated on the Land Use Designations Map of the City of Pleasanton General Plan adopted August 6, 1996 and as readopted by the Pleasanton Urban Growth Boundary Initiative, shall be amended only by a vote of the people.

### **Section 4. Implementation**

- A. **Effective Date.** This Initiative shall take effect if a majority of the

votes cast on the Initiative are in favor of its adoption. Upon the effective date of this Initiative, the provisions of section 3 of the Initiative are hereby inserted into the Land Use Element of the City of Pleasanton General Plan as an amendment thereof, except that if the four amendments of the mandatory elements of the general plan permitted by state law for any given calendar year have already been utilized in 1996 prior to the effective date of this Initiative, this general plan amendment shall be the first amendment inserted in the City's General Plan on January 1, 1997. If the Initiative described as the Pleasanton Residential Buildout Initiative is also approved by the voters at the November, 1996 election, the General Plan amendment adopted by that Initiative and the amendment adopted by this Initiative shall be simultaneously inserted into the City of Pleasanton General Plan as a single amendment thereof. At such time as this general plan amendment is inserted in the City of Pleasanton General Plan, any provisions of the City of Pleasanton Zoning Ordinance, as reflected in the ordinance text itself or the City of Pleasanton Zoning Map, inconsistent with this general plan amendment shall not be enforced.

- B. **Project Approvals.** Upon the effective date of this initiative, the City, and its departments, boards, commissions, officers and employees, shall not grant, or by inaction allow to be approved by operation of law, any general plan amendment, rezoning, specific plan, subdivision map, conditional use permit, building permit or any other discretionary entitlement, which is inconsistent with this initiative.
- C. **General Plan Reorganization.** The General Plan may be reorganized, and individual provisions may be renumbered or reordered in the course of ongoing updates of the General Plan in accordance with the requirements of state law, but Land Use Policy 11 and Programs 11.1 through 11.5 shall continue to be included in the General Plan unless repealed or amended pursuant to the procedures set forth above or by the voters of the City.
- D. **Takings.** The City Council may amend the UGB if it makes each of the following findings:
  - (1) That an application for an amendment to the Urban Growth Boundary has been rejected by the voters of the City of Pleasanton;
  - (2) That following the rejection of the proposed amendment to the Urban Growth Boundary the final judgment of a court of competent jurisdiction concludes that the application of any aspect of Land Use Policy 11 and programs 11.1 through 11.4 would constitute an unconstitutional taking of a landowner's property; and
  - (3) That the amendment and associated land use designation will allow additional land uses only to the minimum extent

necessary to avoid the unconstitutional taking of the landowner's property.

**Section 5. Exemptions for Certain Projects**

This Initiative shall not apply to any development project that has obtained as of the effective date of the Initiative a vested right pursuant to state law.

**Section 6. Severability**

If any portion of this Initiative is hereafter declared invalid by a court of competent jurisdiction, all remaining portions are to be considered valid and shall remain in full force and effect.

**Section 7. Amendment or Repeal**

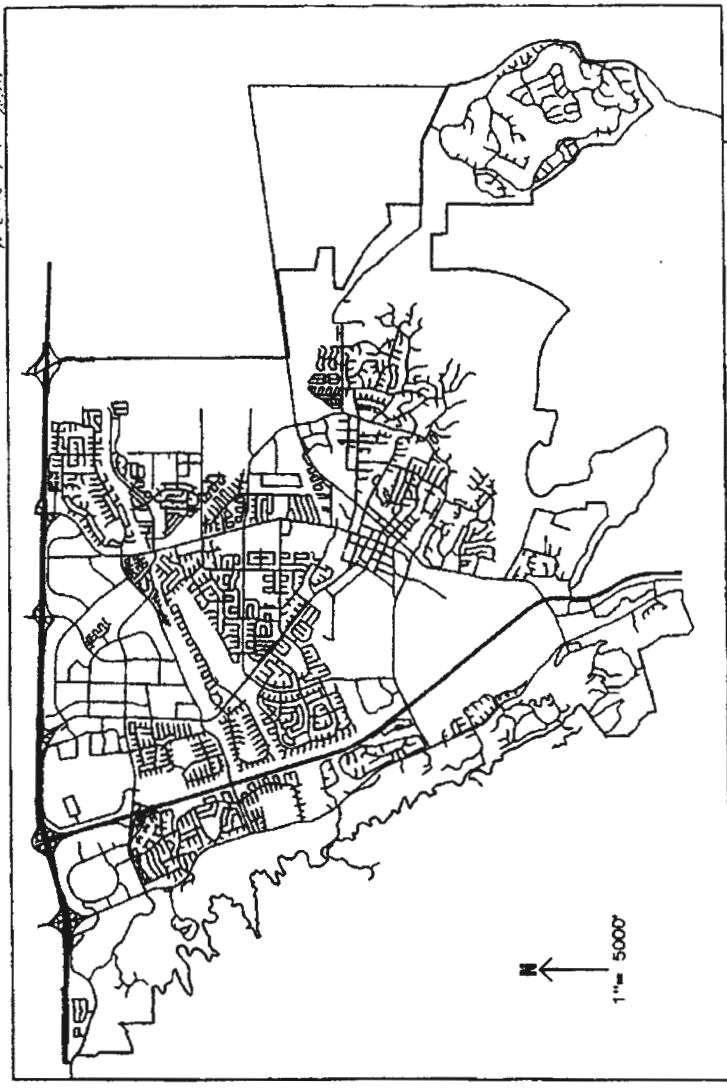
This Initiative may be amended or repealed only by the voters of the City of Pleasanton at a City election.

**Exhibit A**

City of Pleasanton Land Use Designations Map (Reduced Copy)



NICHOLS P.F. MAP



**URBAN GROWTH BOUNDARY**  
August 1996  
**EXHIBIT A**

**PLEASANTON GENERAL PLAN**

## **CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE FF**

### Background

A city's General Plan is a comprehensive, long-term plan for the city's development. The General Plan is the pre-eminent land use regulation of the city; zoning and other land-use decisions must conform to the General Plan.

In August 1996, the Pleasanton City Council substantially updated and revised the Pleasanton General Plan. This revision included designating on the General Plan Map an Urban Growth Boundary (UGB). The UGB defines the line beyond which urban development will not occur. The UGB is intended to be permanent.

### Purpose and Location of the Urban Growth Boundary

The land within the UGB is planned for urban development at General Plan buildout (assumed to be 2010 or later). The UGB line distinguishes areas generally suitable for urban development from areas generally suitable for the long-term protection of agriculture, parks and recreation, wildlands, buffers between communities, and ridgelines.

The western UGB line is coterminous with the eastern border of the Pleasanton Ridgeland open space area. The northernmost UGB is coterminous with the Pleasanton/Dublin city limit line. The eastern UGB extends through the Pleasanton quarry lands. The eastern UGB south of the quarry lands is coterminous with the Pleasanton/Livermore city limit line as it extends through the Ruby Hill development. 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. Some land within the UGB is currently outside the existing City limits.

### Adjustments to the Boundary

Because the UGB is considered permanent, future adjustments are discouraged. The City Council may, however, grant minor adjustments to the UGB when certain specific criteria are met, including that the adjustment would not have a significant adverse impact on agriculture, wildland areas, or scenic ridge-line views, and is contiguous with existing urban development. Because of these criteria, it may be difficult for the City to change the UGB so as to annex a residential or other urban project which develops outside the UGB.

### The Initiative

Typically a planning document like the General Plan can be amended by the City Council when the Council determines the circumstances warrant a change. The Pleasanton City Council has placed before the voters this initiative measure which will reaffirm and readopt the Urban Growth Boundary itself, will reaffirm and readopt the General Plan Policy and Programs associated with the UGB, and provides that the UGB and its related General Plan provisions can be amended only by a vote of the people. Thus, if the voters pass this initiative, neither the UGB itself (other than for minor adjustments as described above) nor the UGB Policy/Programs could be amended by the City Council; it would require a further, affirmative vote of the electorate.

If the voters do not pass this initiative, the UGB will remain on the Land Use Map and the UGB Policy/Programs will remain in the General Plan. In the

future, a City Council could change the UGB or its related General Plan provisions without a vote of the people.

s/MICHAEL H. ROUSH

City Attorney, City of Pleasanton

### **ARGUMENT IN FAVOR OF MEASURE FF**

Pleasanton is a beautiful city in a beautiful setting. The ridglands, hills and rural area around us are key features that make it so beautiful. These features provide visual, natural and agricultural resources that make Pleasanton truly unique. They also provide a natural geographic limit that defines where we can economically provide services. The long term economic vitality of a region requires the preservation of open space. This maintains a region's quality of life and retains its attractiveness as a center for commerce. Yet, three times in recent years, voters have had to resort to initiatives and referendums to keep development from destroying these features. Without the passage of this measure, the pressure for development will continue. Measure FF will establish an Urban Growth Boundary that protects these areas from development without voter approval. Instead of spending time defending what we love about Pleasanton, we can concentrate on doing positive things for our City.

An Urban Growth Boundary will encourage efficient and logical development patterns, reduce environmental impacts, lower services costs, and preserve the character of our community. It represents a commitment to focus growth within the City and to prevent urban sprawl. It provides voters with a historic opportunity to permanently protect the ridglands, woodlands, vineyards, arroyos and agricultural lands.

Pleasanton's voters have a tradition of being well-informed and caring about the future of the city. In turn, we have had a long history of involving our residents in participating in land-use planning and decision making. This measure is consistent with that tradition and was developed by volunteers working on our General Plan Update. Only voters will be able to allow development outside the boundary.

**Vote YES on Measure FF to determine the shape of Pleasanton and insist changes to the Pleasanton Urban Growth Boundary are approved by its residents.**

s/BEN TARVER

Mayor, City of Pleasanton

s/JOCELYN COMBS

Director, East Bay Regional Park District

s/CHRIS BOURG

Vice-Chair, Pleasanton General Plan Review Steering Committee

s/BECKY DENNIS

Councilmember, City of Pleasanton

s/HARRY LUTZ

Chair, Pleasanton Planning Commission

## **REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE FF**

The pro-argument misleads you again, indicating you can “determine the shape of Pleasanton”. The “shape” has already been adopted. The City Council made that decision.

The City Council could have allowed you to vote on the actual boundary. That didn't happen.

Re-adoption and re-affirmation by the voters of the Urban Growth Boundary is not required. As verified by the City Attorney, the UGB will remain in effect regardless of your vote.

City councils have the right to place initiatives on ballots – typically, at the request of organized citizen action, or to resolve great controversy. There was no group request for ballot placement. There was no controversy here – it was unanimously adopted.

The General Plan committee members signing the pro-argument, did so as private citizens. Neither the Steering Committee nor the Planning Commission requested the council place anything on this ballot.

The gathering of signatures for an initiative protects us voters from being bombarded with ill-conceived ballot measures. No signatures were gathered in conjunction with this initiative.

As noted, Pleasanton residents have historically placed items on the ballot WHEN NEEDED.

Measure FF is an unsolicited initiative that doesn't let us vote on the actual boundary, it didn't come from the people – and the UGB has already been unanimously adopted!

This council sponsored initiative, which prevents future local elected representatives from doing their jobs, is a misuse of the system.

Your NO vote preserves the general plan process that has served us so well, bringing us the UGB in the first place.

s/DEBORAH KLEFFMAN

Non Profit Director

s/LARRY LEVIN

Affordable Housing Commissioner

s/DOROTHY N. SCRIBNER

Past Council Member

s/ROBERT A. WRIGHT

Planning Commissioner

s/ROBERT J. LANE

Retired Teacher

## **ARGUMENT AGAINST MEASURE FF**

The general plan provisions you are being asked to vote upon have already been legally adopted by the city council.

If you vote no on this initiative it will mean:

- These limits are still part of the legally adopted general plan.

- You can send a message to this and future councils that it is a waste of voter time to vote on issues already in effect.

The real purpose of this initiative is to deprive future general plan committees and future city councils of:

- The same procedural rights that the current council and committees have enjoyed.
- The ability to deal with changing circumstances, without a vote of the people.

No Pleasanton comprehensive general plan reviews have ever been put to the voters. No past or present general plan committee has ever asked for a ballot initiative regarding the general plan. This initiative was placed on the ballot by a portion of the city council.

We believe:

- The general plan process is not broken and thus should not be restricted by this misleading initiative.
- General plan initiatives should come from the people, not the politicians down.

If this passes, voters will have to organize campaigns to affect future general plan votes, rather than speak directly to 5 council members who should have decision making abilities.

Just vote no.

s/ROBERT C. PHILCOX  
Former Pleasanton Mayor

s/DEBORAH KLEFFMAN  
Executive Director of Non-profit

s/JUANITA HAUGEN  
Pleasanton School Board member

s/ED KINNEY  
Former Pleasanton Mayor

s/KARIN MOHR  
City Councilmember

### **REBUTTAL TO ARGUMENT AGAINST MEASURE FF**

Asking Pleasanton voters to reaffirm and readopt important cornerstone policies of our General Plan is not a waste of their time. Voter approval adds a strong protection against challenges by narrow interests. The Urban Growth Boundary is one such policy.

**PERMAMENT OPEN SPACE PROTECTION CAN ONLY BE ACHIEVED WITH VOTER APPROVAL.** Simply including the Urban Growth Boundary in the General Plan will not achieve the permanent protections you desire. That's because:

- **The General Plan can be changed up to 4 times a year by the City Council.** General Plans are frequently amended to accomodate development. In fact, the City has already received its first application to amend our brand new General Plan.
- **New development can be approved by the votes of only 3 Councilmembers.** Developers find it relatively easy to convince 3 Councilmembers to support a project, even if it is unwanted by a vast majority of the community.

Voter approval of development is far more difficult to attain.

• **All development is permanent.** It cannot be undone. Natural and agricultural resources, once built upon, are lost forever. A City Council's rejection of a particular development today can always be revisited by a different City Council in the future.

**ONLY YOU, THE VOTER, CAN PROVIDE LASTING PROTECTION FOR PLEASANTON'S OPEN SPACE RESOURCES.**

Vote YES to guarantee the community will be consulted, and must vote its permission before our agricultural and natural resources are sacrificed to development.

Vote YES to preserve Pleasanton's beauty, character, and open space.

Vote YES on Measure FF.

s/BECKY DENNIS

Pleasanton Councilmember

s/TOM PICO

Pleasanton Councilmember

s/BEN TARVER

Mayor, Pleasanton

s/JOCELYN COMBS

Director, East Bay Regional Park District

s/DEBRA BIEBER BARKER

Chairperson, Pleasanton Planning Commission

**Jenny Soo**

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**Subject:** FW: P15-0564 Tim Lewis communities

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**From:** Daniel Marks  
**Sent:** Sunday, February 26, 2017 9:23 AM  
**To:** Jenny Soo  
**Subject:** P15-0564 Tim Lewis communities

Good morning Ms. Soo,

I received the notice for the P15-0564, public hearing and I do have some comments

1<sup>st</sup> do I need to be present at the meeting to get a response to my questions? And will these questions be asked at the hearing?

If I do not need to be there I am fine with that but If I do in order to have my questions appropriately answered then, If so how do I go about speaking at the meeting? Only if I have to

Questions to be considered and for the purpose directing those towards the comments noted on the notice as It is stated;  
that an application will be for "General Plan Amendment" a "Happy Valley Specific Plan Amendment" and a "PUD rezoning"

1. Is this amendment proposal for the entire Happy Valley area Specific Boundary?
2. Will Alisal Street need to be widened for any cause or reason whatsoever? Now or in the future for this proposed change and development?
3. What is the smallest and the largest square foot lot size associated with the 39 single family for sale units?
4. What is the smallest and largest square footage of the homes proposed to be built amongst the 39 single family units?

I look forward to your response.

Thank you

Daniel L. Marks

Click [here](#) to report this email as spam.

**Jenny Soo**

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**Subject:** FW: P15-0564 Application - Tim Lewis Communities, 1000 Minnie Street & AKA Spotorno Project, Happy Valley Bypass Road.

**From:** Benjamin Maughan **Sent:** Monday, February 27, 2017 8:58 PM

**To:** Jenny Soo

**Cc:**

**Subject:** P15-0564 Application - Tim Lewis Communities, 1000 Minnie Street & AKA Spotorno Project, Happy Valley Bypass Road.

Hi Jenny - I hope all is well. I live at [REDACTED] Westbridge Lane in Pleasanton, CA. My neighbor Justin Cheng alerted me to this application. Please note, I did not receive a notice in the mail and I watch for these yellow pieces of paper "like a hawk". I also requested previously to be notified of all changes and activity about this specific project as I am concerned that pre-approved community plans may be amended, which would change the feel of the community, impact my home's value, and most importantly put my young children at risk.

I have major concerns with previous versions of this application that I have seen.

#1 - The most recent plans that I saw did not include the bypass road that was planned/promised.

#2 - The number of homes proposed is materially more than the existing surrounding communities and contrary to current zoning.

#3 - Traffic will be substantially increased on both Happy Valley and Alisal.

#4 - (Personally) My lot was purchased under the assumption of an eventual cul-de-sac according to the applicable plans. I have 3 children under 8 and I wanted them to be 'safe' to ride their bicycles in a cul-de-sac, not on a substantial thoroughfare.

I have BCCed a number of home owners that will be impacted by this proposal.

I have also CCed Eileen Ng from Alameda County District 4 as a change to our city's plan would materially impact the 'No Left Turn' decision re-affirmed ~two years ago, warranting it to be readdressed.

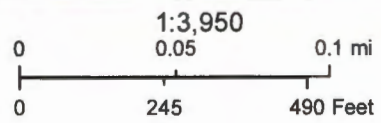
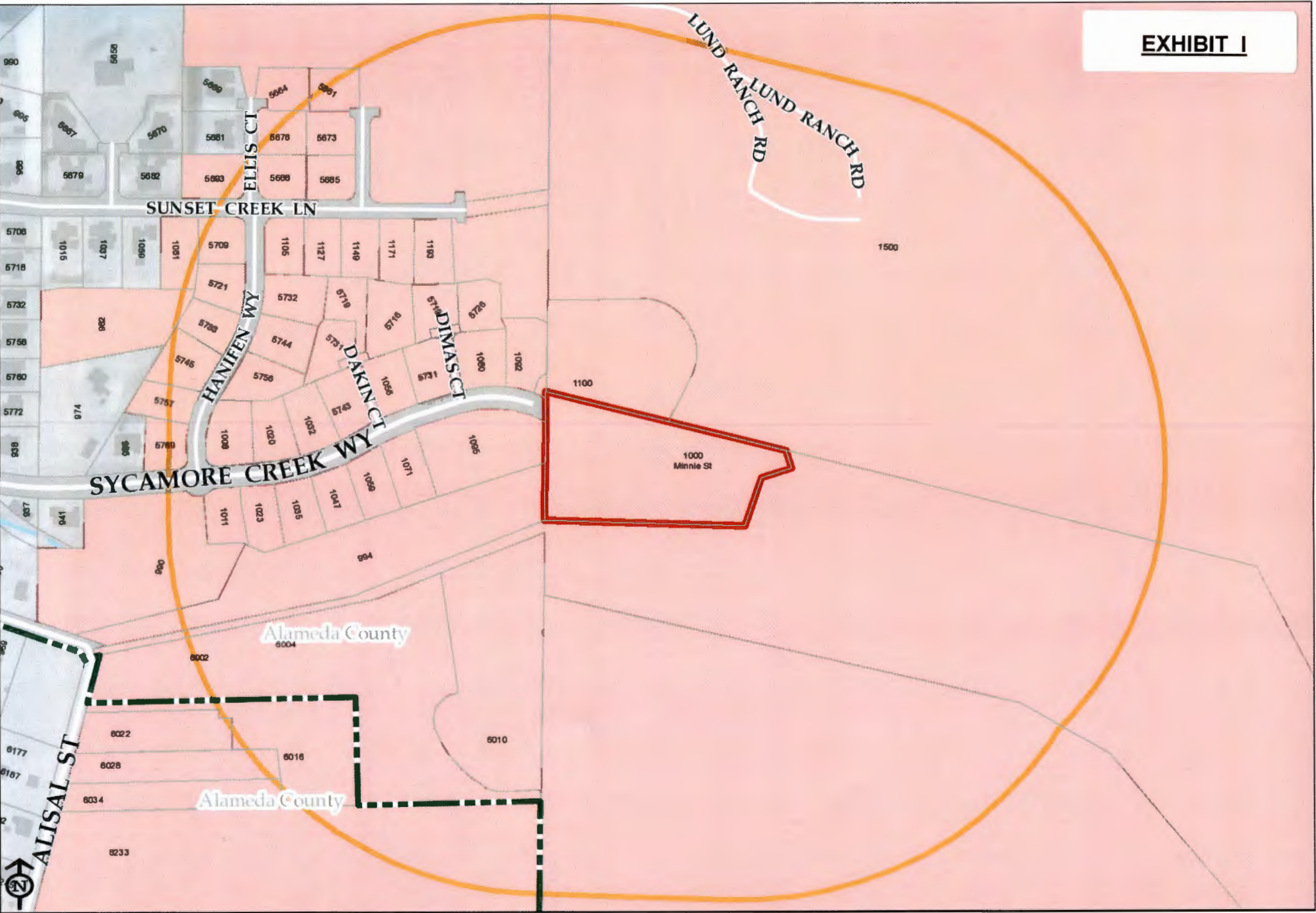
Could you please share the latest proposal from Tim Lewis Communities, city planning's current sentiment on the proposal, rationale for any deviation from the community plan, and the appropriate actions we can all take to prevent any changes to that plan?

I believe that Tim Lewis Communities should conform to the existing planning rules and zoning requirements, just like we all did when we built our homes.

I appreciate your care in responding to this matter.

Thanks,  
Benjamin Maughan  
[REDACTED] Westbridge Lane





**P15-0564, 1000 Minnie Drive, Tim Lewis Communities**