

## Planning Commission Staff Report

April 12, 2017 ~~March 22, 2017~~  
Item 6.b. ~~Item 6.a.~~

- SUBJECT:** P16-1386, P17-0155, PUD-113, & Vesting Tentative Subdivision Map 8259
- APPLICANT:** Ponderosa Homes
- PROPERTY OWNER:** Evangelical Free Church of Pleasanton
- PURPOSE:** Consider applications for the following at an approximately 9-acre parcel: 1) an amendment to the General Plan Land Use designation from Public and Institutional to Medium Density Residential; 2) rezoning from R-1-6,500 (One-Family Residential) to PUD-MDR (Planned Unit Development – Medium Density Residential) District; 3) PUD development plan approval to demolish the existing religious building and related improvements and construct 36 single-family homes, a private clubhouse with a parking lot, and related site improvements; 4) a Development Agreement to vest the entitlements of the project; and 5) Vesting Tentative Subdivision Map approval to subdivide the 9-acre parcel into 36 residential parcels and four common area parcels.
- LOCATION:** 6900 Valley Trails Drive
- GENERAL PLAN:** Public and Institutional
- ZONING:** R-1-6,500 (One-Family Residential)
- EXHIBITS:**
- A-1. [Rezoning and PUD Draft Conditions of Approval](#)
  - A-2. [Vesting Tentative Subdivision Map Draft Conditions of Approval](#)
  - B.1. [Development Plans dated "Received January 11, 2017"](#)
  - B.2. [Vesting Tentative Tract Map 8259 "Received January 11, 2017"](#)
  - C. [Development Agreement](#)
  - D. [Staff Report with Exhibits and Meeting Minute Excerpts of the August 31, 2016 Planning Commission Work Session](#)
  - E. [School Facilities Memorandum dated December 12, 2016](#)
  - F. [School Mitigation Agreement dated January 12, 2017](#)
  - G. [HortScience Tree Report dated February 7, 2017](#)
  - H. [Staff Reports with Exhibits and Meeting Minute Excerpts of the October 20, 2016 and November 17, 2016 Housing Commission Meetings](#)

- I. [Staff Report with Exhibits and Meeting Minute Excerpts of the September 8, 2016, Parks and Recreation Commission Meeting](#)
  - J. [Draft Initial Study/Negative Declaration](#)
  - K. [Location and Notification Map](#)
  - L. [Public Comments](#)
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## **RECOMMENDATION**

Staff recommends the Planning Commission forward Cases P16-1386, P17-0155, PUD-113, and Vesting Tentative Subdivision Map 8259 to the City Council with a recommendation of approval by taking the following actions:

1. Find that the project would not have a significant effect on the environment and adopt a resolution recommending approval of the attached draft Negative Declaration;
2. Make the findings for the PUD Development Plan and the Vesting Tentative Subdivision Map as identified in the staff report;
3. Find that the proposed General Plan Land Use Amendment is consistent with the goals and policies of the General Plan;
4. Find that the proposed PUD rezoning from R-1-6,500 (One-Family Residential) to Planned Unit Development – Medium Density Residential (PUD-MDR) District, development plan, and development agreement are consistent with the General Plan and purposes of the PUD ordinance;
5. Adopt a resolution recommending approval of: 1) an amendment to the General Plan Land Use designation from Public and Institutional to Medium Density Residential; 2) rezoning from R-1-6,500 (One-Family Residential) to PUD-MDR (Planned Unit Development – Medium Density Residential) District; 3) PUD development plan to demolish the existing religious building and related improvements and construct 36 single-family homes, a private clubhouse with a parking lot, and related site improvements; 4) a Development Agreement to vest the entitlements of the project; and 5) Vesting Tentative Subdivision Map approval to subdivide the 9-acre parcel into 36 residential parcels and four common area parcels, subject to the conditions of approval listed in Exhibit A-1 and Exhibit A-2, and forward the applications to the City Council for public hearing and action.

## **EXECUTIVE SUMMARY**

The applicant, Ponderosa Homes, is proposing to develop the approximately 9-acre site at 6900 Valley Trails Drive with 36 single-family residential lots, a private clubhouse with a 10-stall parking lot, and related infrastructure. The existing church and site improvements would be demolished. The proposed project requires a General Plan Amendment (P16-1386), PUD rezoning and development plan approval (PUD-113), and a Vesting Tentative Subdivision Map (Tract 8259), which are before the Commission for review and recommendation to the City Council. The applicant has also requested a Development Agreement (P17-0155) detailing the

obligations of the development of the property, park improvements, and the use of the private clubhouse.

In addition to the 36 single-family homes and private clubhouse, the project includes:

- New public streets and sidewalks with landscape strips;
- Sidewalk improvements to Valley Trails Drive;
- New private open space and other landscape improvements;
- Pedestrian/bicycle connections to the existing Valley Trails Park pathway;
- Tree removal and preservation; and
- Dedication of land (Parcel C) and improvements to Valley Trails Park;

## **BACKGROUND/HISTORY**

The subject site has a General Plan land use designation of Public and Institutional and is zoned R-1-6,500 (One-Family Residential) District, meaning that the site's zoning is not consistent with its General Plan designation of Public and Institutional. For over a decade, the site has been the subject of various City discussions regarding amending the General Plan land use designation, independent of and as a part of General Plan and Housing Element updates, to allow for some form of housing on the site. In cases where the General Plan land use designation and zoning are not consistent, the General Plan land use designation governs. Thus under the current Public and Institutional land use designation, no housing could be developed on the site.

### **Previous Attempts to Amend the General Plan Land Use Designation**

In 2004, the City Council considered processing an amendment to the General Plan, independent of the General Plan update, to change the land use designation of the site from Public and Institutional to Medium Density Residential and Parks and Recreation land uses. City records indicate that the item was discussed by the City Council; however, the discussion was continued indefinitely.

During a joint Planning Commission-City Council Work Session in 2006, the City considered amending the General Plan land use designations of various vacant or underdeveloped in-fill properties City-wide. The subject site was evaluated and was considered as a potential high density residential site. A concept explored as part of this discussion involved retaining the church and its attendant Public and Institutional land use designation on 6 of the 9 acres, and designating the remaining 3 acres for high density residential uses. However, the site was eventually removed from the high density housing sites list.

In 2011, the City held a series of community work sessions for the General Plan Housing Element update to obtain feedback on designating specific sites throughout the City for higher density housing. The subject property was again considered as a potential higher density residential site. However, after hearing neighbor concerns, the Housing Element Task Force committee ultimately removed the subject site from the list as it believed a higher density residential project would not be consistent with the surrounding neighborhood.

### **Development Proposal**

Over the last few years, Ponderosa has worked with the church to plan a residential development project for the entire 9-acre site. On July 29, 2015, the applicant submitted an

application that would have resulted in the development of 43 single-family residences targeted to seniors on the site and associated site changes.

After reviewing the application, staff provided the applicant with a letter discussing concerns relating to the proposed development. As proposed, staff did not believe the project was sufficiently integrated into the surrounding neighborhood, as it was proposed to be surrounded by a wall and would be accessible only after passing through a security gate. The security gate would also conflict with the City's General Plan. Staff also sought other changes in the proposed design, ranging from modifications to the architecture to changes in the orientation of residences along Valley Trails Drive and the configuration of open space. In addition to revising the proposal to address staff's comments, staff also encouraged the applicant to continue to host neighborhood meetings with Valley Trails residents to discuss the project prior to presenting an application to the Planning Commission as a work session item. Staff's comment letter and initial project site plan are included as attachments within Exhibit D.

### **Planning Commission Work Session Submittal**

Since receiving staff's initial comments in 2015, Ponderosa sought additional input from staff and the residents in the Valley Trails Neighborhood, including a group known as the "Valley Trails Homeowners Association" (VTHOA). Staff notes that the VTHOA disbanded in 2014; however, a few residents of the Valley Trails Neighborhood created a subset of the VTHOA, which is described by one member as an advocacy group or social club that does not have dues or compulsory rules, with the leadership of the advocacy group being informal with no elected positions (please refer to the letter provided by Ed Broome, dated October 21, 2016, in Exhibit M). The outcome of Ponderosa's meeting with the VTHOA subset group, referred to hereafter as the Valley Trails Advocacy Group (VTAG), resulted in Ponderosa revising the project to address the neighborhood's desire to have Ponderosa construct a clubhouse, with a restroom facility, open to all Valley Trails Neighborhood residents.

On June 24, 2016, Ponderosa submitted revised plans that were intended to conform to the development standards of the R-1-6,500 District (e.g., minimum lot area, depth, and width requirements for each parcel, meeting the minimum setbacks and building-to-building separation, etc.). Although the majority of the project conformed to the R-1-6,500 District development standards, two of the five corner lots had substandard widths, the front porches were substandard in dimensions and/or exceeded the maximum allowed encroachment into the front yard setback, and 12 of the 37 lots were substandard in building-to-building separation.

Key changes made to the proposal also included:

- Changing the age-restricted gated development to a non-age-restricted and non-gated development;
- Reducing the number of lots from 43 to 37;
- Removing the perimeter wall and installing traditional redwood fences;
- Designing streets and sidewalks that meet the City's Complete Street standards;
- Providing a street presence along Valley Trails Drive by orienting the homes to face Valley Trails Drive; and
- Redesigning the development layout to be compatible with the development pattern of the existing neighborhood.

As a part of this revised development application, Ponderosa proposed to install a new tot-lot and landscape improvements (i.e., turf removal and replacement with groundcover at specified locations) in Valley Trails Park to promote water conservation. The applicant also proposed an “amenities package” that included traffic calming measures/improvements within the Valley Trails Neighborhood. In addition, a community clubhouse was proposed in one of two locations (Lot 37 or Lot 11) as part of an optional development plan. This community clubhouse was proposed in response to the applicant’s discussions with VTAG to have a clubhouse with restroom facilities adjacent to or within Valley Trails Park as a part of the applicant’s proposed project. Ponderosa proposed to construct the clubhouse, dedicate the land and building to the City, and provide some funding to assist in the City’s maintenance costs. Staff expressed support for a clubhouse if construction and maintenance of the facility do not incur any costs to the City.

### **Planning Commission Work Session**

A Planning Commission Work Session was held for the project on August 31, 2016. The Work Session staff report and excerpts of the minutes are attached to this report as Exhibit D. The Commission discussed the General Plan amendment, clubhouse with bathroom facilities, site layout and access, architecture and design, and a majority expressed general support for the project. A summary of the Work Session discussion is outlined below, along with a description of how each topic was addressed in subsequent project plans.

#### General Plan Amendment and Zoning

Staff informed the Commission that when there are inconsistencies between zoning and General Plan land use designations, the General Plan land use designation would govern. The majority of the Planning Commission expressed support for the General Plan amendment to change the land use designation from Public and Institutional to Medium Density Residential, but there was not consensus on this issue. The Planning Commission commented that a single-family residential development is an appropriate use for the site and that other uses, such as high density residential development or a public and institutional use, would likely generate more impacts on the neighborhood. However, the Commission expressed concerns over the loss of Public and Institutional land, the impacts that the project could have on the schools serving the site, and the timing of the General Plan amendment, since the City has already met its Regional Housing Need Allocation (RHNA).

#### Zoning

It was noted in the Work Session staff report and meeting that Ponderosa intended to revise the development plans such that all of the R-1-6,500 Zoning District development standards would be met prior to returning to the Planning Commission for a formal recommendation to the City Council. Since Ponderosa’s intent at the time was to meet all of the development standards of the R-1-6,500 District, the project was presented at the Work Session as if it were a subdivision that conformed to the underlying zoning district and would not require rezoning.

Although the number of proposed homes was reduced from 37 to 36, the applicant found that significant site plan changes would be necessary in order to adhere to all of the development standards of the R-1-6,500 District. Therefore, the applicant is proposing to rezone the site to a PUD district to allow for variations in the development standards that cannot be met (i.e., minimum corner lot widths, front and rear yard setbacks, and building-to-building separation requirements). Staff’s analysis pertaining to the rezoning is discussed in the Analysis section of this report.

### Clubhouse and Bathroom Facilities

Most Planning Commissioners expressed support for a community clubhouse with bathroom facilities on the site, but directed staff and the applicant to explore ways in which the clubhouse and bathroom would be managed and/or funded in perpetuity. Of the two proposed locations (Lot 11 and Lot 37), the majority of the Planning Commissioners expressed a preference for Lot 11 due to its proximity to Valley Trails Park and the preference of the neighbors. Chair Ritter and Commissioner Nagler expressed an interest in providing parking for the clubhouse and thought that two lots (Lots 10 and 11) should be used to accommodate a clubhouse with restroom facilities and a parking lot. Commissioner Allen expressed an interest in having the clubhouse located on Lot 37 if it would be a public facility to provide better access and parking for those that do not reside in the neighborhood.

*Response:* Since the Work Session, Ponderosa has worked closely with staff and the VTAG regarding the clubhouse and restroom facilities. The plans have been revised to reflect the construction of a private Ponderosa Homeowners Association (PHOA) clubhouse facility with a 10-stall parking lot on Lot 11. Ponderosa is proposing to allow Valley Trails residents to utilize the private clubhouse a maximum of 12 times, annually. In addition to the use of the clubhouse, proposed off-site amenities include:

1. Install a tot lot and landscape upgrades within Valley Trails Park, as shown on Sheet L-6 of Exhibit B.

AND

2. Construct a freestanding public restroom in Valley Trails Park at a location to be determined through a separate process conducted by the City **or**, should the community or the City not support a public restroom, contribute a total of \$300,000 to the City for additional improvements to Valley Trails Park, beyond those already being proposed by Ponderosa (No. 1 above), to be determined by the City.

The proposed clubhouse and bathroom facilities and amenities are discussed in more detail in the Analysis section of this report.

### Site Layout and Access

The Planning Commission expressed support for the overall site layout and indicated that the pedestrian and vehicular access and flow have been significantly improved since the initial submittal. However, the Planning Commission expressed concern about traffic safety associated with the vehicles that would back out of the homes facing Valley Trails Drive, and requested that staff and the applicant analyze the adequacy of the front yard setbacks of these homes. The Planning Commission also stated that traffic calming on Valley Trails Drive should be explored and requested that the pedestrian/bicycle connections be widened to be 7 or 8 feet to be more consistent with the width of the existing Valley Trails Park pathway.

*Response:* As a condition of approval, the applicant would fund a traffic study and associated traffic calming improvements (up to a cost of \$50,000), if deemed warranted by the City Traffic Engineer as a result of neighborhood input. This is discussed in more detail in the Analysis section of this report.

Staff notes that the City's Traffic Engineer has reviewed the current proposal and found that the front yard setback of the homes facing Valley Trails Drive is adequate for vehicle backing and the distance does not create safety issues.

Although the applicant declined to widen the pedestrian/bicycle connections, the 5-foot width proposed at the walkway connections to the public trail, at Street A and Street C in Exhibit B, matches the width of the proposed public sidewalks. Furthermore, increasing the width would require constructing retaining walls at the bio-retention areas adjoining the public park trail system. Widening the connection is discussed in more detail in the Analysis section of this report.

### Architecture and Design

The Planning Commission expressed support for the overall architecture and design of the homes. The Planning Commission commented that the homes would be compatible with the homes of the surrounding neighborhood in terms of character and size, have been sensitively designed to minimize impacts to adjacent residences, and provide adequate variety in their architecture and design. However, the Planning Commission suggested that the front porches be deepened and the garages be further set back from the front of the house to reduce the presence of the garages on the street and improve the front elevation of the homes. The Planning Commission also commented on the setback of residences along Valley Trails Drive (suggesting greater setbacks).

*Response:* The applicant is not proposing to widen the porches or set the garages further from the front of the house. The applicant redesigned Plan 3 to allow for a recessed wall at the left rear corner and the size of the garage was reduced. The total square footage of Plan 3 was reduced from 3,616 square feet to 3,385 square feet (a total reduction of 231 square feet).

A minimum 23-foot building setback to the garage and front building wall are proposed for all plan types, which complies with the minimum front yard setback of the R-1-6,500 District. An additional "setback" is being provided from the street by the combined sidewalk and park strip, which results in a 33-foot separation from the park strip to the building wall. The porch setbacks are generally 15 feet or greater to the front property line or sidewalk. However, the depth of the porches has not changed.

### Additional Information Requested by the Commission

1. Survey of the Valley Trails Neighborhood residents regarding the community bathroom and meeting facility and its location.

*Response:* On two separate occasions prior to the Work Session, Ponderosa hosted and invited occupants of the approximately 500 Valley Trails residences in the neighborhood to a community-wide open house to discuss development of the site. The first meeting occurred in June 2015 and the second meeting took place in April 2016. At each meeting, 50-60 people were in attendance. The VTAG also hosted community-wide meetings regarding the project design on at least two separate occasions prior to the Work Session. Feedback was provided to Ponderosa regarding the proposed land use change, density, home design and setbacks, and the proposed amenity package (clubhouse/restrooms, park improvements, traffic controls/measures, etc.). The applicant has declined to formally survey the residents because there has been extended outreach to the neighborhood by both Ponderosa and the VTAG over the years to obtain

feedback regarding the proposed development as well as the clubhouse and restroom facility. In an effort to expand neighborhood awareness and encourage feedback, City notices of this March 22, 2017, Planning Commission meeting were sent to all residents within the Valley Trails Neighborhood. However, public review of a freestanding public restroom in Valley Trails Park would occur at meetings of the Pleasanton Parks and Recreation Commission and City Council, allowing for neighborhood input into the design and location of a freestanding restroom facility separate from the clubhouse.

2. School impact information regarding Donlon Elementary School and how this development, and any future development, will impact schools.

*Response:* Daniel Sodergren, City Attorney, provided a memorandum (Exhibit E) addressing questions regarding the impact of new development on school facilities. In short, State law prevents the City from denying a development project on the basis that school facilities are inadequate. State law encourages coordination between cities and school districts related to planning for school siting; however, long range master planning for school sites is the responsibility of the school district. Staff has included a letter from the Pleasanton Unified School District informing the City that Ponderosa has entered into a Mitigation Agreement to mitigate the impact of the proposed project (Exhibit F).

3. Renderings of the project from street-level view.

*Response:* Below is an artist's rendering of a street-level view of the three model types (Image 1). This rendering has been included as a loose sheet within Exhibit B.1 for the Commission's consideration. The applicant has also included a "Conceptual Streetscene" as sheet SS in Exhibit B.1



**Image 1: Artist Street-level View Rendering**



Public Comments

The Planning Commission Work Session also provided the public with an opportunity to review and comment on the proposed plan. Please refer to Exhibit D for meeting minutes. Eight residents provided comments at the Work Session.

Ed Broome indicated he was speaking as a representative of the VTAG, and expressed support for the project. He also indicated support for some public use of the proposed clubhouse, as the church had been used as a community gathering place. Mr. Broome further stated support for the project, including the potential to use the proposed clubhouse as a community gathering space. He expressed support for a public clubhouse on Lot 11 because of its proximity to Valley Trails Park. Mr. Broome also indicated that the neighborhood is not interested in assuming responsibility for the maintenance of the clubhouse facility because Ponderosa has put together a stable funding plan for day-to-day operational costs and long-term maintenance. His closing comment requested that two lots (Lots 10 and 11) be used to accommodate the clubhouse and parking. Other public comments expressed support for the project and identified the following concerns:

- Inappropriateness of a new restroom at Valley Trails Park, due to maintenance costs and potential for vandalism;
- Traffic associated with the project, and associated safety hazards and congestion; and
- The need for Ponderosa and the future homeowners association to assume the costs of building and maintaining the clubhouse and restroom facility.

Based on the feedback received at the Planning Commission Work Session and from staff after the Work Session, Ponderosa revised the development proposal as follows:

1. The number of proposed homes was reduced from 37 to 36.
2. Lot 37 was removed as an option for a clubhouse and is proposed as a single-family home facing Valley Trails Drive.
3. A private Ponderosa HOA clubhouse facility with a 10-stall parking lot is proposed on Lot 11. Ponderosa is proposing to allow Valley Trails residents to use the clubhouse a maximum of 12 times annually. Staff notes that Sheet B.1.1 of Exhibit B is a conceptual clubhouse floor plan that shows an internally accessible private restroom and a capacity of 50-60 people.
4. Parcel C, located east of Lot 11, will be dedicated to the City as public parkland.
5. House Plan 3 has been redesigned and the square-footage was reduced from 3,616 square feet to 3,385 square feet to include a teen/office room option. The rear corner of the house model has been recessed and the size of the model, including the garage, has decreased approximately 231 square feet, overall.
6. The bio-retention area on Street B (fronting Lots 4 and 5) was adjusted in length in order to eliminate the private on-lot bio-retention previously proposed on Lots 4 and 16. All stormwater treatment for the development will now occur on common parcels.
7. Minor lot reconfigurations and plotting changes were made to allow for larger setbacks and reduced Floor Area Ratios (FARs) in order to provide a variety of styles throughout the development; and
8. A freestanding public restroom within Valley Trails Park will be constructed by Ponderosa or Ponderosa will contribute a total of \$300,000 for Park improvements.

## **SITE AND AREA DESCRIPTION**

Valley Trails Neighborhood, where the subject site is located, is bordered by Arroyo Mocho and West Las Positas Boulevard on the north, Hopyard Road on the east, the Pleasanton Canal on the south, and Alamo Canal and Interstate 680 on the west. The Valley Trails Neighborhood contains 498 detached single-family homes, Valley Trails Park (approximately 6.1 acres in size), the Pleasanton Masonic Lodge, St. Clare's Episcopal Church and Preschool, and Harvest Valley Christian Church. The subject site is generally located on the west side of the neighborhood and northwest of Valley Trails Park (see Image 2).

The subject site, approximately 9 acres in area and relatively flat, contains an approximately 11,067 square-foot religious building and a 108-stall parking lot. Most the 9 acres is undeveloped (see Image 3). There are 14 mature trees on-site, six of which are considered heritage-sized. Mature landscaping (i.e., shrubs/bushes) run the length (north to south) of the western property line, east of Valley Trails Drive. The subject parcel is primarily accessible from a single driveway off the east side of Valley Trails Drive. The properties adjacent to the subject site comprise one- and two-story single-family homes and Valley Trails Park, a neighborhood park.

Image 2: Project Site in the Context of Valley Trails Neighborhood





**Image 3: Aerial Photograph**



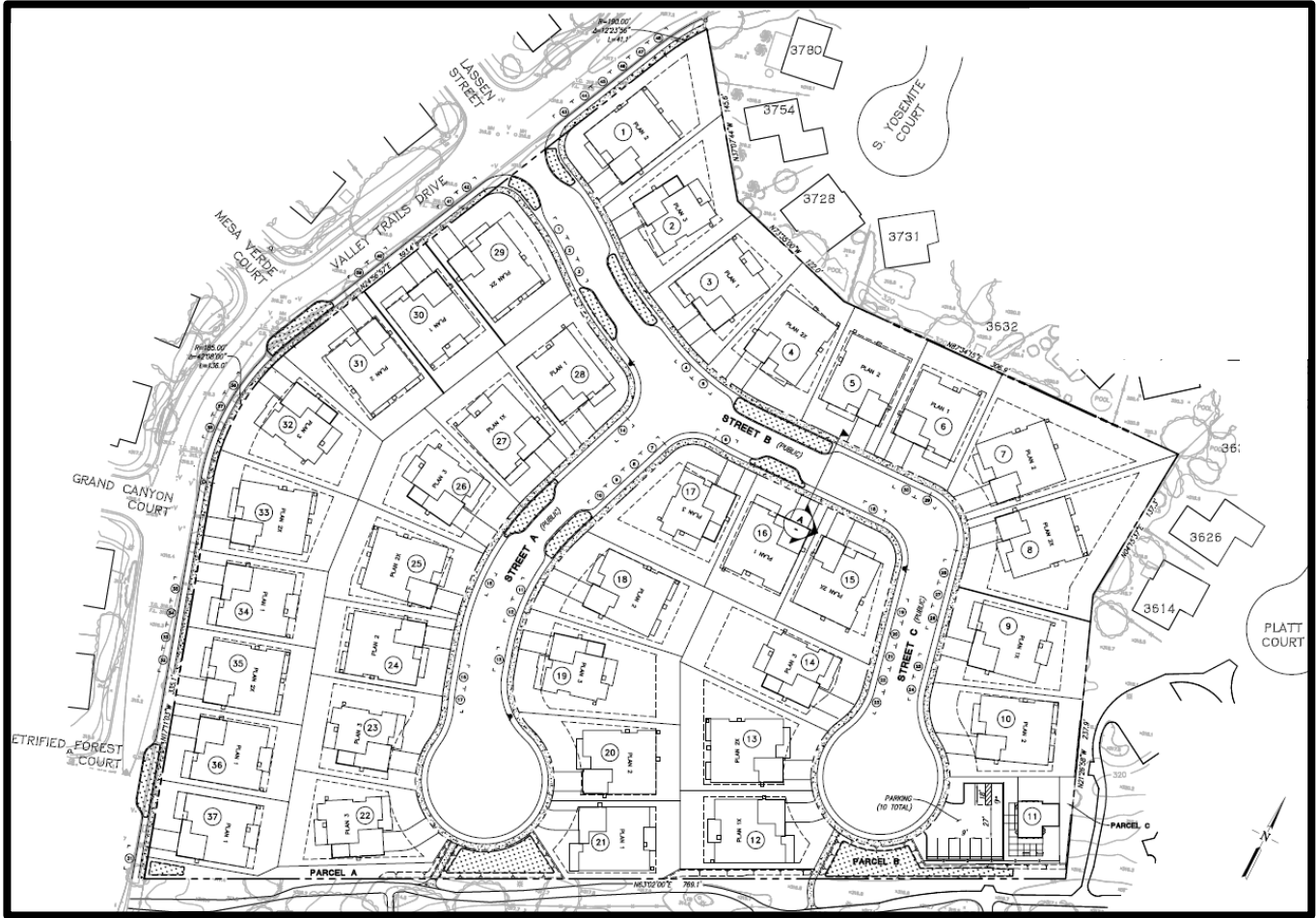
### **PROPOSED PROJECT**

The applicant is proposing to remove all existing site improvements (i.e., religious building, paving, and landscaping) and subdivide the site to accommodate the construction of 36 single-family homes, an approximately 600 square-foot private clubhouse with a 10-stall parking lot, and related site improvements. Development of the site would require a General Plan Amendment to change the land use designation from Public and Institutional to Medium Density Residential, rezoning from R-1-6,500 to PUD-MDR District, and a Vesting Tentative Subdivision Map to subdivide the 9-acre parcel into 36 residential units and four common area parcels. The applicant has also requested a Development Agreement detailing the obligations of the development of the property, park improvements, and the use of the private clubhouse.

### **Site Layout and Access**

The lot sizes would range in area from 6,760 square feet (Lot 16) to 12,656 square feet (Lot 8). Lots 29 through 37, fronting Valley Trails Drive, would be accessed by individual driveways off Valley Trails Drive, consistent with the development pattern established for existing houses fronting Valley Trails Drive. The rest of the proposed development would be accessed by new public streets. There would be a new entry street from Valley Trails Drive, opposite Lassen Street, into the proposed development. Two additional interior streets with dead-end courts would provide vehicular access to the proposed homes not fronting Valley Trails Drive. Pedestrian access to the neighborhood park and walking paths would be provided at the end of each new cul-de-sac (see Figure 1).

**Figure 1: Proposed Site Plan**



The applicant is proposing to improve the existing sidewalk along Valley Trails Drive that fronts Lots 30 through 37. The project would provide a new sidewalk that would fill in the missing section of sidewalk between the church parking lot and the existing residences to the north and create a continuous sidewalk for the neighborhood along Valley Trails Drive. New landscaping and street trees would also be planted to provide separation between the sidewalk and Valley Trails Drive. Internal pedestrian access throughout the development would also be provided by sidewalks that are separated from the street by a landscape strip with new street trees. The applicant is proposing curb extensions along Valley Trails Drive and the new interior streets for traffic calming purposes and to provide stormwater treatment areas. The project would also include two paved pedestrian/bicycle pathway connections from the ends of the two culs-de-sac to the existing Valley Trails Park pathway.

### **Residences**

The applicant is proposing five house models: two one-story models (Plan 1 and Plan 2), two two-story models (Plan 1X and Plan 2X), and one two-story model (Plan 3). Plans 1 and 2 would have three elevation styles (Bungalow, Cottage, and Ranch) and Plan 3 would have the option of a cottage or bungalow style (see Figure 2). Each style utilizes a combination of stucco and/or wood siding and three exterior color schemes for a total of nine color schemes.



**Figure 2: Front Elevations**



The five home model types would range in size from 2,451-square-feet to 3,385-square feet. The Plan 1 and Plan 2 one-story homes would range in height from 20 feet, 9 inches to 23 feet, 9 inches (measured from finished grade to the top of the ridge). The Plan 1X and Plan 2X two-story homes would range in height from 25 feet, 3 inches to 27 feet, 10 inches. The Plan 3 two-story homes would range in height from 27 feet to 29 feet. Using the Pleasanton Municipal Code (PMC) definition of height (measured vertically from the average elevation of the natural grade of the ground covered by the home to the mean height between eaves and ridges for a gable roof), the homes would range in height from 16 feet, 1 inch to 24 feet, 1 inch. The FARs for the development range from 22.1% (Lot 7) to 40% (Lot 28). All of the building walls will be setback a minimum of 23 feet from the front property line, a minimum of 5 feet on one side yard, or 10 feet for a street side yard, and a minimum of 7 feet on the opposite side yard, and a minimum of 20 feet from the rear yard. Sheet 2 of Exhibit B illustrates the front, side, and rear yard setbacks with the use of dashed lines. The majority of the homes will have a building-to-building separation that conforms to the requirements of the R-1-6,500 District (i.e., 20 feet between two-story structures and 17 feet between one- and two-story structures). However, the separation between Lots 13 and 14, Lots 16 and 17, lots 25 and 26, Lots 26 and 27, and Lots 34 and 35 would be less than the minimum requirement (varying from 12 to 19 feet). Front yard setbacks for the covered front porches would meet the minimum required 12 feet.

In order to allow flexibility in designing a project compatible with the physical features of a property, no minimum property development standards (e.g., setbacks, height, and FAR) apply to a PUD District. The applicant is proposing to rezone the property to a PUD District with the development standards shown in Exhibit B. In the future, proposals for home additions and accessory structures would be subject to the development standards of the R-1-6,500 District.

### **Parking**

Each lot would have a two-car driveway leading to the homes attached two-car garage. Therefore, the project would include 72 off-street parking spaces, not including driveway parking. Furthermore, the development would provide 48 on-street parking spaces dispersed throughout the development (18 on-street parking spaces would be provided along the project's Valley Trails Drive frontage and 30 spaces would be provided on the new public streets - Streets A-C). The private clubhouse on Lot 11 would include a gated 10-stall parking lot.

### **Trees**

An arborist report prepared for the project surveyed all trees, measuring 6 inches and greater in diameter, within and adjacent to the site. A total of 27 trees comprising seven species were surveyed (please refer to Exhibit G for the tree report). Of the trees surveyed, 14 are on-site,

two are on the shared property line, and the remaining 13 are off-site. Six of the 27 trees surveyed are considered heritage-sized (as defined by the PMC) and three of those trees are located off-site. The tree report recommends preserving a total of 13 on- and off-site trees (10 of which are within Valley Trails Park). The applicant is proposing to remove the 14 on-site trees, one of which is heritage-sized, due to conflicts with building pad locations and grading (the tree locations are shown on sheet 5 of Exhibit B for reference).

New sidewalk, curbs, and gutters along the project's frontage on Valley Trails Drive would be required as part of the project, and the existing City street trees would not survive the construction that would be necessary in order to make those improvements. Therefore, the applicant is proposing to remove all 13 off-site City street trees along the project's Valley Trails Drive frontage.

Tree removal is proposed to be mitigated by replacement trees and with contributions to the City's Urban Forestry Fund, if warranted. Staff believes that the number of proposed street trees (125) would mitigate the removal of the on-site (14) and off-site (13) trees.

### **Open Space and Amenities**

The proposed project includes two private landscaped areas, not intended or required for stormwater treatment, near the culs-de-sac (labeled "Parcel A" and "Parcel B" on the proposed site plan) totaling approximately 0.24 acres, which would be maintained by Ponderosa's future homeowners association. The project would also provide two paved 5-foot-wide pedestrian/bicycle pathway connections from the ends of the two culs-de-sac to the existing Valley Trails Park pathway. The applicant is also proposing to dedicate an approximately 712-square-foot piece of land (labeled as "Parcel C" on the proposed site plan) to the Park. Ponderosa would install landscaping and irrigation within "Parcel C" with the City taking over maintenance and irrigation if the Parcel is accepted by the City. Further discussion on this dedication is in the Analysis section of this report.

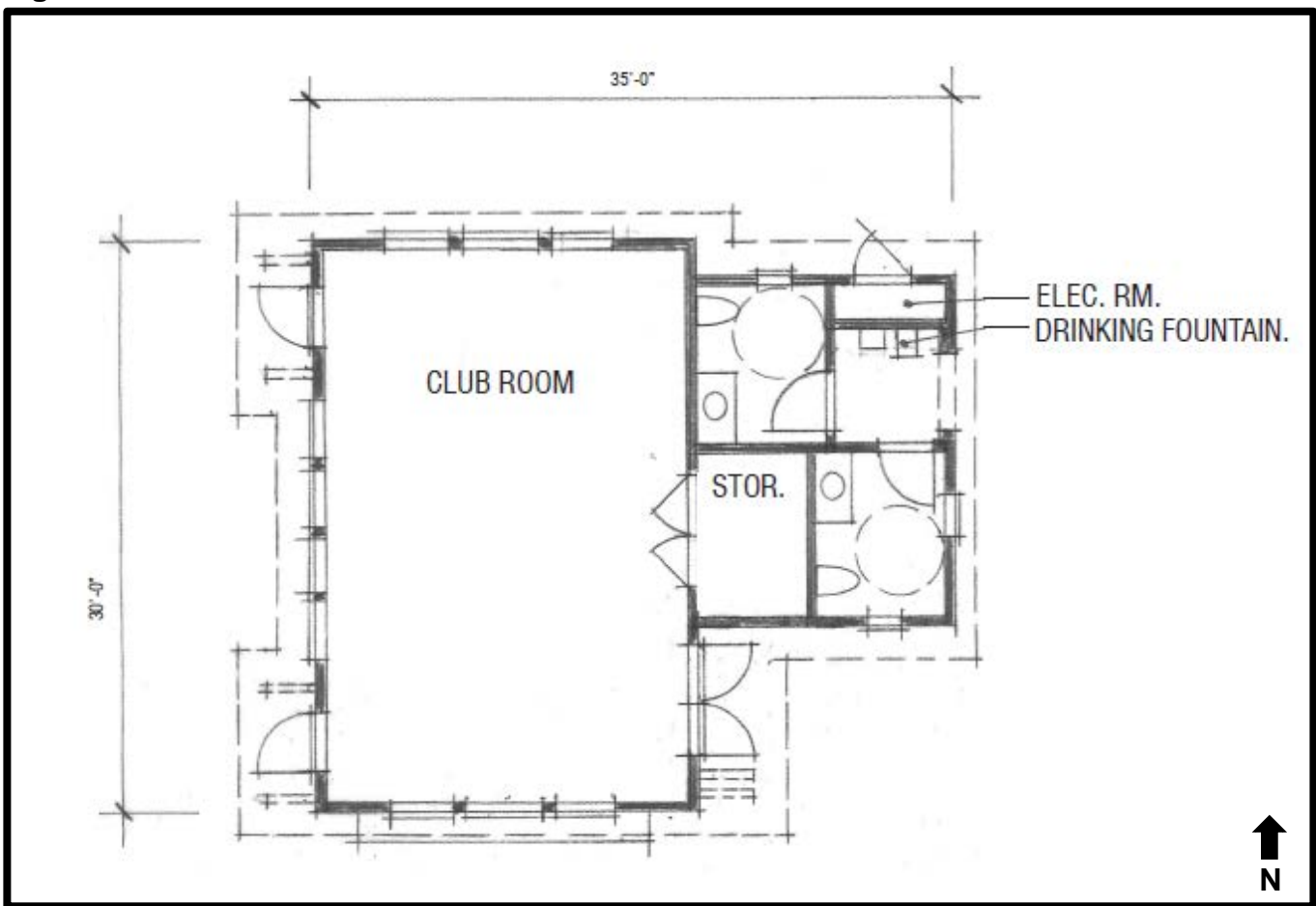
Ponderosa is also proposing to install a new tot-lot and perform landscape improvements (i.e., turf removal and replacement with groundcover at specified locations) in Valley Trails Park. The landscape replacement is consistent with the Valley Trails Park improvement recommendations listed in the Parks and Recreation Master Plan. The location of the proposed improvements (i.e., tot-lot and landscaping) is shown in Exhibit B.1 (Sheet L6) and the Parks and Recreation Master Plan recommendations for Valley Trails Park are included as Exhibit I.

Ponderosa is also proposing to construct a freestanding public restroom facility within Valley Trails Park and dedicate it to the City. Staff notes that if a public restroom is supported by the City, it will undergo a separate development review process. However, if a restroom facility within the Park is not supported by the City, Ponderosa would contribute a total of \$300,000 for other Valley Trails Park improvements. The restroom or park improvements (and associated amendments to the Parks and Recreation Master Plan) would require a recommendation by the Parks and Recreation Commission with final approval by City Council.

### Private Clubhouse

The applicant is proposing to construct a gated 10-stall parking lot and an approximately 945-square-foot building that would include an approximately 600 square-foot clubhouse area, storage room, and two private restroom facilities (see Figure 3). The clubhouse facility would not be maintained by the City and would be maintained by the project's homeowners association. Ponderosa proposes to allow Valley Trails residents to reserve the clubhouse a maximum of 12 times annually on a first-come/first-served basis and public use would be governed by the proposed Development Agreement. The project's HOA would be responsible for overseeing the private and public use of the facility. Gate details for the parking lot and elevation drawings for the clubhouse were not included with this development plan; therefore, the type and style of gate and the height and design of the clubhouse are unknown. Staff has added a condition of approval to address the gate and design of the private clubhouse.

**Figure 3: Private Clubhouse Floor Plan**



### Subdivision Map

A Vesting Tentative Subdivision Map application has also been submitted to subdivide the existing 9-acre parcel into 37 new lots (one for each of the 36 new single-family homes and one for the private clubhouse with 10-stall parking lot). The subdivision would also include the creation of Parcels "A" and "B", totaling approximately 0.024-acre of common area, for the private stormwater treatment and landscaping areas, and Parcel C, an approximately 712-square-foot parcel that the applicant is proposing to dedicate to the City as park land.



## **ANALYSIS**

### **Land Use**

#### General Plan and Zoning Considerations

The subject property currently has a General Plan land use designation of “Public and Institutional,” which does not allow residential uses, and is currently zoned R-1-6,500, a residential district. The General Plan would override the underlying zoning district if the two land use designations are inconsistent. Therefore, a General Plan amendment is proposed to change the existing land use designation to “Medium Density Residential.”

The Medium Density Residential General Plan land use designation allows for 2 to 8 dwelling units per acre (du/ac) with a midpoint density of 5 du/ac. The General Plan indicates that residential projects which include densities greater than the midpoint should be zoned PUD and include sufficient public amenities. The proposed project would have a density of 4.0 du/ac (36 lots on a 9-acre site), which is below the midpoint density. Therefore, PUD zoning and public amenities are not required for the proposed project. The General Plan also encourages the use of PUDs for appropriate residential properties that have unique characteristics or to accommodate desirable development that does not fit under standard zoning classifications.

In this case, the project is a desirable proposal that fits into the development pattern of the existing neighborhood and the site is an in-fill parcel that is irregularly shaped and in the middle of an existing, established residential neighborhood, considerations that staff believes supports rezoning to PUD. The applicant is proposing to rezone the site to PUD-MDR, which would conform to the proposed General Plan Medium Density Residential land use designation, to allow for flexibility in the development standards.

The proposed General Plan amendment would reduce the total acreage of privately-owned, potentially developable sites in the City with the Public and Institutional land use designation from approximately 60 acres to 51 acres. This change would effectively reduce the amount of land in the City available for public and institutional uses such as religious facilities, cemeteries, corporation yards, sewage treatment facilities, utility substations, hospitals, post offices, community centers, senior centers, libraries, and City administrative buildings. The General Plan also provides policies and programs that encourage the evaluation of land use changes and the provision of community facilities:

#### General Plan - Land Use Element

Policy 5: Evaluate land-use changes in the context of overall City welfare and goals, as well as the impacts on surrounding neighborhoods.

Program 5.2: Consider surrounding land uses and potential impacts when changing land-use designations.

#### General Plan - Public Facilities and Community Programs Element

Goal 1: Provide sufficient public facilities and community programs to efficiently serve existing and future development while preserving and enhancing the quality of life for existing and future residents.

The existing zoning for the property is inconsistent with the Public and Institutional General Plan land use designation. The proposed General Plan amendment to change the land use designation to Medium Density Residential would reconcile the General Plan land use with the

existing and proposed zoning districts (which allow for residential development). There are other properties in the City that do not have a Public and Institutional General Plan land use designation that allow for some of the uses of the Public and Institutional General Plan land use designation. For example, religious facilities, various types of schools, and public utility and service facilities are permitted and conditionally permitted uses in some residential, commercial, and/or industrial zoning districts. Post offices are permitted in various commercial zoning districts and hospitals are conditionally permitted in the Office and Agricultural Zoning Districts. These uses are also permitted or conditionally permitted in other zoning districts, including PUDs. Therefore, changing the General Plan land use designation would not eliminate new opportunities for development of public and institutional uses and staff believes that there would be adequate remaining land in the City to accommodate “Public and Institutional” type uses. Furthermore, many public and institutional uses would bring a substantial amount of activity to the neighborhood that some residents could find problematic. Also, the surrounding neighborhood is already well-served by community and public facilities (i.e., existing religious facilities and the masonic lodge are community facilities on Hopyard Road).

The General Plan also provides goals, policies, and programs that encourage residential infill development in appropriate locations:

#### General Plan - Land Use Element

##### *Sustainability*

Program 2.2: Encourage the reuse of vacant and underutilized parcels and buildings within existing urban areas.

##### *Overall Community Development*

Goal 2: Achieve and maintain a complete well-rounded community of desirable neighborhoods, a strong employment base, and a variety of community facilities.

##### *Residential*

Policy 9: Develop new housing in infill and peripheral areas which are adjacent to existing residential development, near transportation hubs or local-serving commercial areas.

Policy 10: Provide flexibility in residential development standards and housing type consistent with the desired community character.

Program 10.1: Use planned unit development (PUD) zoning for residential properties that have unique characteristics or to accommodate development that does not fit under standard zoning classifications.

#### General Plan - Housing Element

Goal 15: Adopt land use changes from non-residential to residential designations where appropriate.

Policy 38: Strongly encourage residential infill in areas where public facilities are or can be made to be adequate to support such development.

As indicated above, the project would promote goals, policies, and programs related to encouraging appropriate infill development, and that would allow reuse of a vacant and underutilized parcel that is adjacent to existing residential development.

## **Regional Housing Needs Allocation (RHNA) and Affordable Housing**

The subject property is not included in the 2015-2023 Housing Element Housing Sites Inventory, which identifies sites available for future residential development and the adequacy of these sites to address Pleasanton's obligation for the current RHNA cycle. The Housing Site Inventory only includes sites that are already zoned to accommodate residential development. Although the project site was not included within the inventory, any housing units constructed during this RHNA cycle would still be counted towards the City's progress in meeting its RHNA goals. Although rezoning additional land within the City for housing is not necessary to meet current RHNA requirements, the proposed housing would assist in easing the area's housing shortage and would count towards meeting housing unit production goals (in the "above moderate" income category).

The City's Inclusionary Zoning Ordinance (IZO) requires new single-family residential projects of fifteen units or more to provide at least 20% of the dwelling units at prices affordable to very low, low, and/or moderate income households, or to satisfy the requirement through alternative means. The alternative means may include the dedication of land for the purposes of affordable housing development, so long as the property is appropriately zoned, is large enough to accommodate the number of inclusionary units required, and is improved with infrastructure and adjacent utilities. Another alternative is paying the current Lower Income Housing Fee (LIHF) in addition to making an affordable housing fee contribution to the City.

Staff met with the applicant and discussed various alternatives outlined in the IZO as a means of obtaining affordable units, focusing on offsite acquisition; however, current rental market conditions and property values presented significant barriers to acquisition of land for affordable housing development. In recognition of the significant need for resources to advance the City's affordable housing goals in the future, the applicant proposed to pay the current LIHF and make an affordable housing contribution to the City that, when combined with the LIHF, would be equal to the maximum lower income housing fee, adjusted by unit size, which was recommended in the Nexus Based Affordable Housing Fee Analysis report prepared for the City by Economic Planning System in 2013. The 2013 nexus report recommended that developers of single-family homes pay fees on a sliding scale based on a home's square-footage.

### Housing Commission Recommendation

On November 11, 2016, the Housing Commission passed a motion recommending the City Council approve an alternative fee proposal for affordable housing which would require the applicant to pay \$948,013 in affordable housing fees at the time of building permit issuance. The Commission strongly conveyed its opinion that all money contributed by the applicant in accordance with the Affordable Housing Agreement be used for affordable housing and not for other purposes.

Please see the attached Housing Commission staff reports and meeting minutes in Exhibit H for additional details and discussion.

### **Development Plan**

A PUD development plan allows flexibility in applying Municipal Code standards in order to achieve a superior and innovative overall plan for the site and the area. The applicant developed the current site plan with input from the Planning Commission during the Work Session and numerous discussions with staff and the Valley Trails neighbors prior to and after formally submitting the PUD application.

Staff believes that the site layout provides adequate vehicular and pedestrian access/flow and integration into the existing neighborhood. The interior streets, which are public streets, and pedestrian connections along Valley Trails drive and to Valley Trails Park help integrate the proposed development into the existing neighborhood. The vehicular and pedestrian connections also comply with the City’s Complete Streets Policy and the overall street pattern is consistent with that of the surrounding neighborhood. However, staff believes that the two paved 5-foot wide pedestrian/bicycle pathway connections from the ends of the two culs-de-sac to the existing Valley Trails Park pathway should be widened to 7 or 8 feet (which is more consistent with the width of the Valley Trails Park pathway) to allow more room for simultaneous pedestrian and bicycle travel.

The project is substantially consistent with the R-1-6,500 District in that the homes meet the front, side, and rear setbacks, FAR, and height requirements and the majority of the lots meet the minimum lot width, depth, and area requirements. However, there are a few aspects of the project that do not meet the minimum requirements of the underlying zoning district:

- Two of the five corner lots have a width less than the minimum 80 feet required for corner lots (Lot 1 is 68 feet in width and Lot 28 is 78 feet in width).
- A minimum porch depth of 8 feet and a minimum porch width of 10 feet are required in order for a covered porch to encroach into the 23-foot front yard setback (a minimum 12-foot front yard setback for covered porches is allowed when these criteria are met). The proposed front porches range from 6 to 7 ½ feet in depth and would be set back a minimum of 11 feet from the front property line.
- There are five instances where homes do not meet the minimum building-to-building separation requirement (see Table 1):

**Table 1: R-1-6,500 Deficient Building-to-Building Separation Lots**

<b>Lots</b>	<b>Proposed Separation Between Structures</b>	<b>Minimum Required Separation</b>
Lots 13 and 14	17 feet	20 feet
Lots 16 and 17	14 feet	17 feet
Lots 25 and 26	19 feet	20 feet
Lots 26 and 27	17 feet	20 feet
Lots 34 and 35	12 feet	17 feet

Staff believes that the proposed siting, massing, and size of the units are appropriate for this site and would result in an attractive development for this area. Open space is integrated into the project, along with pedestrian connections to Valley Trails Park. The buildings would be in keeping with the scale and massing of the surrounding homes.

**Open Space and Amenities**

Open Space

The proposal would not exceed the midpoint density for the site identified in the General Plan; therefore, dedication of land or amenities is not required. However, the applicant is volunteering to dedicate to the City a portion of “open space” land for public use adjacent to Valley Trails Park (“Parcel C”) if the City accepts the dedication of land and maintenance responsibilities.

While staff appreciates Ponderosa's willingness to dedicate land to Valley Trails Park, staff believes this land would be better suited to accommodate the private clubhouse and parking constraints. Staff recommends incorporating "Parcel C" into Lot 11 in order to better accommodate vehicle backing and turning movements in the 10-stall parking lot. Furthermore, adding "Parcel C" to Lot 11 would allow the private clubhouse to not be constructed on the shared property line, which creates Building Code and restroom access and maintenance issues and would allow for more open space around the facility. Staff has added a condition of approval to reflect that the City does not accept "Parcel C" and that the land be part of the private clubhouse lot. The development agreement requires establishing a use agreement to address public use (Valley Trails Neighborhood residents only) of the clubhouse. The development agreement will require coordination with Ponderosa, the City, and, likely, the VTAG and will address days/times for use, the duration it can be used, how many times it can be used, maintenance, scheduling, access, etc. The development agreement is included as Exhibit C.

#### Parks and Recreation Commission - Valley Trails Park

On September 8, 2016, the Parks and Recreation Commission reviewed Ponderosa's proposal to install a new tot-lot and landscape improvements within Valley Trails Park. The Commission unanimously recommending approval of the proposed improvements. The staff report and meeting minutes are included as Exhibit I for the Commission's reference. Staff notes that Ponderosa has asked for a credit towards park in-lieu fees, which are required as a part of development. Ponderosa voluntarily proposed the improvements to Valley Trails Park and, as such, staff does not support crediting the landscaping and tot lot improvements towards required park in-lieu fees.

#### Restrooms within Valley Trails Park

As noted earlier, the VTAG as strongly expressed a desire to have a clubhouse with restroom facilities within Valley Trails Park. Ponderosa is willing to allow the Valley Trails Neighborhood the use of the clubhouse, up to 12 times annually, and is proposing to construct a restroom building in Valley Trails Park and provide some funding to assist the City in maintaining the restroom. Staff from the Community Services Division, Parks Division, Planning Division, and Operation Services Center believe that the addition of a restroom to Valley Trails Park is inappropriate due to the type, visitation levels, and physical layout of the park.

Valley Trails Park is 6.1 acres in size and is classified as a Neighborhood Park. According to the City's 2014 Parks and Recreation Master Plan, Neighborhood Parks are typically 5 acres in size, but can be as large as 10 acres. Neighborhood Parks are intended to serve City residents who live in close proximity. Ideally, everyone in the City would live within convenient walking distance (typically 0.5 mile) of a Neighborhood Park. This is defined as the "service radius" or "service area" of a Neighborhood Park. Therefore, such parks usually do not have restrooms, on-site parking, lighted sports facilities, or community rooms.

Neighborhood Parks are designed to address the daily recreational needs of the surrounding neighborhood. Features of neighborhood parks might include playgrounds, open turf areas, picnic tables and/or picnic shelters, walking paths, attractive landscaping, and passive recreation features. A size of 5 acres or more is considered appropriate to serve a neighborhood of approximately 1,000 residents within its service area. On the other hand, Community Parks are at least 10 acres in size and serve the entire community (e.g., Bernal Park). Although they often have similar features as Neighborhood Parks, such as playgrounds

and picnic areas, they also have “active” recreation features such as lighted sports facilities (sport fields, tennis courts, and swimming pools), community/recreation centers, off-street parking, and restrooms.

Some Neighborhood Parks, due to their location, are more frequently used by the entire community, which sometimes warrants the need for additional amenities. Examples of City Neighborhood Parks where design exceptions have been made to provide for amenities (such as restrooms) include Lions Wayside and Delucchi Parks, Stoneridge Creek Neighborhood Park and Creekside Park. All of those exceptions have been made to account for special circumstances, as described in the Planning Commission Work Session staff report (Exhibit D).

In general, the City has been reluctant to take on maintenance of new (and unplanned) buildings given the City’s long-term facilities strategy and approved master planning efforts. However, the Planning Commission can recommend whether the City Council should support the applicant’s proposal to construct a bathroom and offer funding assistance for maintenance. Staff notes that the restrooms, if supported by Council, would be subject to a separate City review process through the Parks and Recreation Commission and City Council.

### **Architecture and Design**

As previously discussed, the applicant is proposing five house models, which include two one-story models and three two-story models. Each model would have varying elevation styles (Bungalow, Cottage, and/or Ranch). Each elevation style would utilize a combination of stucco and/or wood siding and provide three exterior color schemes for a total of nine color schemes. Overall, staff believes that the proposed homes are adequately designed and provide enough interest and variation. The architectural styles and heights of the proposed homes are also compatible with those of the homes in the surrounding neighborhood, which include a mix of one-story and two-story homes.

### **Traffic**

The purpose of a Transportation Impact Analysis (TIA) is to provide sufficient information concerning the impacts of a project on the transportation system and to determine appropriate mitigation measures where impacts would occur. The City’s TIA Guidelines are used by developers and consultants for the preparation of all TIAs.

General criteria for determining whether a TIA is warranted include:

- Project generates 100 or more vehicle trips during the AM or PM peak hour.
- Project generates 40 or more vehicle trips through an existing intersection operating at Level of Service (LOS) D.
- Project generates 10 or more vehicle trips through an existing intersection operating at LOS E or F.
- Project that changes existing land use in general or master plan.

Trip generation for single-family homes is less than one trip per household in the morning and one trip in the evening; therefore, the project would not generate more than 36 trips during the AM and PM peak times. The Valley Trails Drive and Hopyard Road intersection currently operates at LOS C and the Hopyard Road and Stoneridge Drive intersection has a LOS of D during the PM peak hour. Therefore, the project would not contribute 40 or more trips to an intersection operating at LOS C or D. There no LOS E or F intersections along Hopyard Road.

The project would require a General Plan amendment; however, the proposed use would generate fewer trips with the General Plan land use change than Public and Institutional uses (hospitals, public schools, etc.) allowed under the existing land use designation.

The City's Traffic Engineer determined that a TIA is not required as the project does not meet the general criteria for requiring a TIA; however, recognizing the concerns raised by the residents within the Valley Trails Neighborhood, the Traffic Engineer has conditioned the project such that the applicant is responsible for retaining a traffic consultant/firm to assess the need for traffic calming measures within the Valley Trails Neighborhood. The applicant will also be responsible for implementing any traffic calming changes deemed appropriate, as determined by the City's Traffic Engineer. The applicant would be responsible for submitting a bond to the City's Traffic Division, not to exceed \$50,000, for the costs associated with retaining a consultant/firm to create a traffic calming report and implementing any warranted measures.

## **Parking**

### *Single-family homes*

Single-family homes are required to have two parking spaces per unit, with at least one of the spaces covered in a garage or carport. Each residence would have a driveway that can accommodate two vehicles and a two-car garage, which would meet this requirement. There are also 48 on-street parking spaces dispersed throughout the development (18 on-street parking spaces would be provided along the project's Valley Trails Drive frontage and 30 would be provided throughout the new public streets - Streets A-C). The supply of on- and off-street parking spaces would be sufficient to meet the demand of the proposed residential component of the development.

### *Clubhouse*

Private clubs and lodge halls require one space for each six seats or one space for each 60 square feet of floor area usable for seating if seats are not fixed. The proposed clubhouse has approximately 600 square feet of usable floor area for seating. Therefore, 10 parking spaces are required and 10 parking spaces are proposed. Staff notes that if "Parcel C" is incorporated into Lot 11, as previously recommended by staff, the clubhouse lot might be able to accommodate at least one more parking space. However, such additional land is not required since the parking provided for the clubhouse would meet PMC requirements.

## **Noise**

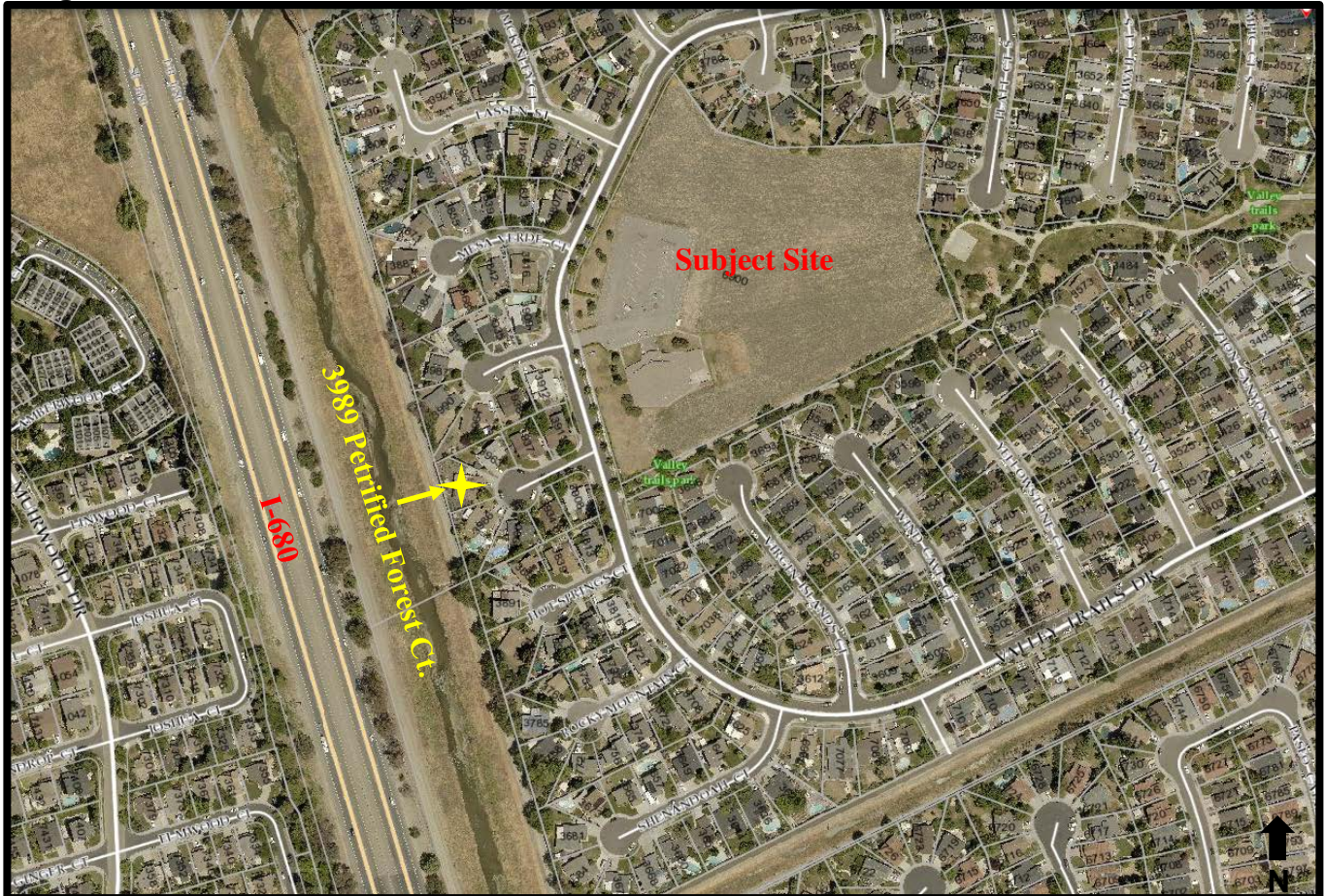
The City's General Plan requires new projects to meet acceptable exterior and interior noise level standards. For single-family residential development, private yard areas excluding front yards cannot exceed 60 day/night average decibels (dB Ldn) and indoor noise levels cannot exceed 45 dB Ldn. However, the General Plan indicates that all residential areas may not be able to meet the outdoor goal due to economic or aesthetic considerations (e.g., the desire to not have large sound walls fronting major streets). This goal should generally be applied where outdoor use is a major consideration (e.g., backyards in single-family housing developments and common recreation areas in multi-family housing projects). In addition, as required by the California Building Code (CBC), all rooms where windows need to be closed to reach interior noise goals would need to include mechanical ventilation or an air-conditioning unit.

The closest noise source to the project site is I-680, located approximately 570 feet to the west of the project site. Periodically, the City conducts a noise monitoring study to measure noise level changes in Pleasanton. Individual homes within residential areas that are shown to be



within the 60 dBA Ldn and greater noise level area may actually have acceptable noise levels because of the noise reduction buffering effect of other homes, sound walls, berms, etc. located between those homes and nearby roadways. As discussed in the Noise Element of the General Plan, existing noise levels in residential areas near major thoroughfares (i.e., I-680) typically range from about 60 to 70 dBA Ldn. 3989 Petrified Forest Court (see Image 4), located approximately 54 feet from I-680 sound wall, has a noise level of 65-67 dBA Ldn.

**Image 4: 3989 Petrified Forest Court**



A noise study was not required, or prepared, for the project site as the sound level would be lower than the General Plan standards due to intervening buildings, the sound wall and other sound barriers (e.g., trees). Furthermore, the sound levels at the project site would have a lower noise level than existing properties immediately adjacent to I-680, and would meet the minimum noise thresholds outlined in the General Plan and PMC Noise Ordinance.

The development of the property will generate added urban noise, such as that associated with traffic and landscape maintenance activities. However, noise levels are not expected to change substantially from those currently experienced in the area because overall activity levels at the site would be modest. Ambient noise levels could decrease for some of the adjacent properties due to the shielding of traffic noise by the proposed buildings.

Short-term construction noise would be generated during construction activities on this site. The City normally allows construction to occur from 8:00 a.m. to 5:00 p.m., Monday through Friday,



with Saturday construction allowed if nearby residents are unlikely to be impacted by construction noise or activities. Since there are existing residences directly adjacent to the project site, staff is recommending that Saturday construction not be allowed. Staff is recommending a condition that would allow the Director of Community Development to approve earlier construction “start times” or later “stop times” only for specific construction activities (e.g., concrete pouring) if it can be demonstrated to the satisfaction of the Director of Community Development that the expanded construction hours are necessary (e.g., the concrete foundations need to be poured earlier in the morning due to weather conditions). Construction equipment would be required to meet Department of Motor Vehicles (DMV) noise standards and be equipped with muffling devices.

### **Green Building**

The applicant has submitted a Green Building checklist that incorporates a number of green building measures into each new residence. The PMC requires a minimum of 50 total points and the applicant is proposing a minimum of 75 points. The State’s Green Building Standards Code (CALGreen) will also apply to the proposed development and is similar to the green building measures that the City’s Green Building Ordinance currently requires.

### **Development Agreement**

A development agreement is a commitment between the City and a property owner or developer to proceed with a specific development in accordance with the terms of an agreement that describes what land use and related processes shall apply to the application. A development agreement locks in the laws in existence at the time of entering into the agreement and the City agrees not to change its planning or zoning laws applicable to the specific development project for a specified period of time. Therefore, future land use decisions regarding such a development project will not be based on the current planning and zoning law, but rather will be based on the laws that were in existence at the time the development agreement was executed. The developer gains certainty, through the development agreement, of the continuity of regulations that were in force at the time of entering into the development agreement and prior to a commitment of a substantial investment for project improvements. In exchange, the City gets certain benefits and concessions that it might not be able to require through conditions of approval. In this case, primary benefits would be improvements to Valley Trails Park, as identified in the Parks and Recreation Master Plan, as well as a freestanding public restroom in Valley Trails Park at a location to be determined through a separate process conducted by the City **or**, should the community or the City not support a public restroom, a contribution of \$300,000 to the City for additional improvements to Valley Trails Park, beyond those already being proposed by Ponderosa.

The development agreement also requires Ponderosa to enter into a use agreement for the private clubhouse. As set forth in Section 4.3 of the development agreement, use of the clubhouse will be granted to the residents within the proposed development and those residents living in the Valley Trails residential neighborhood as identified in the Land Use Element of the City’s General Plan. The use agreement shall include, but not be limited to, the following provisions:

- Valley Trails residents would be allowed to use the clubhouse at no charge for meetings a total of 12 times a year, but no more than once monthly for a period of up to 3 hours per meeting.

- In order to use the clubhouse, Valley Trails residents will be required to enter into a use agreement with Ponderosa's Homeowners Association, which will be in a form as set forth in the clubhouse use agreement, and include requirements for:
  - use and occupancy of the facility;
  - a cleaning/damage deposit; and
  - a valid Certificate of Liability Insurance certificate naming the City and Ponderosa's Homeowners Association as additional insureds.
- The City would not be responsible for scheduling the use of the clubhouse or any damage to the clubhouse that may occur as a result of the use of the clubhouse by the Valley Trails Residents.
- Ponderosa's Homeowners Association will be required to indemnify and hold the City harmless for any administrative, legal or equitable actions arising out of the use of the clubhouse by the Valley Trails Residents.

The development agreement has a 10-year term. The developer would be obligated to pay the applicable development impact fees which are in effect when the ordinance approving the agreement is effective. As set forth in Section 4.1 of the development agreement, the developer will pay development impacts fees at the rate in place when building permits are obtained (as such fees are subject to regular cost-of-living adjustments), but the project would not be subject to new impact fees which were not in place when the development agreement goes into effect. The agreement also ensures that the developer will abide by all requirements of the approved affordable housing agreement. The draft development agreement is attached as Exhibit C.

The development agreement process requires that the Planning Commission provide a recommendation to the City Council for action. Staff supports the proposed development agreement and believes that the Planning Commission should provide a positive recommendation to the City Council.

## **PROJECT ALTERNATIVES**

The current General Plan land use designation does not allow for residential uses, but the site is zoned for residential uses. Should a General Plan amendment be approved, the 36 unit residential development with a privately maintained clubhouse facility is staff's preferred option for this site. Other development options for the site could include:

1. Retaining the religious facility and parking lot and developing the remaining vacant portion of the site with a residential project;
2. Developing a higher density residential project;
3. Developing a private school;
4. Expanding the existing church building; or
5. Developing a residential project on the site resembling the proposed project, but with motor vehicle access adjacent to Mesa Verde Court, Grand Canyon Court, or Petrified Forest Court.

Similar to the project, the first and second options would require a General Plan amendment to change the land use designation of the site in order to allow for residential uses. Depending on the amount of additional residential development proposed, the first option could generate increased activity beyond that associated with the proposed project, and potentially increased levels of traffic and noise. The second option would generate higher volumes of traffic and noise than the currently-proposed project and may not be acceptable to the surrounding neighborhood, which in the past has expressed a preference for lower-density residential uses. The third option wouldn't require a General Plan amendment; however, a private school could generate higher volumes of traffic and noise within the established neighborhood, including at peak times. Under option four, a new religious organization could occupy the existing church. Depending on the operational characteristics of the religious organization, higher activity levels on the site could be generated compared to lower-density residential uses. Option five, which was the subject of a neighborhood petition, was rejected because the currently-proposed entrance to the site would not pose any traffic hazards to the area.

### PROS AND CONS OF THE PROPOSED PROJECT

Pros	Cons
The General Plan and zoning designations would be consistent (i.e., residential).	New development would be added to an established neighborhood.
Parks and Recreation Master Plan recommendations for Valley Trails Park would be implemented by the applicant.	The project would incrementally increase traffic, noise, activity, and parking demand.
The project is well-designed and would develop the site with a residential neighborhood that would not compromise the existing low-scale residential character of the Valley Trails Neighborhood, a compatible density.	Existing trees would be removed to accommodate the development.
The project would generate less traffic (and associated air pollution and noise) than other reasonable development scenarios that could be developed on the site.	The project would create a higher demand on City services, including water, sewer, and roadway infrastructure, and would increase demand for schools and other public services and amenities.
Additional single-family residential units would increase the City's supply of market-rate housing, and the project applicant would contribute to the City's affordable housing fund.	While potentially valued by the neighborhood, a restroom may be installed in a neighborhood park that may not have the physical operational characteristics to warrant a restroom.

### PUD CONSIDERATIONS

The Zoning Ordinance of the Pleasanton Municipal Code sets forth the purposes of the Planned Unit Development District and "considerations" to be addressed in reviewing a PUD development plan. Staff has provided those considerations and staff's analysis below.

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

The proposed project, as conditioned, meets all applicable City standards concerning public health, safety, and welfare. The subject development would include the installation of all

required on-site utilities with connections to municipal systems in order to serve the new lots. The project will not generate volumes of traffic that cannot be accommodated by the existing City streets and intersections in the area. As conditioned, the applicant would fund a traffic study and associated traffic calming improvements (up to a cost of \$50,000), if deemed warranted by the City Traffic Engineer as a result of neighborhood input. The applicant, as conditioned, would be responsible for constructing and implementing any traffic calming measures deemed necessary by the City's Traffic Engineer.

The structures would be designed to meet the requirements of the Uniform Building Code, Fire Code, and other applicable City codes. The proposed development is compatible with the adjacent neighborhood and uses and would be consistent with the existing scale and character of the area. Adequate setbacks would be provided between the new buildings and adjacent properties.

Therefore, staff believes that the proposed PUD development plan is in the best interests of the public health, safety, and general welfare, and that this finding can be made.

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

If the applicant's proposed General Plan amendment is approved, the subject site's General Plan Land Use Designation of "Medium Density Residential" requires projects to have densities of two to eight dwelling units per acre. The proposed residential project has a density of four units per acre. Therefore, it would be consistent with the amended General Plan land use designation for the site. The proposed project is located near public transportation on Hopyard Road, within proximity to services and amenities (Pleasanton Sports Park and Hopyard Village), and is located in an area already developed with adequately-sized infrastructure. Staff concludes that the proposed development plan is consistent with the City's General Plan and staff believes that this finding can be made.

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

The project site is surrounded by single-family homes and a public park. As conditioned, staff believes that the proposal would be compatible with the surrounding neighborhood. The buildings have been sited to minimize impacts on surrounding neighbors to the extent feasible and have been designed to be consistent with the character and site layout of Valley Trails. New landscaping would be installed throughout the site and along Valley Trails Drive to enhance off-site views. The subject site has relatively flat terrain and grading conducted on the site will be subject to engineering and building protocols in advance of development. Therefore, staff believes that this finding can be made.

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

Grading of the site would be limited due to the existing flat terrain. City building code requirements would ensure that building foundations, on-site driveways, and parking areas are constructed on properly prepared surfaces. The proposed development would provide

adequate drainage to prevent flooding. Erosion control and dust suppression measures will be documented in the building permit plans and will be administered by the City's Building and Safety Division and Engineering Department. The site is not located within an Alquist-Priolo Earthquake Fault Zone. The flood hazard maps of the Federal Emergency Management Agency (FEMA) indicate that the subject property is not located in a flood hazard zone. Therefore, staff believes that this finding can be made.

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

The flat urban infill site has no significant physical landscape features and is appropriate for redevelopment. Development of the site complements the natural terrain by making only minor changes as necessary to the site's existing, developable, relatively flat topography. The proposed buildings will be compatible in size and scale with surrounding structures and new landscaping would be installed. Therefore, staff believes that this finding can be made.

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

The improvements associated with the project would be consistent with City design standards. The main entrance to the project site on Valley Trails Drive would be located and configured to provide adequate line-of-sight viewing distance in both directions, and to facilitate efficient ingress/egress to and from the subject site. Adequate access is provided to all structures for police, fire, and other emergency vehicles. Buildings are designed to meet the requirements of the California Building Code and other applicable City codes and all new buildings would be equipped with automatic fire suppression systems (sprinklers).

Although the site is not located within an Alquist-Priolo Earthquake Fault Zone, it would be subject to seismic shaking during an earthquake. The State of California provides minimum standards for building design through the California Building Standards Code. The California Uniform Building Code is based on the UBC and has been modified for California conditions with more detailed and/or stringent regulations. Specific seismic safety requirements are set forth in Chapter 23 of the UBC. The State earthquake protection law requires that buildings be designed to resist stresses produced by lateral forces caused by earthquakes. The City implements the requirements of the California Building Code through its building permit process. The proposed project will be required to comply with the applicable codes and standards to provide earthquake resistant design to meet or exceed the current seismic requirements. A site specific soils analysis would be conducted in conjunction with the building permit review.

Therefore, staff believes that the project has been designed to incorporate adequate public safety measures and that this finding can be made.

**7. Whether the plan conforms to the purposes of the PUD district:**

The proposed PUD development plan conforms to the purposes of the PUD district. One of these purposes is to ensure that the desires of the developer and the community are understood and approved prior to commencement of construction. Another is to provide a mechanism whereby the City can designate parcels and areas requiring special consideration regarding the manner in which development occurs. Staff believes that the proposed project implements the

purposes of the PUD ordinance in this case by providing an in-fill development that is well-designed and sited on the subject site, and that meets the intent of the City's General Plan goals and policies, including those which promote in-fill, residential housing and encourage development of a variety of residential types.

Moreover, input from the Valley Trails Neighborhood and Pleasanton residents has been sought and obtained through the Work Session, Housing Commission and Parks and Recreation Commission meetings, and outreach by the project applicant. Further opportunity for public comment will occur at the Planning Commission and City Council hearings. Staff believes that the PUD development plan optimizes the use of the infill site in a sensitive manner. Therefore, staff believes that this finding can be made.

### **VESTING TENTATIVE MAP FINDINGS**

State law and the Zoning Ordinance of the PMC set forth considerations to be addressed in reviewing a Vesting Tentative Map. The Planning Commission must make the following findings that Vesting Tentative Map 8259 conforms to the purposes of the PMC before making its approval.

**1. The proposed vesting tentative subdivision map conforms to the zoning regulations/development plan.**

The Vesting Tentative Map and improvements will conform to the PUD development plan and conditions of PUD-113. The map and improvements, therefore, would conform to the underlying PUD zoning district.

**2. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.**

The homes will comply with the City's residential Green Building Ordinance, which requires that each home achieve a "Green Home" rating on the "Single-Family Green Building Rating System." The homes in the development will incorporate a number of green building measures, providing a minimum of 50 points, and will be constructed to allow for the future installation of a photovoltaic-system and solar-water-heating system.

**3. The proposed vesting tentative subdivision map, together with its design and improvement, is consistent with the Pleasanton General Plan.**

PUD-113, as discussed in the PUD Findings section of this report, was found to be consistent with the Pleasanton General Plan Medium Density Land Use designation (and applicable General Plan policies – Land Use Element Policies 5, 9 and 10 and Housing Element Policy 38) and Vesting Tentative Subdivision Map 8259 is based on the proposed development plan. The proposed subdivision and its improvements are compatible with the objectives, policies, land uses, and programs specified in the General Plan.

**4. The subdivision site is physically suitable for this type and density of development.**

The area of the property to be developed is not in a flood zone or earthquake fault zone and is relatively flat. Project construction would involve minimal site grading and alteration of existing topography. Thus, the project site is physically suitable for the proposed development.

**5. The design of the subdivision and improvements covered by the proposed vesting tentative subdivision map will not cause substantial environmental damage and avoidably injure fish and/or wildlife or their habitat.**

There are no wetlands, streams, or other sensitive resource areas on or adjacent to the site. PUD-113 includes conditions that require best management practices be incorporated before and during construction to minimize impacts.

**6. The design of the proposed subdivision or type of improvements is not likely to cause serious public health problems.**

The proposed subdivision meets all applicable City standards pertaining to public health, safety, and welfare (e.g., standards pertaining to public utilities and services, public road design and traffic safety, fire hazards and noise hazards). All public safety measures are addressed through the design and conditions of approval for PUD-113 and the Vesting Tentative Map. The street design is satisfactory to the Livermore-Pleasanton Fire Department and Traffic Engineer. The single-family residences will be equipped with automatic residential fire sprinklers and will be required to meet the requirements of the California Building Code, Fire Code, and other applicable City codes and/or requirements. The site is free from toxic or hazardous materials and no earthquake, landslide, flooding, or other natural hazards exist at this site.

**7. The design of the subdivision or its related improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.**

The Vesting Tentative Map will maintain the existing utility easements located on-site. This Vesting Tentative Map provides for new easements and utilities shown on the PUD development plan or required in the PUD conditions of approval.

**8. The restriction on approving a tentative subdivision map on land covered by a land conservation contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act) is not applicable.**

The site is not covered by a land conservation contract, including a Williamson Act contract.

**9. The discharge of waste from the proposed subdivision would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board (RWQCB).**

No violation currently exists and sewer capacity is available for this subdivision. The project would not discharge any waste other than domestic sewage and all sewage would be discharged into the City's sanitary sewer system for ultimate treatment. Urban stormwater runoff is required to meet the City's RWQCB permit requirements for urban development.

**PUBLIC NOTICE**

Notices for this hearing were sent to surrounding property owners and tenants within a 1,000-foot radius of the site in addition to the entire Valley Trails Neighborhood. Staff has provided the location and noticing maps as Exhibit J for reference. At the time this report was published, staff has not received public comments as a result of this hearing's notification. Staff has included public comments received prior to and since the workshop as Exhibit K.

**ENVIRONMENTAL ASSESSMENT**

A draft Initial Study/Negative Declaration has been prepared for the proposed project. Based on the Initial Study, the proposed development would not have any adverse effects on the environment. Therefore, staff believes that the Negative Declaration can be issued in conformance with the *California Environmental Quality Act (CEQA) Guidelines*, pursuant to Section 15063. If the Planning Commission finds that the project would not have a significant effect on the environment, it must adopt a resolution recommending approval of the attached draft Negative Declaration. The Negative Declaration will be forwarded to the City Council as part of the staff report, along with any public comments received on the Negative Declaration, consistent with the State *CEQA Guidelines*. Staff has included the draft Negative Declaration as Exhibit L for the Commission's consideration.

**SUMMARY/CONCLUSION**

Staff closely worked with the applicant on the proposed development and appreciates the applicant's cooperation in revising the proposal to address comments from the Planning Commission and staff concerning site layout, the clubhouse, the tot lot and landscape improvements within Valley Trails Park, and other elements of the project. The proposed development is well-designed and would be compatible with the Valley Trails Neighborhood. Staff, therefore, believes that the General Plan amendment, rezoning and PUD development plan, Development Agreement, and Vesting Tentative Map merit a favorable recommendation to the City Council from the Planning Commission, subject to the conditions in Exhibit A.1 and Exhibit A.2.

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**Reviewed/Approved By:**

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