

Exhibit A
Draft Conditions of approval

Vesting Tentative Map 8246
5850 West Las Positas Boulevard

PROJECT SPECIFIC CONDITIONS

Planning

1. Approval of Vesting Tentative Map 8246 shall be contingent upon the City Council's approval of PUD-80-31-89D and the passage of the City Council ordinance.

Engineering

2. Stormwater shall not flow from one lot to the other unless a storm drain easement is created.
3. The project developer shall create public service easements (PSE), private utility easements, storm water treatment facilities easements and other easements as necessary across the project for the benefit of the individual lots or subdivision, subject to the review and approval of the City Engineer. All easements shall be shown on the Final Map. Any dedications, open offers of dedication, or grants of easements to the City may be dedicated and accepted on the face of the map. Agreements or other required items shall be recorded as separate documents concurrently with the recordation of the map.
4. The project developer shall post with the City, prior to approval of the final map, a separate labor and material bond, performance bond and maintenance bond for the full value of all subdivision improvements. These bonds shall be in a standard form approved by the City Attorney and in an amount satisfactory to the City Engineer.
5. All streets for this subdivision shall be labeled as Private Street on the Final Map for recording. The street names shall be subject to review and approval by the City of Pleasanton and other Alameda County agencies.
6. The in-lieu park dedication fees shall be paid to the City prior to approval of the map, at the rate then in effect, for the total number of new residential units to be constructed, unless this requirement has been otherwise satisfied.
7. When the map is submitted for the City Engineer's signature, the applicant shall provide the City with an electronic copy of the Final Map in AutoCAD format for

the City's GIS Division. In addition to the information shown on the map, the electronic information submitted should include:

- a) Street address(es) centered on lot(s)
- b) Building outlines for existing structures

8. The Final Map submittal shall include the Assessor's Parcel Number(s) for the original parcel(s) prior to this subdivision.
9. Wording for all disclosures, deed restrictions, and clauses shall be submitted to the City Attorney for review and approval before City Council approval of the first map for this development and shall be recorded concurrently with the map by separate instrument.

STANDARD CONDITIONS

Planning

10. Vesting Tentative Map 8246 shall be in substantial conformance to Exhibit B, dated "Received June 11, 2015," on file with the Planning Division, except as modified by these conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development.
11. The expiration date for Vesting Tentative Map 8246 shall coincide with the expiration date of the Development Agreement, approved by the City Council on June 16, 2015.
12. Vesting Tentative Map 8246 shall incorporate by reference all applicable conditions and requirements of PUD-80-31-89D, the PUD Development Plan covering this subdivision, as approved by the City Council.
13. Planning Division approval is required before any changes are implemented in the design, grading, drainage, etc. of the subdivision map.
14. The Final Subdivision Map plan check package will be accepted for submittal only after completion of the 15-day appeal period from the date of the resolution unless the project developer submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the approval is overturned on appeal, or that the design is significantly changed as a result of the appeal.
15. To the extent permitted by law, the project developer shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City, its City Council, its officers, boards, commissions, employees, and agents from and against any claim (including claims for attorney fees), action, or proceeding brought by a third party against the indemnified parties and the project developer to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its

attorney fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

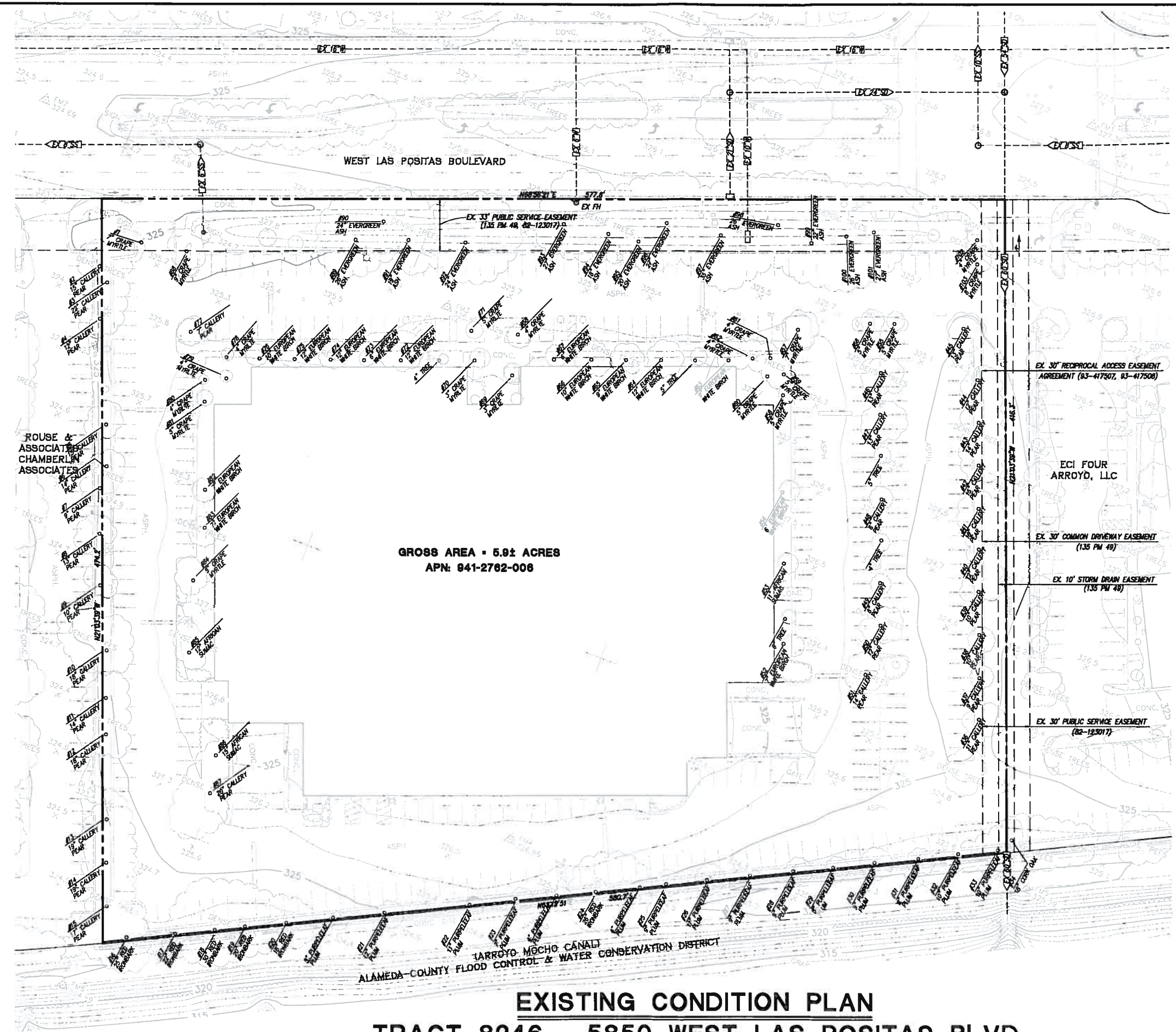
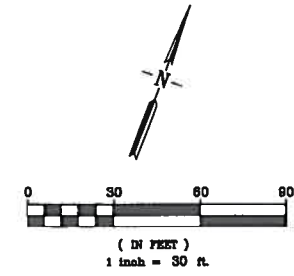
Engineering

- 16.A “Conditions of Approval” checklist shall be completed and attached to all plan checks submitted for approval indicating that all conditions have been satisfied.
- 17.The tentative map shall include a brief legal description of any parcel being subdivided, a statement of lot and total acreage, and a statement referencing separate documents required to be recorded with the map.
- 18.The project developer shall create private storm drainage easements as necessary across the project for the benefit of the individual lots, subject to the review and approval of the City Engineer.
- 19.Prior to approval of the Final Map, the project developer shall comply with all applicable conditions of outside agencies having jurisdiction.
- 20.Prior to the first map check, the project developer’s engineer/surveyor shall submit a preliminary copy of the Final Map along with a preliminary copy of the title report and a copy of the adjoining deeds and/or recorded maps to the City. The City will forward these documents to its consultant who will estimate the cost for examining the map and certify that the map is technically correct and in accordance with Section 66442 of the California Subdivision Map Act. After the consultant has provided a cost estimate, the project developer’s engineer/surveyor may submit the first plan check along with a deposit for these costs and all other standard plan check fees. Any unused portion of the estimate will be returned to the project developer after the map is recorded. Similarly, if the project developer withdraws its application in writing prior to the consultant having performed the work, any unused portion of the deposit will be returned to the project developer. Conversely, should the consultant’s estimate be insufficient to cover all of the consultant’s time, the project developer will be required to pay the City the difference between the estimate and the actual cost prior to submittal of the map for the City Engineer’s approval.
21. At the time the project developer submits the fee for the consultant map review, the project developer shall also submit the following information to the City Engineer for review and approval:
 - a) Two prints of the Final Map
 - b) One copy of the preliminary title report
 - c) One set of the computer closures
 - d) One legible copy of the latest recorded deed for the property being subdivided

- e) One legible copy of the recorded deeds for each of the adjacent properties unless those properties are part of a recorded map which has been recorded within the last seven years; and
- f) One legible copy of the Recorded Final Map(s), Parcel Map(s), or Record(s) of Survey used to prepare this Parcel Map.

22. The project developer's title company shall record the CC&Rs, any grant deeds or easements, and any other required documents concurrently after recordation of the Final Map with the Alameda County Recorder's Office. After the recording of these documents the City shall be provided with a legible recorded copy in PDF format.

[end]



GROSS AREA = 5.9± ACRES
 APN: 841-2762-008

EXISTING CONDITION PLAN
TRACT 8246 - 5850 WEST LAS POSITAS BLVD.

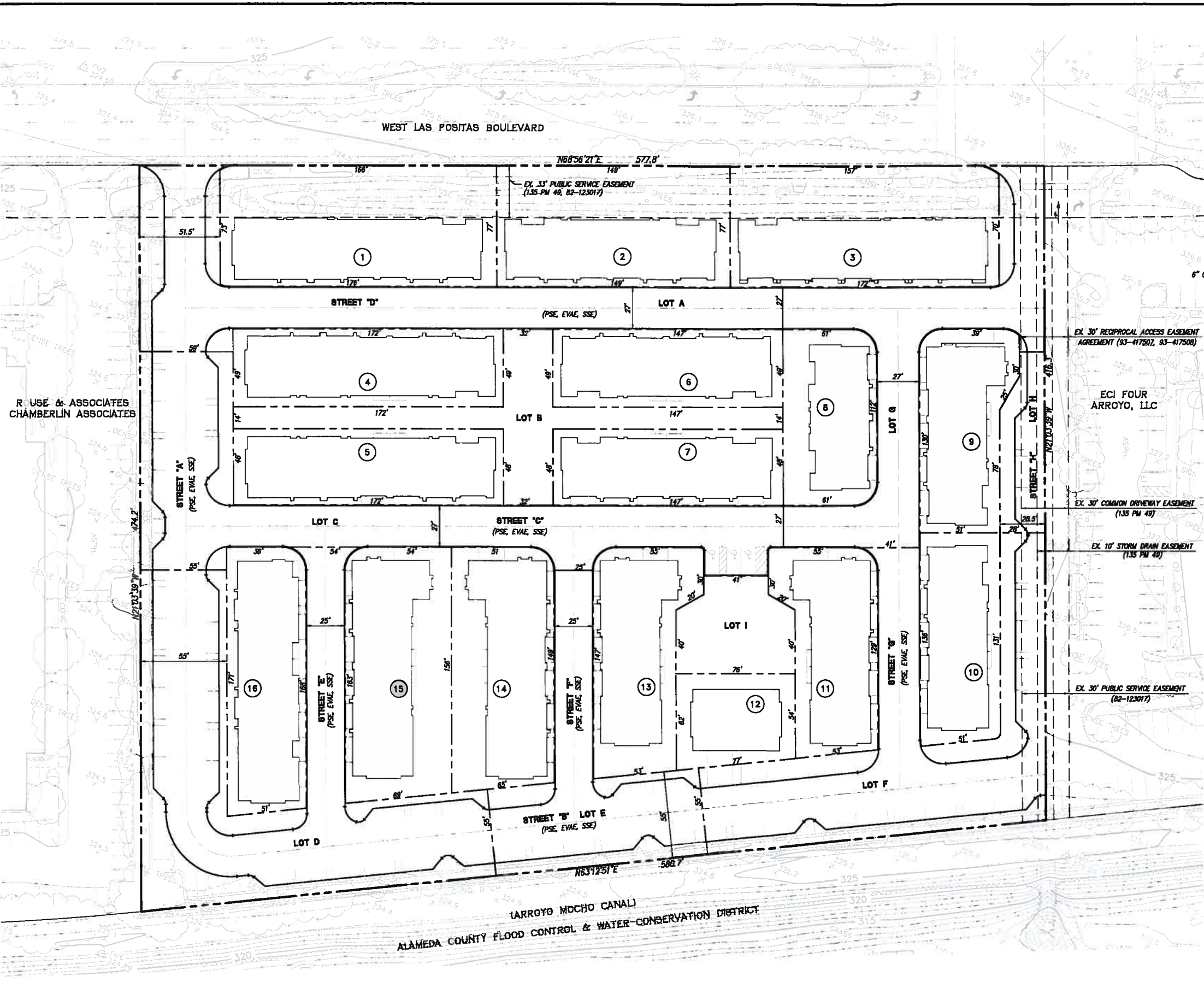
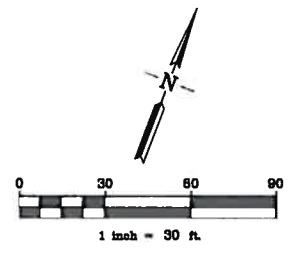
CITY OF PLEASANTON, ALAMEDA COUNTY, CALIFORNIA
 FOR: SUMMERHILL HOMES LLC

RJA
RUGGERI-JENSEN-AZAR
 ENGINEERS • PLANNERS • SURVEYORS
 4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
 PHONE: (925) 227-9100 FAX: (925) 227-9300

NO.	DATE	DESCRIPTION

DATE: JUNE 11, 2015	SHEET NO.
JOB NO.: 131045TH	TM2.0 SHEET 2 OF 6

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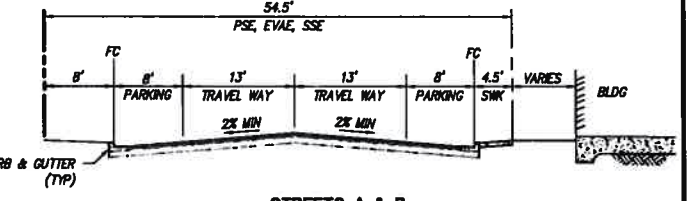
R USE & ASSOCIATES
CHAMBERLIN ASSOCIATES

EX. 30' RECIPROCAL ACCESS EASEMENT
AGREEMENT (93-417502, 93-417508)
ECI FOUR
ARROYO, LLC

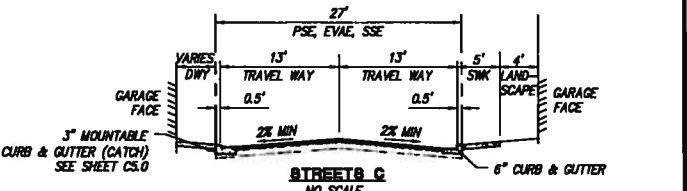
EX. 30' COMMON DRIVEWAY EASEMENT
(135 PM 49)

EX. 10' STORM DRAIN EASEMENT
(135 PM 49)

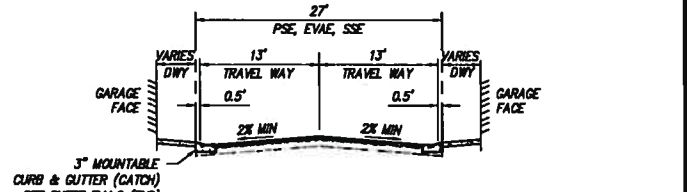
EX. 30' PUBLIC SERVICE EASEMENT
(82-123017)



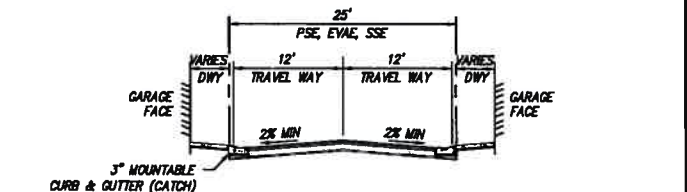
STREETS A & B
NO SCALE



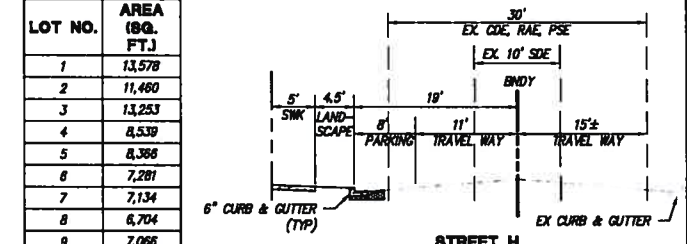
STREET C
NO SCALE



STREETS D & G
NO SCALE



STREETS E & F
NO SCALE



STREET H
NO SCALE

LOT AREA TABLE

LOT NO.	AREA (SQ. FT.)
1	13,578
2	11,480
3	13,253
4	8,539
5	8,388
6	7,281
7	7,134
8	6,704
9	7,088
10	6,783
11	7,536
12	4,407
13	8,208
14	8,907
15	10,852
16	8,480
A	15,923
B	8,012
C	18,883
D	25,282
E	10,784
F	18,242
G	12,508
H	2,953
I	4,154

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NO.	DATE	DESCRIPTION

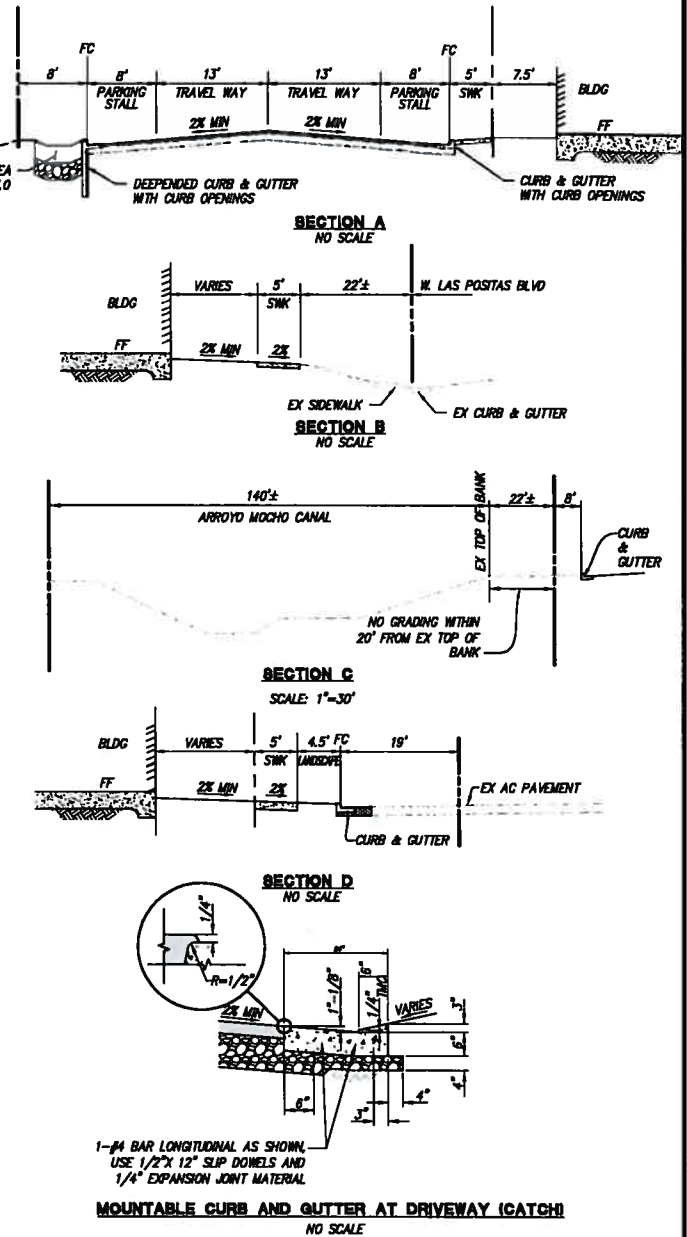
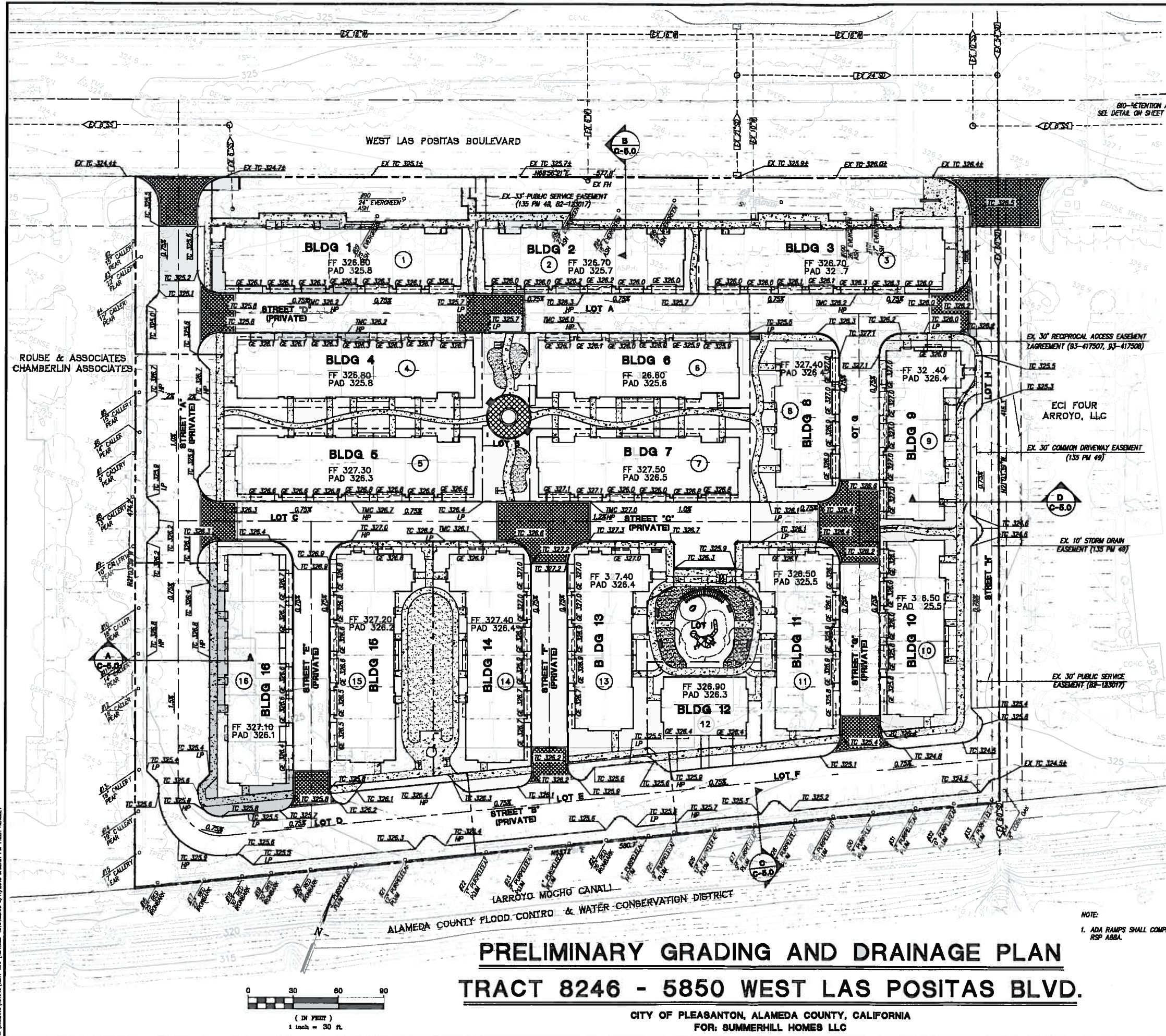
DATE: JUNE 11, 2015

JOB NO.: 131045TH

SHEET NO.
TM3.0
SHEET 3 OF 6

PROPOSED LOTTING PLAN
TRACT 8246 - 5850 WEST LAS POSITAS BLVD.
CITY OF PLEASANTON, ALAMEDA COUNTY, CALIFORNIA
FOR: SUMMERHILL HOMES LLC

6. JUNE 11, 2015 12:12:50 PM TULSA HENLEY



ESTIMATED EARTHWORK QUANTITIES

ITEMS	CUT (CY)	FILL (CY)
BUILDING & LANDSCAPE AREA	1,000	1,100
STREET AREA	1,100	50
BIO-RETENTION AREA	700	-
TRENCH SOIL	3,400	-
BUILDING SPILL	300	-
SHRINKAGE (ASSUME 15%)	-	150
TOTAL	6,500	1,200

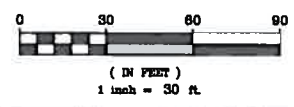
- ALL QUANTITIES SHOWN ON THIS PLAN ARE APPROXIMATE, CALCULATED CUT AND FILL ARE TO "ROUGH GRADE" AND EXISTING GROUND. THE ACTUAL AMOUNT OF EARTH MOVED IS VARIABLE DEPENDENT ON COMPACTION, CONSOLIDATION, STRIPPING REQUIREMENTS, AND THE CONTRACTOR'S METHOD OF OPERATION.
- IT IS ASSUMED DEMO OF EXISTING BUILDING FOUNDATION (ESTIMATED 1,700 CY) AND REMOVAL OF EXISTING AC PAVEMENT (ESTIMATED 1,100 CY) QUANTITIES WILL BE OBTAINED SEPARATELY OR USED AS A SUBBASE AND ARE NOT INCLUDED IN THE ESTIMATED EARTHWORK QUANTITIES.

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NO.	DATE	DESCRIPTION

DATE: JUNE 11, 2015 SHEET NO.
JOB NO.: 131045TH **TM4.0**
SHEET 4 OF 6

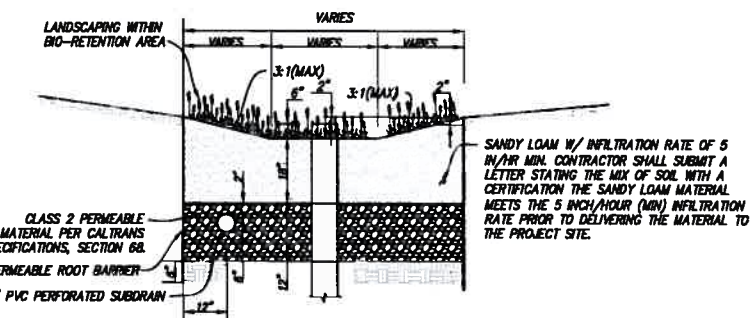
PRELIMINARY GRADING AND DRAINAGE PLAN
TRACT 8246 - 5850 WEST LAS POSITAS BLVD.
CITY OF PLEASANTON, ALAMEDA COUNTY, CALIFORNIA
FOR: SUMMERHILL HOMES LLC



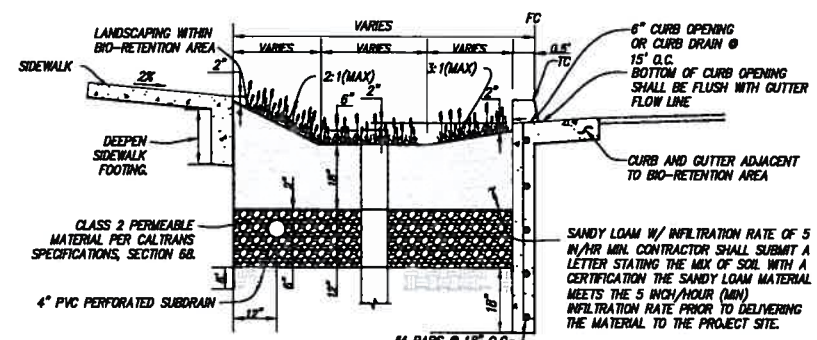
NOTE:
1. ADA RAMPS SHALL COMPLY WITH CALTRANS STANDARD PLAN RSP 888A.

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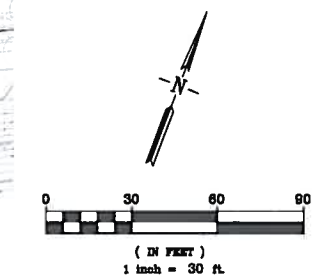
STORMWATER TREATMENT CALCULATION							
AREA ID	SURFACE	IMPERVIOUS AREA (SF)	EFFECTIVE LANDSCAPE AREA (SF)	BMP USED	SIZING FACTOR	REQUIRED SURFACE AREA (SF)	SURFACE AREA AS PROVIDED (SF)
AREA 1	PAV	2,030	157	BIO RETENTION	0.04	68	90
AREA 2	ROOF/PAV	6,201	125	BIO RETENTION	0.04	253	272
AREA 3	ROOF/PAV	9,005	169	BIO RETENTION	0.04	367	367
AREA 4	ROOF/PAV	11,025	143	BIO RETENTION	0.04	447	447
AREA 5	ROOF/PAV	5,406	107	BIO RETENTION	0.04	221	231
AREA 6	ROOF/PAV	4,300	90	BIO RETENTION	0.04	176	185
AREA 7	ROOF/PAV	4,905	124	BIO RETENTION	0.04	202	206
AREA 8	ROOF/PAV	5,185	92	BIO RETENTION	0.04	211	249
AREA 9	PAV	1,101	---	BIO RETENTION	0.04	44	58
AREA 10	PAV	3,450	164	BIO RETENTION	0.04	145	156
AREA 11	ROOF/PAV	4,788	76	BIO RETENTION	0.04	195	201
AREA 12	ROOF	7,663	382	BIO RETENTION	0.04	323	201
AREA 13	ROOF/PAV	5,293	119	BIO RETENTION	0.04	217	225
AREA 14	ROOF	8,106	473	BIO RETENTION	0.04	343	348
AREA 15	ROOF/PAV	8,240	135	BIO RETENTION	0.04	335	353
AREA 16	ROOF/PAV	10,363	270	BIO RETENTION	0.04	426	430
AREA 17	ROOF/PAV	4,382	512	BIO RETENTION	0.04	195	199
AREA 18	ROOF/PAV	2,879	98	BIO RETENTION	0.04	120	122
AREA 19	ROOF/PAV	3,057	84	BIO RETENTION	0.04	206	207
AREA 20	PAV	2,120	180	BIO RETENTION	0.04	93	100
AREA 21	ROOF/PAV	11,167	178	BIO RETENTION	0.04	454	472
AREA 22	ROOF/PAV	7,450	132	BIO RETENTION	0.04	303	330
AREA 23	ROOF	6,575	423	BIO RETENTION	0.04	280	280
AREA 24	ROOF/PAV	6,583	100	BIO RETENTION	0.04	268	275
AREA 25	ROOF	5,465	588	BIO RETENTION	0.04	243	268
AREA 26	ROOF/PAV	15,500	420	BIO RETENTION	0.04	637	639
AREA 27	ROOF/PAV	11,413	246	BIO RETENTION	0.04	467	494
AREA 28	PAV	3,223	247	BIO RETENTION	0.04	139	150
AREA 29	PAV	3,154	112	BIO RETENTION	0.04	131	140
AREA 30	PAV	1,531	93	BIO RETENTION	0.04	65	92
AREA 31	PAV	2,904	120	BIO RETENTION	0.04	121	121



BIO-RETENTION AREA AT LANDSCAPE
NOT TO SCALE



BIO-RETENTION AREA NEXT TO STREET
NOT TO SCALE



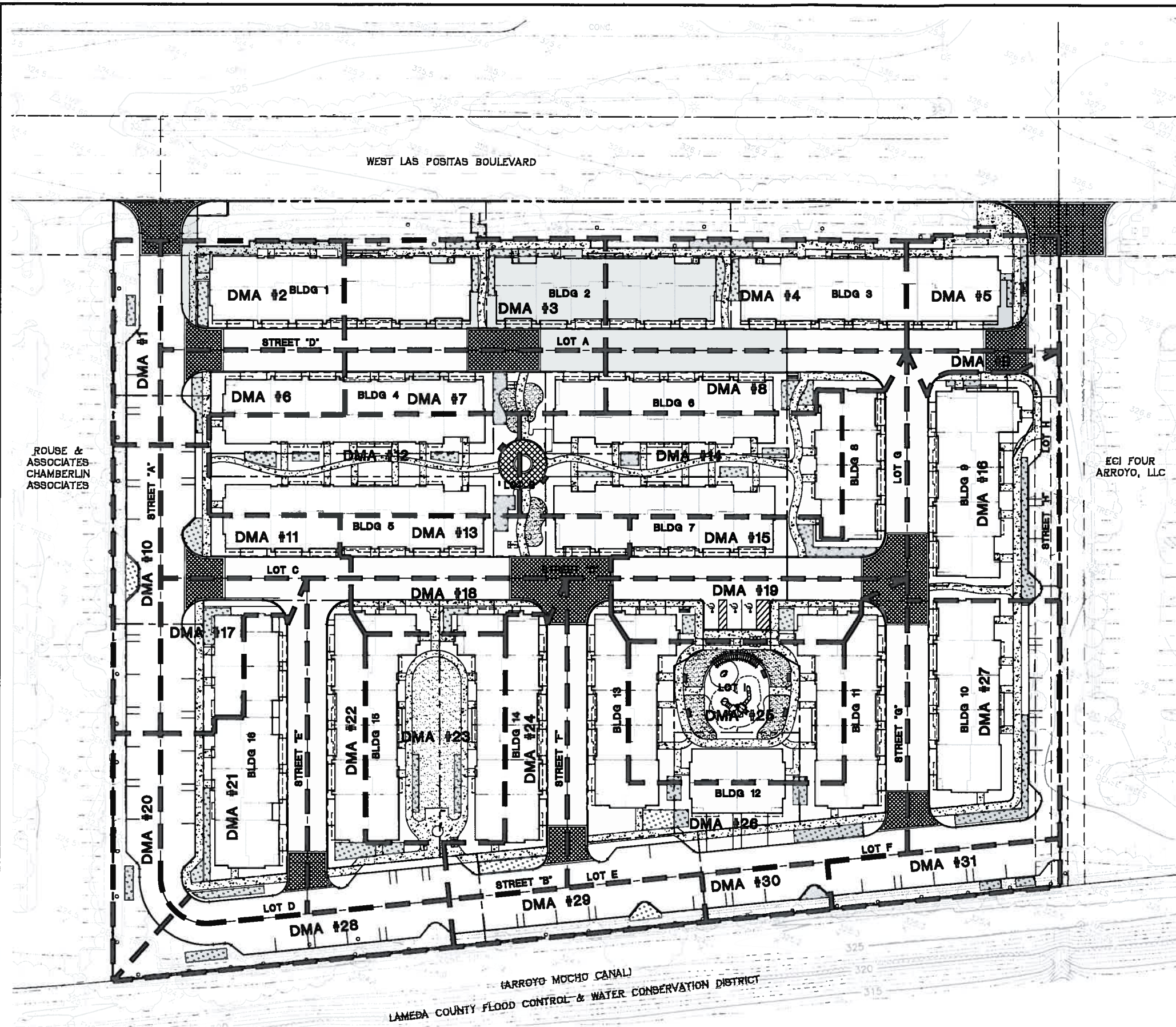
LEGEND
 DRAINAGE MANAGEMENT AREA BOUNDARY
 BIO-RETENTION AREA

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NO.	DATE	DESCRIPTION

DATE: JUNE 11, 2015
JOB NO.: 131045TH

SHEET NO.
TM6.0
SHEET 6 OF 6



NOTES
 THE CALCULATIONS ARE BASED ON THE ALAMEDA COUNTYWIDE CLEAN WATER PROGRAM, C.3 STORMWATER TECHNICAL GUIDANCE, DATED MAY 14, 2013, AND THE FOLLOWING CRITERIA:
 a. 0.2 INCHES/HOUR RAINFALL INTENSITY ON 100% IMPERVIOUS AREA.
 b. SOIL FOR TREATMENT MEDIUM WITH A 5 INCHES/HOUR INFILTRATION RATE.
 c. A TREATMENT MEDIUM OF 0.04 SIZING FACTOR
 SIZING FACTOR OF 0.04 NOTED ABOVE IS CALCULATED BASED ON THE FOLLOWING CRITERIA:
 a. SIZING FACTOR=(0.2 IN/HR)/(5 IN/HR)=0.04

PRELIMINARY STORMWATER TREATMENT PLAN

TRACT 8246 - 5850 WEST LAS POSITAS BLVD.

CITY OF PLEASANTON, ALAMEDA COUNTY, CALIFORNIA
FOR: SUMMERHILL HOMES LLC

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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLEASANTON APPROVING THE APPLICATION OF SHAC LAS POSITAS APARTMENTS LLC FOR PLANNED UNIT DEVELOPMENT (PUD) PLAN APPROVAL AS FILED UNDER CASE PUD-81-30-89D

WHEREAS, SHAC Las Positas Apartments LLC has applied for PUD development plan approval to construct 94 condominium units and related site improvements at the property located at 5850 West Las Positas Boulevard (the "Project"); and

WHEREAS, zoning for the property is Planned Unit Development – Mixed Use (PUD-MU) District; and

WHEREAS, the Planning Commission at its regular meeting on May 13, 2015 adopted Resolution PC-2015-10, determining that the proposed development plan is appropriate for the site, making findings, and recommending to the Pleasanton City Council that PUD-81-30-89D be approved; and

WHEREAS, on June 16, 2015, the City Council held a duly noticed public hearing on this application and considered all public testimony, agenda reports, and related materials, and the recommendations of City staff and the Planning Commission; and

WHEREAS, the City Council finds that the exceptions to the Housing Site Development Standards and Design Guidelines as stated on pages 12 and 13 of the May 13, 2015, Planning Commission staff report are appropriate;

WHEREAS, the City Council determined that the conditions described in California Environmental Quality Act (CEQA) Guidelines Section 15162 have not occurred and finds that the previously prepared Supplemental Environmental Impact Report (SEIR), including the adopted CEQA Findings and Statement of Overriding Considerations in City Council Resolution 12-492, and the Addendum to the SEIR for the Project and SHAC (SummerHill Homes) Las Positas Townhome Condominiums – CEQA Addendum Substantial Conformity memo, are adequate to serve as the environmental documentation for the Project and satisfy all of the requirements of CEQA.

WHEREAS, the City Council finds that the proposed PUD development plan is consistent with the City's General Plan and purposes of the PUD ordinance.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANTON
DOES HEREBY ORDAIN AS FOLLOWS:**

SECTION 1. Case PUD-81-30-89D, the application of SHAC Las Positas Apartments LLC for a PUD development plan to construct 94 condominium units and related site improvements at 5850 West Las Positas Boulevard is hereby approved subject to the conditions as shown in Exhibit A, attached hereto and made part of this ordinance by this reference.

SECTION 2. A summary of this ordinance shall be published once within fifteen (15) days after its adoption in "The Valley Times", a newspaper of general circulation published in the City of Pleasanton, and the complete ordinance shall be posted for fifteen (15) days in the City Clerk's Office within fifteen (15) days after its adoption.

SECTION 3. This ordinance shall be effective thirty (30) days after its passage and adoption.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pleasanton on June 16, 2015 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Jerry Thorne, Mayor

ATTEST:

Karen Diaz, City Clerk

APPROVED AS TO FORM:

Julie Harryman, Acting City Attorney

EXHIBIT A

CONDITIONS OF APPROVAL PUD-81-30-89D Summerhill

PROJECT SPECIFIC CONDITIONS

Planning Division

1. The permitted and conditional uses of this project shall be those of the R-M District of the Pleasanton Municipal Code.
2. The PUD development plan shall expire two years from the effective date of this ordinance or later as approved by a development agreement unless a tentative or parcel map, as applicable, is approved. If a tentative or parcel map is approved, the PUD development plan approval shall lapse when the tentative map or parcel map approval expires. If a final map is recorded before the tentative map or parcel map expires, then the PUD development plan approval shall not lapse.
3. In the event of a conflict between any of these PUD conditions of approval and a development agreement for the project, the terms and conditions of the project development agreement shall govern.
4. The project developer shall pay any and all fees to which the property may be subject prior to issuance of permits or as provided for in a development agreement. The type and amount of the fees shall be those in effect at the time the permit is issued unless otherwise provided in a development agreement covering the project.
5. A Homeowners Association (HOA) shall be created for the proposed development. The HOA shall be responsible for the maintenance of the development. The project developer shall submit a copy of Covenants, Conditions & Restrictions (CC&Rs) governing the ownership and maintenance responsibilities of the project site, including but not limited to: maintenance of building exteriors including roofs, landscaping, bio-retention areas, private utilities, common areas, etc. The CC&Rs shall be reviewed and approved by the City Attorney's Office prior to recordation of the final map. The CC&Rs shall be recorded concurrently with the final map.
6. Prior to issuance of a building permit, the applicant/developer shall pay the applicable Zone 7 and City connection fees and water meter cost for any water meters, including irrigation meters, applicable to the portion or phase of the project covered by the permit. Additionally, the developer shall pay any applicable Dublin-San Ramon Services District (DSRSD) sewer permit fee.

7. Prior to issuance of a building permit, the applicant/developer shall pay the applicable City and Tri-Valley regional traffic impact fees for the project as determined by the City Traffic Engineer, or as identified in a project development agreement.
8. The in-lieu park dedication fees shall be paid to the City prior to approval of the map.
9. This approval does not guarantee the availability of sufficient water capacity to serve the project. Prior to the recordation of a Final Map, issuance of a grading permit, issuance of a building permit, or utility extension approval to the site, whichever is sooner, the applicant/developer shall submit written verification from Zone 7 Water Agency or the City of Pleasanton's Utility Planning Division that water is available for the project. To receive the verification, the applicant/developer may need to offset the project's water demand.
10. The project shall meet all requirements of the City's Growth Management Ordinance, as described in a Growth Management Agreement approved by the (City Council Resolution No. 14-665) for the project and the First Amendment to Development Agreement between the City and SHAC Las Positas Apartments LLC for the proposed 94-unit condominium project.
11. The parking/storing of boats, campers, recreational vehicles, and/or trailers on site or in any parking space (i.e., garage or uncovered space) shall be prohibited. The garages shall not be modified or used for storage in a manner that would interfere with the ability to park two cars within the garage. In addition, the storage of materials in the uncovered parking spaces shall be prohibited. The above parking restrictions for the development shall be included in the project CC&Rs. Said restrictions shall be submitted for review and approval by the City Attorney and Director of Community Development prior to recordation of the final map.
12. All parking spaces shall be striped. Wheel stops shall be provided for the surface parking spaces unless the spaces are fronted by concrete curbs, in which case sufficient areas shall be provided beyond the ends of all parking spaces to accommodate the overhang of automobiles.
13. The windows at all units on all elevations shall be "punched" in from the exterior building wall or defined by well-designed trims subject to the satisfaction of the Director of Community Development. Window specifications and typical installation details shall be included with the plans submitted for issuance of building permits and shall be subject to the review and approval by the Director of Community Development prior to issuance of building permits for the project.
14. The applicant/developer shall use relatively smooth hand-troweled stucco finish, such as the Santa Barbara style texture to the buildings fronting West Las Positas Boulevard. The stucco texture shall be noted on the plans submitted for issuance

of building permits and shall be subject to the review and approval by the Director of Community Development prior to issuance of building permits for the project.

15. The applicant/developer shall install Sound Transmission Class (STC) 30 rated or better windows and doors in all units along West Las Positas Boulevard, as recommended in the Environmental Noise Assessment. The applicant shall install STC 28 rated or better windows and doors in all other units. The design and sound insulation ratings shall be reviewed by an acoustical consultant prior to construction, and the final design and sound insulation rating requirements shall be set accordingly by the Director of Community Development. A verification letter from the acoustical consultant shall be provided to the City prior to issuance of building permit.
16. The STC rating for all windows and doors shall be noted on the plans submitted for issuance of building permits and shall be subject to the review and approval by the Director of Community Development prior to issuance of building permits for the project.
17. All mechanical equipment shall be constructed in such a manner that noise emanating from it will not be perceptible beyond the property plane of the subject property in a normal environment for that zoning district.
18. If any project identification is desired, the applicant shall submit a comprehensive sign program for review approval by the Director of Community Development.
19. The applicant/developer shall provide garage door design and material details in the plans submitted to the Building and Safety Division for plan check. The garage doors shall be subject to the review and approval of the Director of Community Development prior to the issuance of a building permit.
20. The plans submitted for building permit plan check review shall clearly show the bicycle storage area inside the garage. Bicycle(s) may be suspended from the garage ceiling or mounted on the garage wall. The bicycle storage area shall not interfere with the required 20' by 20' interior garage dimensions.
21. The project developer shall effectively screen from view all ducts, meters, air conditioning equipment, and any other mechanical equipment, whether on the structure, on the ground, or on the roof, with materials architecturally compatible with the building. Screening details shall be shown on the plans submitted for issuance of building permits, the adequacy of which shall be determined by the Director of Community Development. All required screening shall be provided prior to occupancy.
22. All exterior lighting including landscape lighting shall be directed downward and designed or shielded so as to not shine onto neighboring properties. The project/building developer shall submit a final lighting plan including photometrics

and drawings and/or manufacturer's specification sheets showing the size and types of light fixtures. The lighting plan shall be subject to the review and approval by the Director of Community Development prior to issuance of building permits for the project.

23. The project shall comply with the current City/Pleasanton Garbage Service recycling and composting programs.
24. The placement of trash and recycle bins inside the garage shall not interfere with the required 20' by 20' interior garage dimensions.
25. The final location of pad-mounted transformers shall be subject to approval by the Director of Community Development prior to issuance of permits by the Building and Safety Division. Such transformers shall be screened by landscaping to the satisfaction of the Director of Community Development. All transformers shall be shown on the plans submitted for issuance of building permits.
26. The applicant and/or developer shall submit a pad elevation certification prepared by a licensed land surveyor or registered civil engineer to the Chief Building Official and Director of Community Development certifying that the pad elevations and building locations (setbacks) are pursuant to the approved plans, prior to receiving a foundation inspection for the structures.
27. All excess soil from the site shall be off-hauled from the site and disposed of in a lawful manner. Unless otherwise approved by the Director of Community Development, no stockpiling of dirt on this site shall occur.
28. Prior to the issuance of a grading or building permit, whichever is sooner, the project applicant/developer shall submit an air quality construction plan detailing the proposed air quality construction measures related to the project such as construction phasing, construction equipment, and dust control measures, and such plan shall be approved by the Director of Community Development. Air quality construction measures shall include Basic Construction Mitigation Measures (BAAQMD, May 2011) and, where construction-related emissions would exceed the applicable thresholds, additional Construction Mitigation Measures (BAAQMD, May 2011) shall be instituted. The air quality construction plan shall be included on all grading, utility, building, landscaping, and improvement plans during all phases of construction, access roads, parking areas, and staging areas at construction sites.
29. Pre-construction Breeding Bird Surveys: Prior to development of the subject site and each phase of project activities that have the potential to result in impacts on breeding birds, the project applicant/developer shall take the following steps to avoid direct losses of nests, eggs, and nestlings and indirect impacts to avian breeding success:

- a) If grading or construction activities occur only during the nonbreeding season, between August 31 and February 1, no surveys shall be required.
 - b) Pruning and removal of trees and other vegetation, including grading of grasslands, should occur whenever feasible, outside the breeding season (February 1 through August 31).
 - c) During the breeding bird season (February 1 through August 31) a qualified biologist shall survey activity sites for nesting raptors and passerine birds not more than 14 days prior to any ground-disturbing activity or vegetation removal. Surveys shall include all line-of-sight trees within 500 feet (for raptors) and all vegetation (including bare ground) within 250 feet for all other species.
 - d) Based on the results of the surveys, avoidance procedures shall be adopted, if necessary, on a case-by-case basis. These may include construction buffer areas (up to several hundred feet in the case of raptors) or seasonal avoidance.
 - e) Bird nests initiated during construction are presumed to be unaffected, and no buffer is necessary except to avoid direct destruction of a nest or mortality of nestlings.
 - f) If preconstruction surveys indicate that nests are inactive or potential habitat is unoccupied during the construction period, no further mitigation is required. Trees and shrubs that have been determined to be unoccupied by nesting or other special-status birds may be pruned or removed.
30. Pre-construction Bat Surveys: Prior to issuance of a building or grading permit, a qualified biologist shall conduct a pre-construction special status bat survey when large trees are to be removed or underutilized or vacant buildings are to be demolished. If active day or night roosts are found, the bat biologist shall take actions to make such roosts unsuitable habitat prior to tree removal or building demolition. A no-disturbance buffer of 100 feet shall be created around active bat roosts being used for maternity or hibernation purposes. Bat roosts initiated during construction are presumed to be unaffected, and no buffer is necessary.
31. No new grading or development shall be allowed within 20 feet of the edge of riparian vegetation or top of bank of Arroyo Mocho, whichever is further from the creek centerline, as delineated by a qualified, City-approved biologist that shall be hired by the applicant/developer. Prior to issuance of a building or grading permit, the biologist shall certify in writing to the Director of Community Development that the project is in compliance with this condition.
32. In the event that paleontological resources are encountered during the course of development, all construction activity must temporarily cease in the affected area(s) until the uncovered fossils are properly assessed by a qualified paleontologist and subsequent recommendations for appropriate documentation and conservation are evaluated and approved by the City of Pleasanton. Excavation or disturbance may continue in other areas of the site that are not reasonably suspected to overlie adjacent or additional paleontological resources.
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These requirements shall be printed on the site, grading, and landscape plans where applicable to the satisfaction of the Director of Community Development.

33. In the event that human remains are discovered during grading or construction, work shall stop immediately. There shall be no disposition of such human remains, other than in accordance with the procedures and requirements set forth in California Health and Safety Code Section 7050.5 and Public Resources Section 5097.98. These code provisions require notification of the County Coroner and the Native American Heritage Commission, who in turn must notify the persons believed to be most likely descended from the deceased Native American for appropriate disposition of the remains. These requirements shall be printed on the site, grading, and landscape plans where applicable to the satisfaction of the Director of Community Development.
34. The applicant/developer shall implement construction best management practices to reduce construction noise, including:
 - a) Locate stationary construction equipment as far from adjacent occupied buildings as possible.
 - b) Select routes for movement of construction-related vehicles and equipment so that noise-sensitive areas, including residences and outdoor recreation areas, are avoided as much as possible. Include these routes in materials submitted to the City of Pleasanton for approval prior to the issuance of building permits.
 - c) All site improvements and construction activities shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. In addition, no construction shall be allowed on State and federal holidays. If complaints are received regarding the Saturday construction hours, the Community Development Director may modify or revoke the Saturday construction hours. The Community Development Director may allow earlier "start times" for specific construction activities (e.g., concrete foundation/floor pouring), if it can be demonstrated to the satisfaction of the Community Development Director that the construction and construction traffic noise will not affect nearby residents. Prior to construction, the hours of construction shall be posted on site.
 - d) All construction equipment must meet DMV and City noise standards and shall be equipped with muffling devices.
 - e) Designate a noise disturbance coordinator who will be responsible for responding to complaints about noise during construction. The telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site and shall be provided to the City of Pleasanton. Copies of the construction schedule shall also be posted at nearby noise sensitive

areas.

- f) Construction activities conducted on the subject property shall not exceed 86 dBA at any point outside of the property plane of the subject property (Pleasanton Municipal Code Section 9.04.100.B.).

These requirements shall be printed on the construction plans to the satisfaction of the Director of Community Development.

- 35. Prior to issuance of a building or grading permit, the applicant/developer shall provide a vibration study prepared by a qualified vibration consultant acceptable to the Director of Community Development which estimates vibration levels at neighboring sensitive uses. If the applicable vibration level limits established in Table 4.J-4 of the Supplemental Environmental Impact Report for the "City of Pleasanton Housing Element and Climate Action Plan General Plan Amendment and Rezonings" are exceeded, mitigation shall be required to reduce vibration levels so they do not exceed the applicable limits, subject the satisfaction of the Director of Community Development.
- 36. Prior to issuance of a building permit, the applicant's noise consultant shall certify in writing to the Director of Community Development that the construction drawings comply with the applicable City and State interior noise standards.
- 37. Prior to issuance of a grading or building permit, whichever is sooner, the project applicant/developer shall submit verification from the FAA, or other verification to the satisfaction of the City Engineer or Chief Building Official, of compliance with the FAA Part 77 (Form 7460) review for construction on the project site.
- 38. The applicant and/or project developer shall develop and implement a program for reclaimed water, grey water, and/or rainwater harvesting systems for the subject site or as otherwise approved by the Director of Community Development. The program shall be subject to the review and approval of the Director of Community Development prior to building permit issuance.
- 39. Rain gutters shall discharge into landscaping planter areas where feasible. These details shall be shown on the plans submitted to the Building and Safety Division for plan check and are subject to the review and approval of the Director of Community Development prior to building permit issuance.
- 40. The project shall comply with the State of California's Model Water Efficient Landscape Ordinance and Bay Friendly Basics Landscape Checklist. A licensed landscape architect shall verify the project's compliance with the ordinance and checklist: 1) prior to the issuance of a building permit; and 2) prior to final inspection. The verification shall be provided to the Planning Division.

41. A final landscape and irrigation plan shall be submitted to and approved by Director of Community Development as part of the building permit plan set prior to issuance of a building permit. Said landscape plan shall be detailed in terms of species, location, size, quantities, and spacing. Plant species shall be of drought-tolerant nature and suitable for reclaimed water, and the irrigation design shall utilize low-volume drip, bubbler, or other water conserving irrigation systems to the maximum extent possible.
42. A minimum three-inch mulch layer shall be required in the planting areas.
43. Unless otherwise shown on the approved PUD landscape plan, all trees used in landscaping be a minimum of fifteen (15) gallons in size and all shrubs a minimum of five (5) gallons.
44. The residential buildings shall be constructed to allow for future installation of a Photovoltaic (PV) system and solar water heating systems. The project applicant/developer shall comply with the following requirements for making all apartment buildings photovoltaic-ready and solar-water-heating-ready:
 - a. Electrical conduit and cable pull strings shall be installed from the roof/attic area to the building's main electrical panels;
 - b. An area shall be provided near the electrical panel for the installation of an "inverter" required to convert the direct current output from the photovoltaic panels to alternating current;
 - c. Engineer the roof trusses to handle an additional load as determined by a structural engineer to accommodate the additional weight of a prototypical photovoltaic system beyond that anticipated for roofing;
 - d. Plumbing shall be installed for solar-water heating; and
 - e. Space shall be provided for a solar-water-heating tank.

These measures shall be shown on the building permit plan set submitted to the Director of Community Development for review and approval before issuance of the first building permit.

45. The State of California's Green Building Standards Code, "CALGreen," shall apply, if applicable.
46. Energy Star appliances shall be installed in each residential unit. The proposed appliances shall be stated on the plans submitted for the issuance of a building permit.
47. PUD-81-30-89D provides for no pedestrian access from the subject property to the north side of the arroyo. If pedestrian access to the north side of the arroyo is desired in the future, this request shall require an application for a major modification to the approved PUD.

48. The kitchenette shown on the first floor of Plan 6 shall be removed. This revision shall be reflected in the construction plans submitted for issuance of a building permit.
49. The applicant shall incorporate the following to enhance the architectural appearance of the buildings:
 - a. a different material/color shall be used at building base and/or the building base shall project slightly out from the building wall;
 - b. trellises shall be added above the garage doors;
 - c. the entry to each residential unit shall be enhanced to be more prominent.

These revisions shall be reflected on the construction plans submitted for plan check review and are subject to review by the Director of Community Development prior to issuance of a building permit.

50. No additions to the residential units or garages, or accessory structures are allowed.
51. Prior to issuance of a building permit, the applicant shall prepare an updated arborist report to re-evaluate the tree preservation and removal of the project site. The updated arborist report shall be prepared based on the construction plans and final tree preservation and removal shall be is subject to review and approval by the City's Landscape Architect and Director of Community Development.

Engineering Division

52. The developer shall abandon all utility services (water, sewer, and storm) stubbed to the site which will not be used to serve this development.
53. Each residential unit shall have a separate water and sewer connection to a public mainline, including its own separate water meter unless otherwise approved by the City Manager or his designee.
54. The developer shall dedicate public service easements for the on-site public water and sanitary sewer lines.
55. Prior to occupancy, the applicant shall reconstruct a 7-foot x 20-foot wide section of sidewalk along the West Las Positas Boulevard frontage that is located near the eastern driveway.
56. Prior to occupancy, the applicant shall reconstruct both driveways on West Las Positas Blvd. to meet ADA standards.

Traffic Division

57. The applicant shall design and install all needed modifications to the traffic signal system at the intersection of West Las Positas Boulevard at Hacienda Drive to provide full eight phase operation with protected left turns. This includes:
- modifying the south leg of the intersection to provide one left turn and one shared through/right turn lane
 - modifying the north leg of the intersection to provide one left turn lane, one through lane, and one right turn lane and modification to the roadway median to reduce the through lane offset.
 - all needed changes to signal heads and equipment
 - upgrade of vehicle detection system to current standards including bicycle detection
 - provide accessible pedestrian push buttons
 - intersection striping and signing
 - any additional modifications needed to upgrade traffic signal system to current standards
58. Comprehensive traffic control measures shall be implemented during construction, including scheduling of major truck trips and deliveries, to avoid peak travel hours. If necessary, as determined by the Traffic Engineer, proper lane closure procedures such as flagger stations, signage, cones, and other warning devices shall be implemented during construction.

Livermore-Pleasanton Fire Department

59. The buildings covered by this approval shall be equipped with an automatic fire sprinkler system. Plans and specifications for the automatic fire sprinkler system shall be submitted for review and approval by the Livermore-Pleasanton Fire Department prior to installation. The fire alarm system, including water flow and valve tamper, shall have shop drawings submitted for review and approval by the Livermore-Pleasanton Fire Department prior to installation. All required inspections and witnessing of tests shall be completed prior to final inspection and occupancy of the building(s).
60. Valve tamper and water flow shall be monitored by an approved supervising station in accordance with NFPA 72 and the California Fire Code. Fire alarm control panel and remote annunciation panel(s) shall be at location(s) approved by the Fire Prevention Bureau. All systems shall be point identified by individual device, monitored, and annunciated by device type and point.
61. Access for this project is acceptable by the Fire Marshal as currently shown on the PUD development plan. Unless otherwise approved by the Fire Marshal, the applicant/developer shall not modify the site access that deviates from the following requirements: Buildings or portions of buildings or facilities exceeding 30

feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet in the immediate vicinity of any building or portion of building more than 30 feet (9144 mm) in height. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The Access way proposed is acceptable.

Police Department

62. On site security shall be provided during all phases of construction to avoid theft of materials. Video security is acceptable.

STANDARD CONDITIONS

Planning Division

63. Development shall be substantially as shown on the development plans, color/material board, Multifamily GreenPoint Checklist, and related materials such as the noise analysis report and update, tree report, Exhibit B, dated "Received May 1, 2015," on file with the Planning Division, except as modified by these conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance with the approved exhibits.
64. The permit plan check package will be accepted for submittal only after the ordinance approving the PUD development plan becomes effective, unless the project developer submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the ordinance is overturned or that the design has significantly changed. In no case will a permit be issued prior to the effective date of the ordinance.
65. To the extent permitted by law, the project applicant shall defend (with counsel reasonable acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.
66. The applicant shall work with the Pleasanton Unified School District (PUSD) to develop a program to offset this project's long term effect on school facility needs in Pleasanton. This program shall be designed to fund school facilities necessary

to offset this project's reasonably related effect on the long-term need for expanded school facilities. The method and manner of providing these funds and/or facilities to PUSD by applicant shall be approved by PUSD and in place prior to building permit issuance. Written proof of compliance with this condition shall be provided by applicant to the City, on a form generated by PUSD, prior to building permit issuance.

67. Prior to building permit submittal, a list of the green building measures used in the design of the units covered by this approval shall be provided to the Planning Division for the review and approval by the Director of Community Development.

The green building measures shall be shown on one of the first two pages of the plans submitted for issuance of a building permit. Each point identified shall have a notation indicating the sheet the point can be found, and each sheet shall note where the point is located. All proposed green building measures shall be shown throughout the plan set, as appropriate, as determined by the Director of Community Development.

A special inspection by from the Planning Division shall be coordinated with regards to landscaping, irrigation, and exterior materials. All of the green building measures indicated on the approved checklist shall be inspected and approved by either the City of Pleasanton, a third party rater, or the applicant/developer shall provide written verification by the project engineer, architect, landscape architect, or designer.

68. All HVAC condensing units shall be shown on the plans and shall be subject to the review and approval of the Director of Community Development prior to building permit issuance.
69. Only gas fireplaces, pellet fueled wood heaters or EPA certified wood-burning appliances may be installed inside or outside of the structures.
70. All conditions of approval shall be attached to all building permit plan check sets submitted for review and approval, whether stapled to the plans or located on a separate plan sheet. These conditions of approval shall be attached at all times to any grading and construction plans kept on the project site. It is the responsibility of the applicant/developer to ensure that the project contractor is aware of, and abides by, all conditions of approval. It is the responsibility of the applicant/developer to ensure that the project landscape contractor is aware of, and adheres to, the approved landscape and irrigation plans, and all conditions of approval. Prior approval from the Planning Division is required before any changes are constituted in site design, grading, building design, building colors or materials, green building measures, landscape material, etc.
71. Before project final, all landscaping shall be installed and reviewed and approved by the Planning Division.

72. Prior to building occupancy, the landscape architect or landscape designer shall certify in writing to the Director of Community Development that the landscaping has been installed in accordance with the approved landscape and irrigation plans with respect to size, number, and species of plants and overall design concept.
73. The developer and/or property management shall use reclaimed gray water, rain water, etc., for landscape irrigation when available. Details and/or plans shall be provided for review and approval by the Director of Community Development before use of the reclaimed gray water, rain water, etc.
74. The developer and/or property management are encouraged to use best management practices for the use of pesticides and herbicides.
75. The height of the structures shall be surveyed and verified as being in conformance to the approved building heights as shown on Exhibit B or as otherwise conditioned. Said verification is the project developer's responsibility, shall be performed by a licensed land surveyor or civil engineer, and shall be completed and provided to the Planning Division before the first framing or structural inspection by the Building and Safety Division.
76. The project developer shall post cash, letter of credit, or other security satisfactory to the Director of Community Development in the amount of \$5,000 for each tree required to be preserved, up to a maximum of \$25,000. This cash bond or security shall be retained for one year following acceptance of public improvements or completion of construction, whichever is later, and shall be forfeited if the trees are destroyed or substantially damaged.
77. The approved building colors and materials shall be indicated on the final building permit plans. Any proposed revisions to these approved colors or materials must be submitted for review and approval by the Director of Community Development prior to building permit issuance and/or painting/installation.
78. Campers, trailers, motor homes, or any other similar vehicle are not allowed on the construction site except when needed as sleeping quarters for a security guard.
79. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.
80. Portable toilets used during construction shall be kept as far as possible from existing residences and shall be emptied on a regular basis as necessary to prevent odor.

Landscaping

81. Six-inch vertical concrete curbs shall be installed between all vehicular paved and landscaped areas.
82. The project developer shall provide root control barriers and four inch perforated pipes for parking lot trees, street trees, and trees in planting areas less than ten feet in width, as determined necessary by the Director of Community Development at the time of review of the final landscape plans.
83. The following statements shall be printed on the site, grading, and landscape plans where applicable to the satisfaction of the Director of Community Development prior to issuance of a building permit:
 - a. No existing tree may be trimmed or pruned without prior approval by the Director of Community Development.
 - b. No equipment may be stored within or beneath the driplines of the existing trees to be saved.
 - c. No oil, gasoline, chemicals, or other harmful materials shall be deposited or disposed within the dripline of the trees or in drainage channels, swales, or areas that may lead to the dripline.
 - d. No stockpiling/storage of fill, etc., shall take place underneath or within five feet of the dripline of the existing trees.
84. Prior to issuance of a grading or building permit, the project developer shall install a temporary six foot tall chain-link fence (or other fence type acceptable to the Director of Community Development) generally outside of the driplines of the existing trees to be saved that are located near construction. The final location of said fencing shall be subject to the review and approval of the Director of Community Development. The fencing shall remain in place until final landscape inspection by the Community Development Department. Removal of such fencing prior to that time may result in a "stop work order."

Bicycle Parking

85. The public bicycle racks shall:
 - a. Be visible and accessible.
 - b. Support the frame of the bicycle and not just one wheel.
 - c. Allow the frame and one wheel to be locked to the rack.
 - d. Allow the use of either a cable or U-shaped lock.
 - e. Be securely anchored.
 - f. Be usable by bikes with no kickstand.
 - g. Be usable by a wide variety of sizes and types of bicycles.

Prior to the installation, the applicant/developer shall submit the design and location of the bicycle racks to the Director of Community Development for review and approval.

Building and Safety Division

86. All retaining walls higher than four feet from the top of the wall to the bottom of the footway shall be constructed of reinforced concrete, masonry, or other material as approved by the Director of Community Development, or shall be an approved crib wall type. Calculations signed by a registered civil engineer shall accompany the wall plans.
87. At the time of building permit plan submittal, the project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures to prevent stormwater runoff onto adjoining properties.
88. Prior to issuance of building permits, the applicant/developer shall submit a waste management plan to the Building and Safety Division. The plan shall include the estimated composition and quantities of waste to be generated and how the project developer intends to recycle at least 75 percent of the total job site construction waste measured by weight or volume. Proof of compliance shall be provided to the Chief Building Official prior to the issuance of a final building permit. During construction, the project developer shall mark all trash disposal bins "trash materials only" and all recycling bins "recycling materials only." The project developer shall contact Pleasanton Garbage Service for the disposal of all waste from the site.

Engineering Division

89. A "Conditions of Approval" checklist shall be completed and attached to all plan checks submitted for approval indicating that all conditions have been satisfied.
90. The project developer shall comply with the recommendations of the project's geotechnical consultant. The project developer's geotechnical consultant shall review and approve all foundation, retaining wall, and drainage geotechnical aspects of the final development plans to ensure that the recommendations have been properly incorporated into the project design. The consultant shall certify by writing on the plans or as otherwise acceptable to the City Engineer that the final development plan is in conformance with the geotechnical report approved for the project.
91. The project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer including all supporting information and design criteria (including but not limited to any peer review comments), storm drain treatment calculations, hydromodification worksheets, all final grades and drainage control

measures, including concrete-lined V-ditches, to protect all cut and fill slopes from surface water overflow, etc., shall be submitted as part of the building permit plans. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of a grading permit by Engineering Division.

92. The project developer shall include erosion control measures, prepared and signed by the Qualified Storm Water Pollution Prevention Plan Developer (QSD), on the final grading plan, subject to the review of the City Engineer. This erosion control measures shall be as required by the state's Construction General Permit. The project developer is responsible for ensuring that the contractor is aware of such measures. All cut and fill slopes shall be revegetated and stabilized as soon as possible after completion of grading, in no case later than October 15. No grading shall occur between October 15 and April 15 unless approved erosion control measures are in place, subject to the approval of the project QSD and the City Engineer. Such measures shall be maintained until such time as a permanent landscaping is in place, site is stabilized and Notice of Completion (NOC) has been filed with the State Regional Water Board and/or accepted by City.
93. There shall be no direct roof leaders connected to the street gutter or storm drain system, unless otherwise approved by the City Engineer.
94. All retaining walls along the street shall be placed behind the Public Service Easement (PSE), unless otherwise approved by the City Engineer.
95. This approval does not guarantee the availability of sufficient water and/or sewer capacity to serve the project.
96. The project developer shall submit detailed landscape and irrigation plans as part of the building permit plans. The irrigation plan shall provide for automatic controls.
97. The building permit plans for this development shall contain signage and striping plans that are subject to the approval of the City Traffic Engineer.
98. All dry utilities (electric power distribution, gas distribution, communication service, Cable television, street lights and any required alarm systems) required to serve existing or new development shall be installed in conduit, underground in a joint utility trench unless otherwise specifically approved by the City Engineer.
99. The project developer shall arrange and pay for the geotechnical consultant to inspect and approve all foundation, retaining, and wall and drainage geotechnical aspects of project construction. The consultant shall be present on site during grading and excavation operations. The results of the inspections and the as-built conditions of the project shall be certified in writing by the geotechnical consultant for conformance to the approved plans and geotechnical report and submitted to the City Engineer for review and approval prior to occupancy.

100. The encroachment permit for haul route for all materials and equipment to and from this development shall be approved by the City Engineer prior to the issuance of any permit by City Building Division or Engineering Division.
101. Any damage to existing street improvements during construction on the subject property shall be repaired to the satisfaction of the City Engineer at full expense to the project developer. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.
102. The project developer shall deposit a bond with the City's Engineering Division to ensure completion of any required improvements, if any. This bond shall be in a standard form approved by the City Attorney and shall be in an amount satisfactory to the City Engineer.
103. The improvement plans for this development shall contain signage and striping plans that are subject to the approval of the City Traffic Engineer.

Livermore-Pleasanton Fire Department

104. All commercial and multi-family residential occupancies shall have valve tamper and water flow connected to an Underwriters Laboratory (UL) listed Central Station Service. Fire Department plan check includes specifications, monitoring certificate(s), installation certificate and alarm company UL certificate.
105. Fire alarm control panel and remote annunciation shall be at location(s) approved by the Fire Prevention Bureau. All systems shall be point identified by individual device and annunciated by device type and point.
106. The project developer shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
107. Prior to any construction framing, the project developer shall provide adequate fire protection facilities, including, but not limited to a water supply and water flow in conformance to the City's Fire Department Standards able to suppress a major fire.
108. All fire sprinkler system water flow and control valves shall be complete and serviceable prior to final inspection. Prior to the occupancy of a building having a fire alarm system, the Fire Department shall test and witness the operation of the fire alarm system.
109. Should any operation or business activity involve the use, storage or handling of hazardous materials, the firm shall be responsible for contacting the LPFD prior to commencing operations. Please contact the Hazardous Materials Coordinator at (925) 454-2361.

110. The Fire Prevention Bureau reviews building/civil drawings for conceptual on-site fire mains and fire hydrant locations only. Plan check comments and approvals DO NOT INCLUDE:

- Installation of the on-site fire mains and fire hydrants. Specific installation drawings submitted by the licensed underground fire protection contractor shall be submitted to the Fire Prevention Bureau for approval.
- Backflow prevention or connections to the public water mains.

111. Electrical conduit shall be provided to each fire protection system control valve including all valve(s) at the water connections. The Livermore-Pleasanton Fire Department requires electronic supervision of all valves for automatic sprinkler systems and fire protection systems.

112. Fire hydrant spacing shall be at 400 feet.

113. Address numbers shall be installed on the front or primary entrance for all buildings. Minimum building address character size shall be 12" high by 1" stroke. For buildings located greater than 50 feet from street frontage, the character size shall be 16" high by 1 1/2" stroke minimum. Where multiple access is provided, address or tenant space numbers shall be provided on each access door and the character size shall be no less than 4" high by 3/4" stroke. In all cases, address numerals shall be of contrasting background and clearly visible in accordance with the Livermore-Pleasanton Fire Department Premises Identification Standards. This may warrant field verification and adjustments based upon topography, landscaping, or other obstructions.

114. The following items will be provided prior to any construction above the foundation or slab. NOTE: Periodic inspections will be made for compliance.

- a. Emergency vehicle access shall be provided to the site, including the area where construction is occurring. If Public Works improvements are part of the project to access the site, an emergency vehicle access plan shall be submitted for review and approval.
- b. Multi-family residential developments: Projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.
- c. Emergency vehicle access shall be a minimum of 20 feet in clear width. A clear height free of obstructions (power, cable, telephone lines, tree limbs, etc.) is required. This clearance shall be a minimum of 13-feet, 6-inches. Inside turning radius of 45 feet and outside turning radius of 55 feet shall be provided.
- d. The carrying capacity of the access route(s) shall be 69,000 pounds under all weather conditions.
- e. Designated construction material storage and construction worker parking shall not obstruct the emergency vehicle access route(s).

- f. On-site fire hydrants shall be in service. Fire hydrants shall be flushed and all valves open.
- g. On-site fire hydrants shall not be obstructed and shall be sufficiently above grade to have all hydrant valves and outlets accessible for emergency use.
- h. Where a project is phased as part of the development approved by the City, specific access, water supply and fire hydrant installations will be required as part of each phase. As needed a phasing plan with these improvements will be required.
- i. Where on-site grading/utility plans are submitted for review and approval prior to building construction drawings, emergency vehicle access routes, fire hydrant locations, material staging areas, etc. shall be provided.

Community Development Department

115. The project applicant/developer shall submit a refundable cash bond for hazard and erosion control. The amount of this bond will be determined by the Director of Community Development. The cash bond will be retained by the City until all the permanent landscaping is installed for the development, including individual lots, unless otherwise approved by the department.
116. The project developer shall submit a written dust control plan or procedure as part of the building permit plans.
117. If any prehistoric or historic artifacts, or other indication of cultural resources are found once the project construction is underway, all work must stop within 20 meters (66 feet) of the find. A qualified archaeologist shall be consulted for an immediate evaluation of the find prior to resuming groundbreaking construction activities within 20 meters of the find. If the find is determined to be an important archaeological resource, the resource shall be either avoided, if feasible, or recovered consistent with the requirements of the State CEQA Guidelines. In the event of discovery or recognition of any human remains in any on-site location, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the County coroner has determined, in accordance with any law concerning investigation of the circumstances, the manner and cause of death and has made recommendations concerning treatment and dispositions of the human remains to the person responsible for the excavation, or to his/her authorized representative. A similar note shall appear on the improvement plans.
118. All existing wells on the site shall be removed or sealed, filled and abandoned pursuant to Alameda County Ordinance 73-68, prior to the start of grading operations. Wells shall be destroyed in accordance with the procedures outlined on the permit obtained from Zone 7. Zone 7 may request the developer/subdivider to retain specific wells for monitoring the ground water. The developer/subdivider shall notify the City of Zone 7's desire to retain any well and make provisions to save the well. Additionally, the developer/subdivider may request special approval for temporary use of an existing well for construction water or a more permanent

use such as non potable outdoor landscaping. The developer/subdivider shall make such request in writing to the City Engineer.

CODE CONDITIONS

(Applicants/Developers are responsible for complying with all applicable Federal, State and City codes and regulations regardless of whether or not the requirements are part of this list. The following items are provided for the purpose of highlighting key requirements.)

Building and Safety Division

119. The project developer shall submit a building survey and/or record of survey and a site development plan in accordance with the provisions of Chapter 18.68 of the Municipal Code of the City of Pleasanton. These plans shall be approved by the Chief Building and Safety Official prior to the issuance of a building permit. The site development plan shall include all required information to design and construct site, grading, paving, drainage, and utilities.
120. The project developer shall post address numerals on the buildings so as to be plainly visible from all adjoining streets or driveways during both daylight and night time hours.
121. The buildings covered by this approval shall be designed and constructed to meet Title 24 state energy requirements.
122. All building and/or structural plans must comply with all codes and ordinances in effect before the Building and Safety Division will issue permits.

Livermore-Pleasanton Fire Department

123. All construction covered by this approval shall conform to the requirements of the California Building Code currently in effect, the California Fire Code currently in effect, and the City of Pleasanton Ordinance 2015. All required permits shall be obtained.
124. Automatic fire sprinklers shall be installed in all occupancies in accordance with City of Pleasanton Ordinance 2015. Installations shall conform to NFPA Pamphlet 13 for commercial occupancies, NFPA 13D for residential occupancies, and NFPA 13R for multifamily residential occupancies.
125. Fire alarm systems shall be provided and installed in accordance with the CFC currently in effect, the City of Pleasanton Ordinance 2015 and 2002 NFPA 72 - National Fire Alarm Code. Notification appliances and manual fire alarm boxes shall be provided in all areas consistent with the definition of a notification zone (notification zones coincide with the smoke and fire zones of a building). Shop

drawings shall be submitted for permit issuance in compliance with the CFC currently in effect.

126. Underground fire mains, fire hydrants and control valves shall be installed in conformance with the most recently adopted edition of NFPA Pamphlet 24, "Outside Protection."
- The underground pipeline contractor shall submit a minimum of three (3) sets of installation drawings to the Fire Department Fire Prevention Bureau. The plans shall have the contractor's wet stamp indicating the California contractor license type and license number and must be signed. No underground pipeline inspections will be conducted prior to issuance of approved plans.
 - All underground fire protection work shall require a California contractor's license type as follows: C-16, C-34, C-36 or A.
 - All field-testing and inspection of piping joints shall be conducted prior to covering of any pipeline.
127. Dead-end fire service water mains shall not exceed 500 feet in length and/or have more than five Fire Department appliances* shall be looped around the site or building and have a minimum of two points of water supply or street connection. Zone valves shall be installed as recommended under NFPA, Pamphlet 24 and the Fire Marshal.
- *Note: Fire Department appliances are classified as fire sprinkler system risers, fire hydrants, and/or standpipes.
128. Portable fire extinguisher(s) shall be provided and installed in accordance with the California Fire Code currently in effect and Fire Code Standard #10-1. Minimum approved size for all portable fire extinguishers shall be 2A 10B:C.
129. All buildings undergoing construction, alteration or demolition shall comply with Chapter 14 (California Fire Code currently in effect) pertaining to the use of any hazardous materials, flame-producing devices, asphalt/tar kettles, etc.

URBAN STORMWATER CONDITIONS

130. The project shall comply with the City of Pleasanton's Stormwater NPDES Permit #CAS612008, dated October 14, 2009 and amendments (hereafter referred to as NPDES Permit). This NPDES Permit is issued by the California Regional Water Quality Control Board, San Francisco Bay Region (hereafter referred to as Regional Water Quality Control Board). Information related to the NPDES Permit is available at the City of Pleasanton Community Development Department, Engineering Division, and on line at:
- <http://www.ci.pleasanton.ca.us/business/planning/StormWater.html>
 - http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/storm_water/Municipal/index.shtml

A. Design Requirements

1. NPDES Permit design requirements include, but are not limited to, the following:
 - a. Source control, site design, implementation, and maintenance standards when a regulated project (such as a commercial, industrial, residential subdivision, mixed use, or public project) creates and/or replaces 10,000 square feet or more of impervious surface (5,000 square feet for auto service facilities, retail gasoline outlets, restaurants, and uncovered parking lots), including roof area, street, and sidewalk.
 - b. Hydromodification standards when a regulated project creates and/or replaces a total impervious area of one acre or more.
 - c. Compliance with a Diazinon pollutant reduction plan (Pesticide Plan) to reduce or substitute pesticide use with less toxic alternatives.
 - d. Compliance with a Copper Pollutant Reduction Plan and a Mercury Pollutant Reduction Plan.
2. The following requirements shall be incorporated into the project:
 - a. The project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and onsite drainage control measures including bioretention swales. Irrigated bioretention swales shall be designed to maximize stormwater entry at their most upstream point. The grading and drainage plans shall be subject to the review and approval of the City Engineer prior to the issuance of a grading or building permit, whichever is sooner.
 - b. In addition to natural controls, the project developer may be required to install a structural control(s), such as an oil/water separator(s), sand filter(s), or approved equal(s) in the parking lot and/or on the site to intercept and pre-treat stormwater prior to reaching the storm drain. The design, location(s), and a schedule for maintaining the separator shall be submitted to the City Engineer/Chief Building Official for review and approval prior to the issuance of a grading or building permit, whichever is sooner. The structural control shall be cleaned at least twice a year (once immediately prior to October 15 and once in January).
 - c. The project developer shall submit to the City Engineer the sizing design criteria and calculations for a hydromodification facility, if required, and for the treatment of stormwater runoff. The design criteria and calculations shall be subject to the review and approval of the City Engineer and shall be

submitted prior to the issuance of a grading or building permit, whichever is sooner.

- d. Building/Structures shall be designed to minimize the occurrence and entry of pests into buildings, thus minimizing the need for pesticides, as determined by the Chief Building Official prior to the issuance of a building permit.
- e. The project's landscape and irrigation plans shall be designed to: 1) minimize the use of fertilizers and pesticides that can contribute to stormwater pollution; and 2) promote surface infiltration. Prior to the installation of project landscaping and irrigation, the project landscape architect shall submit a landscaping and irrigation plan to the City Engineer for review and approval and submit written verification stating the project incorporates the following:
 - i. Plants tolerant of saturated soil conditions and prolonged exposure to water in areas that provide detention of water.
 - ii. Plants and soil amendments appropriate to site specific characteristics such as topography and climate.
 - iii. Landscaping and irrigation consistent with Bay-Friendly Landscaping.
 - iv. Water conservation techniques to promote surface infiltration.
- f. Trash dumpsters and recycling containers shall be in an enclosed and roofed area to minimize water flowing in and from the area and to contain litter and trash to minimize disbursement by the wind or runoff. These areas shall not drain to the storm drain system, but to the sanitary sewer system and an area drain shall be installed in the enclosure area with a structural control such as an oil/water separator or sand filter. No other area shall drain into the trash enclosure; a ridge or a berm shall be constructed to prevent such drainage if found necessary by the City Engineer/Chief Building Official. A sign shall be posted prohibiting the dumping of hazardous materials into the sanitary sewer. The project developer shall notify the Dublin San Ramon Services District of the sanitary sewer connection and provide written verification of such notification to the City Engineer/Chief Building Official prior to the installation of the connection.
- g. All paved outdoor storage areas shall be designed to minimize pollutant runoff. Bulk materials stored outdoors that may contribute to the pollution of stormwater runoff must be covered as deemed appropriate by the City Engineer/Chief Building.

- h. All metal roofs, gutters, and downspouts shall be finished with rust-inhibitive finish/paint as determined by the Chief Building Official.
- i. All projects using architectural copper roofing, gutters, downspouts, etc., shall utilize the following Best Management Practices for the use and maintenance:
 - a. During installation, copper material shall be pre-patinated at the factory, if available. If patination is done on-site, collect the rinse water in a tank and haul off-site for disposal. With prior authorization from Dublin San Ramon Services District (DSRSD), the rinse water may be collected in a tank and discharged to the sanitary sewer. Consider coating the copper materials with a clear coating that prevents further corrosion and stormwater pollution. The clear coating, if utilized, shall be reapplied (as recommended by the coating manufacturer) to maintain its efficacy.
 - b. During maintenance (e.g., washing or re-patination), the following applies:
 - i. Minimize washing of architectural copper as it damages the patina and any protective coating.
 - ii. Block storm drain inlets as needed to prevent runoff from entering storm drains.
 - iii. Collect the wash or rinse water in a tank and dispose off-site or (with prior authorization from DSRSD), discharge the wash or rinse water to the sanitary sewer.
- j. Roof drains shall drain away from the building foundation. Ten percent of the stormwater flow shall drain to a landscaped area or to an unpaved area wherever practicable as determined by the City Engineer/Chief Building Official.

B. Construction Requirements

The project shall comply with the "Construction General Permit" requirements of the NPDES Permit for construction activities (including other land disturbing activities) that disturb **one acre or more** (including smaller sites that are part of a larger common plan of development).

Information related to the Construction General Permit is on line at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml

http://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/finalconstructionpermit.pdf

1. The Construction General Permit's requirements include, but are not limited to, the following:

- a. The project developer shall obtain a construction general permit (NOI) from the Regional Water Quality Control Board to discharge stormwater, and to develop and implement stormwater pollution prevention plans.
- b. The project developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) to the City Engineer/Chief Building Official for review and approval prior to the issuance of a grading or building permit, whichever is sooner. A copy of the approved SWPPP, including all approved amendments, shall be available at the project site for City, review until all engineering and building work is complete and City permits have been finalized. A site specific SWPPP must be combined with proper and timely installation of the BMPs, thorough and frequent inspections, maintenance, and documentations. SWPPP for projects shall be kept up to date with the projects' progress. Failure to comply with the most updated construction SWPPP may result in the issuance of correction notices, citations, and/ or stop work orders.
- c. The project developer is responsible for implementing the following Best Management Practices (BMPs). These, as well as any other applicable measures, shall be included in the SWPPP and implemented as approved by the City.
 - i. The project developer shall include erosion control/stormwater quality measures on the project grading plan which shall specifically address measures to prevent soil, dirt, and debris from entering the public storm drain system. Such measures may include, but are not limited to, hydroseeding, hay bales, sandbags, and siltation fences and shall be subject to the review and approval of the City Engineer/Chief Building Official. If no grading plan is required, necessary erosion control/stormwater quality measures shall be shown on the site plan submitted for a building permit, and shall be subject to the review and approval of the Building and Safety Division. The project developer is responsible for ensuring that the contractor is aware of and implements such measures.
 - ii. All cut and fill slopes shall be revegetated and stabilized after completion of grading, but in no case later than October 15. Hydroseeding shall be accomplished before September 15 and irrigated with a temporary irrigation system to ensure that the vegetated areas are established before October 15. No grading shall occur between October 15 and April 15 unless approved erosion control/stormwater quality measures are in place, subject to the approval of City Engineer/Chief Building Official. Such measures shall be maintained until such time as permanent landscaping is place.

- iii. Gather all sorted construction debris on a regular basis and place them in the appropriate container for recycling to be emptied at least on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater runoff pollution.
- iv. Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement and storm drains adjoining the site. Limit construction access routes onto the site and place gravel on them. Do not drive vehicles and equipment off paved or graveled areas during wet weather. Broom sweep the street pavement adjoining the project site on a daily basis. Scrape caked on mud and dirt from these areas before sweeping.
- v. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site in order to retain any debris or dirt flowing in the storm drain system. Maintain and/or replace filter materials to ensure effectiveness and to prevent street flooding.
- vi. Create a contained and covered area on the site for the storage of cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system by being windblown or in the event of a material spill.
- vii. Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.
- viii. Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into a street, gutter, or storm drain.
- ix. Equipment fueling area: use a designated area away from the storm drainage facility; use secondary containment and spill rags when fueling; discourage "topping off" of fuel tanks; place a stockpile of absorbent material where it will be readily accessible; check vehicles and equipment regularly for leaking oils and fuels; and dispose rags and absorbent materials promptly and properly. Use of an off-site fueling station is strongly encouraged.
- x. Concrete wash area: 1) locate wash out area away from storm drains and open ditches; 2) construct a temporary pit large enough to store the liquid and solid waste; 3) clean the pit by allowing concrete to set; 4) break up the concrete; and then 5) recycle or dispose of properly.
- xi. Equipment and vehicle maintenance area: use a designated area away from the storm drainage facility; always use secondary containment and keep stockpile of cleanup materials nearby; regularly inspect vehicles

and equipment for leaks and repair quickly or remove from them project site; and train employees on spill cleanup procedures. Use of an off-site repair shop is strongly encouraged.

2. Within 30 days of the installation and testing of the stormwater treatment and hydromodification facilities, the designer of the site shall submit a letter to City Project Inspector/Construction Services Manager certifying the devices have been constructed in accordance with the approved plans for stormwater and C3 design for the project. The letter shall request an inspection by City staff.

C. Operation and Maintenance Requirements

The project shall comply with the operation and maintenance requirements of the NPDES Permit. All regulated projects (such as residential subdivision projects) that create and/or replace 10,000 square feet or more of impervious areas shall enter into a recorded Stormwater Operation and Maintenance (O&M) Agreement for treating stormwater runoff from the site in perpetuity. The agreement is required to be recorded at the Alameda County Recorder's Office in a format approved by the City.

The Operation and Maintenance Agreement shall clarify that the property owner(s) of the site shall be responsible for the following in perpetuity:

- a. Maintaining all private stormwater treatment measures on the project site.
- b. Annually submitting a maintenance report to the City Operations Services Department, Utilities Division, addressing the implementation of the Operation and Maintenance Agreement requirements.

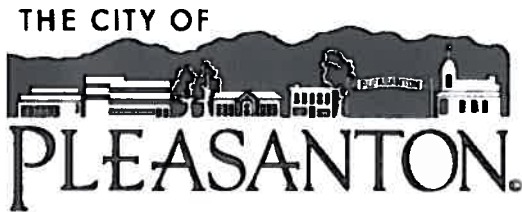
The final Operation and Maintenance Agreement shall be submitted to the Engineering Division prior to the issuing grading or building permit, whichever comes first. The Agreement is subject to review and approval of the City Engineer/City Attorney, prior to recordation.

The Operation and Maintenance Agreement responsibilities shall include, but not be limited to the following:

- a. Repainting text near the drain inlets to state "No Dumping – Drains to Bay."
- b. Ensuring maintenance of landscaping with minimal pesticide and fertilizer use.
- c. Ensuring wastewater from industrial, commercial, and covered vehicle wash areas and equipment washing operations is not discharged to the storm drain system.
- d. Ensuring no one is disposing of vehicle fluids, hazardous materials or rinse water from cleaning tools, equipment or parts into storm drains.

- e. Cleaning all on-site storm drains at least twice a year with one cleaning immediately prior to the rainy season. The City may require additional cleanings.
- f. Sweeping regularly but not less than once a month, driveways, sidewalks and paved areas to minimize the accumulation of litter and debris. Corners and hard to reach areas shall be swept manually. Debris from pressure washing shall be trapped and collected to prevent entry into the storm drain system. Wastewater containing any soap, cleaning agent or degreaser shall not be discharged into the storm drain.
- g. Mowing and removing clippings from vegetated swales with grasses on a regular basis.

[end]



**Planning Commission
Staff Report**

May 13, 2015
Item 6.c.

- SUBJECT:** P15-0170/PUD-81-30-89D/P15-0169/PUD-81-30-55M
- APPLICANT/
PROPERTY OWNER:** SummerHill Housing Group
- PURPOSE:** Applications for the following at the approximately 5.9-acre site: (1) Planned Unit Development (PUD) Major Modification to City Council Ordinance No. 2030 to modify the minimum density requirement of 30 dwelling units/acre to a density of 15.9 dwelling units/acre; (2) an amendment to the Housing Site Development Standards and Design Guidelines to modify the minimum and maximum density requirement of 30 dwelling units/acre to a minimum and maximum density of 15.9 dwelling units/acre; (3) PUD Development Plan to construct 94 residential condominium units and related site improvements; and (4) an amendment to the Development Agreement for the project.
- GENERAL PLAN:** Mixed Use/Business Park
- ZONING:** Planned Unit Development – Mixed Use (PUD-MU)
- LOCATION:** 5850 West Las Positas Boulevard
- EXHIBITS:**
- A. Draft Conditions of Approval
 - B. Proposed Plans, Air Quality Review and Update, Tree Report, Environmental Noise Assessment and Update, Traffic Impact Analysis, Green Point Checklist, and Amended Development Agreement
 - C. April 16, 2015 Housing Commission Staff Report and Draft Meeting Minutes
 - D. Addendum to the Supplemental Environmental Impact Report and Summer Hill Home's Las Positas Townhome Condominiums – CEQA Addendum Substantial Conformity
 - E. Planning Commission Staff Report and Meeting Minutes (excerpts) for the Previously Approved 177-unit apartment complex with the Site Plan
 - F. Ordinance Nos. 2030 and 2111, Rezoning the Site
 - G. Hacienda Owners Association Approval Letter
 - H. Location and Public Noticing Map

I. BACKGROUND

In January 2012, the City Council approved the rezoning of nine sites throughout the City for high-density multifamily development in order to meet the City's Regional Housing Need Allocation (RHNA) (Ordinance No. 2030). One of the approved sites, Site #9, is the CM Capital Properties site located at 5850 and 5758/5794 West Las Positas Boulevard. The zoning of Site #9 is Planned Unit Development – Mixed Use (PUD-MU) District. On September 4, 2012, the City Council adopted the Housing Site Development Standards and Design Guidelines (hereafter referred to as "Standards and Guidelines") to guide development on the nine sites.

The CM Capital Properties site consists of two parcels: a 5.9-acre parcel located at 5850 West Las Positas Boulevard and a 6.7-acre parcel located at 5758/5794 West Las Positas Boulevard. These two parcels are not required to be developed together. In 2013, Summerhill Housing Group (Summerhill) purchased the 5.9-acre parcel.

In February 2014, the Planning Commission reviewed and recommended approval to the City Council a PUD development plan from Summerhill for the development of a 177-unit apartment project on the 5.9-acre site located at 5850 West Las Positas Boulevard. The project site has a density requirement of 30 dwelling units/acre, which results in 177 residential units on the 5.9-acre portion of Site #9. The 177-unit apartment proposal was subsequently reviewed and approved by the City Council on March, 18, 2014. A copy of the Planning Commission staff report for the apartment project is attached as Exhibit E.

On January 2, 2015, the City Council approved a density reduction of the 6.7-acre site located at 5758/5794 West Las Positas from a minimum and maximum of 30 dwelling units/acre to a maximum of 12.5 dwelling units/acre.

On March 6, 2015, Summerhill submitted an application for a 94-unit condominium development and related on-site improvements. The proposed 94-unit residential development also includes a Planned Unit Development (PUD) Major Modification to change the site's minimum and maximum design requirement of 30 dwelling units/acre to the proposed density of 15.9 dwelling units/acre; an amendment to the Housing Sites Development Standards and Design Guidelines to modify the density from a minimum and maximum of 30 dwelling units/acre to the proposed 15.9 dwelling units/acre, and an amendment to the previously approval Development Agreement (DA). The proposed applications are subject to review and approval by the City Council, following review and recommendation by the Housing Commission (regarding the affordable housing component of the project) and the Planning Commission. The Planning and Housing Commissions' recommendations on the proposed applications will be forwarded to the City Council for review and final decision.

The proposed 94-unit condominium development, if approved, will replace the previously approved 177-unit apartment complex development.

Neighborhood Meeting. On April 9, 2015, Summerhill held an “Open House” on the project site, where the proposed site plan, floor plans, elevations, and conceptual landscape design were on display. Notices were sent out to properties within 1,000 feet of the project site. Approximately 15 residents, mostly from the Parkside neighborhood, came to review the proposal. Positive feedback regarding the proposal was received from the residents. The residents felt the current proposal is more appropriate for the site when compared to the previously approved project, primarily due to the reduced residential density and lower-scale buildings.

II. SITE DESCRIPTION AND SURROUNDING AREA

The subject site is located on the south side of West Las Positas Boulevard, across from Thomas Hart Middle School, within the Hacienda Business Park. The subject 5.9-acre site and the adjoining 6.7-acre site to the east are collectively referred as the 12.6-acre Site #9 of the Standards and Guidelines. Please see Figure 1, Project Aerial Location, below.

Figure 1: Project Aerial Location



The project site is bordered by West Las Positas Boulevard on the north and Arroyo Mocho on the south. The site contains a one-story building, approximately 88,512 square feet in floor area. The building, which is currently vacant, was initially developed in 1984 for AT&T and later was occupied by clinical laboratories for SmithKline Beecham.

The site is generally flat. A bus stop and shelter served by Livermore Amador Valley Transit Authority (LAVTA) are located in front of the 5758/5794 West Las Positas Boulevard building to the east, and also across West Las Positas Boulevard at Hart Middle School.

Adjacent properties include one-story office buildings to the east and west, Thomas Hart Middle School to the north, and Arroyo Mocho to the south. Further across the arroyo to the south are single-family homes comprising the Parkside neighborhood.

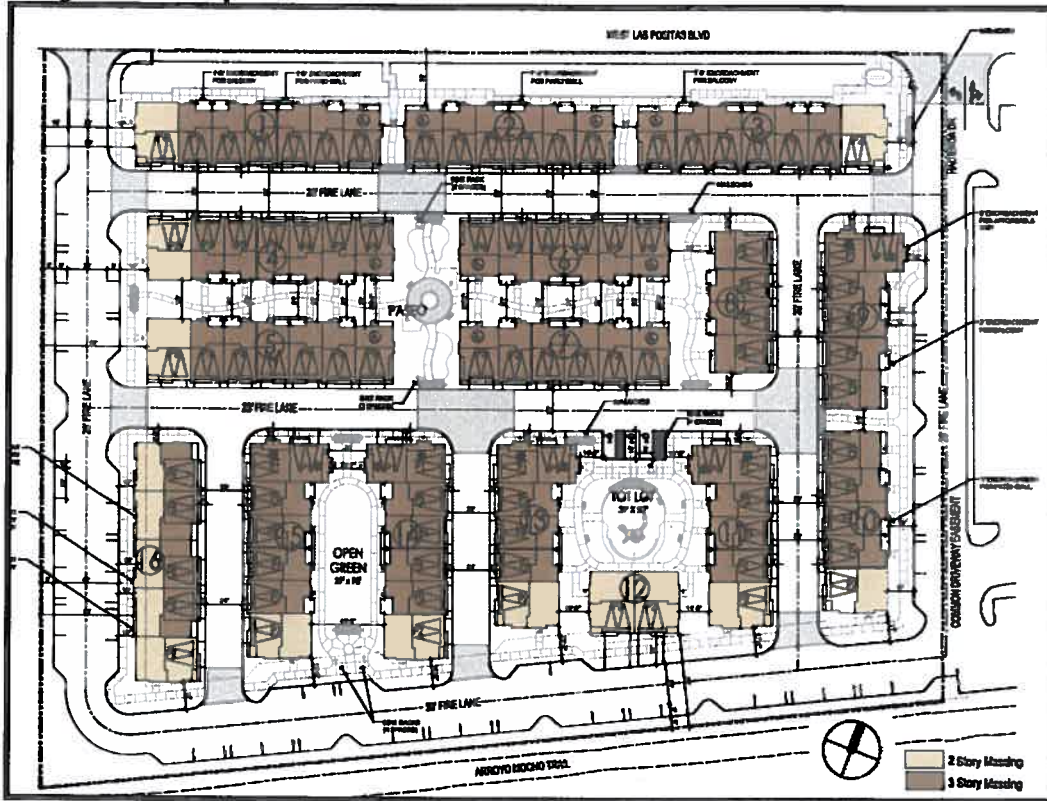
III. PROJECT DESCRIPTION

The proposed development is summarized below:

1. A Planned Unit Development Major Modification (Case No. P15-0170) to City Council Ordinance No. 2030 to modify the density from the minimum requirement of 30 dwelling units/acre for the project site to the proposed density of 15.9 dwelling units/acre.
2. A Planned Unit Development Major Modification (Case No. PUD-81-30-55M) to the Housing Site Development Standards and Design Guidelines to modify the minimum and maximum density for the project site from 30 dwelling units/acre to 15.9 dwelling units/acre.
3. A Planned Unit Development (PUD) Development Plan (Case No. PUD-81-39-89D) for the proposed 94-unit condominium development and related on-site improvements. The proposal includes the following:
 - **Site Layout.** The project contains 16 buildings that are organized to provide a nearly continuous street frontage along West Las Positas Boulevard and to incorporate small open spaces, including an oval-shaped open green area, tot lot, and paseo. Lower-scale, two-story buildings are generally situated along the southern and western boundaries of the site in order to reduce the perceived mass of the project. In addition, buildings on the east, south, and west sides of the project site would be set back behind fire lanes, which would also create a buffer between the project and adjacent land uses. Please refer to Figure 2 on the following page.
 - **Setbacks.** The buildings would have the following minimum setbacks:

	Buildings
Front Yard (W. Las Positas Blvd.)	33 feet
Side Yard:	
West Side:	60 feet to property line
East Side:	17 feet to the face of curb
Rear Yard (Arroyo Mocho)	59 feet

Figure 2: Proposed Site Plan



- **Building Height.** The following table lists the proposed building height for each building. The proposed buildings are two and three stories. The listed height is measured from the grade at the exterior of the building to the highest point of the roof line.

	Two-Story Portion of the Building	Three-Story Portion of the Building
Building 1	29'-1"	40'-10"
Building 2	--	40'-8"
Building 3	29'-1"	40'-10"
Building 4	29'-1"	40'-10"
Building 5	29'-1"	40'-10"
Building 6	--	40'-8"
Building 7	--	40'-8"
Building 8	--	40'-11"
Building 9	--	40'-10"
Building 10	29'-1"	40'-8"
Building 11	29'-1"	40'-10"
Building 12	29'-1"	--
Building 13	29'-1"	40'-10"
Building 14	29'-1"	40'-8"
Building 15	29'-1"	40'-8"
Building 16	29'-1"	40'-8"

- Unit Sizes. The following table shows the project unit size breakdown:

Unit Type	No. of Units	Unit Size
Two-bedrooms	10	1,214 sq. ft.
Three-bedrooms	70	1,500 sq. ft. – 1,836 sq. ft.
Four-bedrooms	14	2,053 sq. ft.

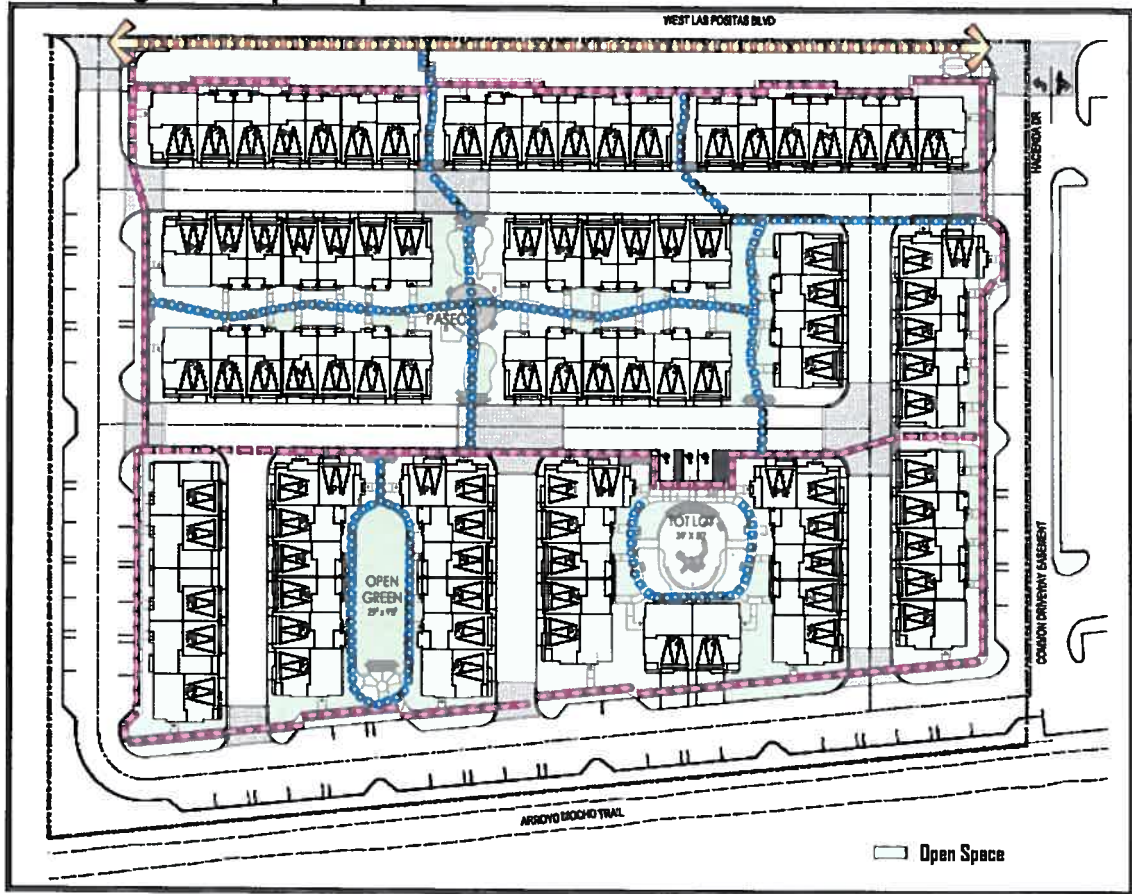
The proposed development would provide a total of 286 bedrooms.

- The following table shows the unit mix in each building:

UNIT MIX BY BUILDING TYPE													
	Beds	Baths	Duplex (Bldg 12)	4-Plex (Bldg 8)	5-Plex A (Bldg 16)	5-Plex B (Bldg 10)	6-Plex A (Bldg 2,6,7)	6-Plex B (Bldg 11,13)	6-Plex C (Bldg 9)	7-Plex A (Bldg 1,3,4,5)	7-Plex B (Bldg 14,15)	Total Units	Mix
Plan 1	2	2						2	2		2	10	11%
Plan 2	3	2.5	2		1	1		1		1	1	12	13%
Plan 3	3-4	2.5-3.5		2		1	2	1	1	3	2	28	30%
Plan 4	3-4	3-4				2	2	2	2	2	2	26	28%
Plan 5	4-5	3.5-4		2		1	2		1	1		14	15%
Plan 6	3	3			4							4	4%
Total Units Per Building			2	4	5	5	6	6	6	7	7		
Building Count			1	1	1	1	3	2	1	4	2		
Total Units			2	4	5	5	18	12	6	28	14	94	100%
Coverage per Building (sf)			2,284	3,655	6,134	4,669	5,356	5,085	4,889	6,432	5,967	Total (sf)	Coverage
Total Building Coverage (sf)			2,284	3,655	6,134	4,669	16,068	10,170	4,889	25,728	11,934	85,531	33%

- Open Space and Amenities. The project includes several active and passive recreation areas and amenities. Specifically, the development would provide a children’s play area with play equipment in the middle of a U shape formed by Buildings 11-13, a common open green area between Buildings 14 and 15, and a paseo area linking Buildings 4 through 8. The proposal would provide private open space areas in the form of patios or balconies for eight-two (82) of the ninety-four (94) units. The private open space areas range from 53 sq. ft. to 114 sq. ft. in area. No indoor recreational facility would be provided. Please see Figure 3 on the following page for the proposed open space areas throughout the development.

Figure 3: Open Space Areas



- **Vehicular Access.** Vehicular access to the complex would be maintained from the existing West Las Positas Boulevard driveways with right-in/right-out movements permitted at the western driveway and a signalized eastern driveway at the intersection of West Las Positas Boulevard and Hacienda Drive. Improvements at West Las Positas Boulevard and Hacienda Drive are proposed as part of the development. The northbound Hacienda Drive approach would be modified to provide one left-turn lane and one shared through/right-turn lane. The southbound Hacienda Drive approach would be modified to include one left-turn lane, one through lane and one right-turn lane. No changes would occur to existing transit infrastructure in the vicinity of the project site.
- **Pedestrian Access.** A pedestrian pathway would link residential buildings with the passive and active recreational uses on the site. Pedestrian access to the residential units would be directly from streets to the front door. No pedestrian access would be provided to the arroyo trail to the south, primarily because such a feature in the previous project was not approved by City Council due to neighbor concerns.

- **Building Design.** The buildings feature a Spanish-influenced architectural style. The materials that are proposed include stucco exterior finish, brick veneer, wood-like trim for the windows, S-tile tile roof, and wrought iron patio and balcony railings. Building walls would be alternately recessed and projected to provide variation in the wall plane and break up the building mass. The rooflines of the buildings have a 4:12 pitch. Building walls vary in materials (stucco and brick veneer) and colors (shades of off-white, taupe, and dark brown) to provide variety and interest. The roof color would be a blend of brown and terra cotta. Some of the building perspectives, Figures 4-6, are shown below and on the following page.

Figure 4: Building Perspective at West Las Positas Boulevard and Hacienda Drive



Figure 5: Building Perspective at the Paseo from West



Figure 6: Building Perspective at the Court Yard from South



- **Parking.** A total of 246 parking spaces for residents and guests would be provided, comprising 188 spaces in the garages and 58 surface parking spaces, including three wheelchair accessible parking spaces.
 - **Tree Removal.** A total of 103 existing trees were identified on the subject property, including 27 heritage-sized trees as defined in the Municipal Code. The heritage-sized trees consist of 13 evergreen ash, six red ironbark eucalyptus, seven callery pear, and one cork oak. As proposed, seven heritage-sized trees would be removed. The existing trees located along the west and south property lines would be preserved. Overall, the proposed development would remove 62 existing trees.
 - **Landscaping.** Preliminary landscape plans have been provided for the proposed development. The plan includes a six-foot precast concrete wall with grapestake textured finish along the southern property line. Climbing vines and evergreen screen trees would be planted on the north side (project side) of the wall. A variety of trees, shrubs, and groundcover are proposed throughout the project.
 - **Vesting Tentative Map.** The applicant intends to subdivide the 5.9-acre site into a total of 18 parcels: 16 parcels for 16 buildings, Lot A for the proposed tot lot, and Lot B for the remaining areas (streets, alleys, common areas, landscaping, etc.). The Vesting Tentative Map will be subject to Planning Commission review and approval following action on the proposed PUD development plan.
4. **Modification to the previously approved Development Agreement (Case No. P15-0169) to reflect the current proposal. The term of the development agreement would expire in 10 years.**

IV. ANALYSIS

1. Land Use

■ **Conformance with the General Plan**

The 2005-2025 Pleasanton General Plan land use designation of the subject property is Mixed Use/Business Park. The General Plan states that projects may use the Mixed Use Floor Area Ratio (FAR) and density ranges only if they include uses that are authorized by the Mixed Use land use designation. Policy 17 states that the specific location of land uses, appropriate FARs, and residential densities in mixed-use areas will be determined by the City Council through the planned unit development process or through the preparation of specific plans. Program 18.2 seeks to provide land use flexibility for the Hacienda Business Park, portions of Stoneridge Mall area, and other areas through the Mixed Use/Business Park, and Mixed Use land use designations. The intent is to plan for a mixed use area sufficient to accommodate the City's RHNA obligations.

The proposed development is a Planned Unit Development. Its proposed density of 15.9 dwelling units/acre is comparable to the maximum 12.5 dwelling units/acre density requirement to the site to the immediate east. With the City Council's approval of the proposed PUD, the project will be consistent with the General Plan.

Below are some of the General Plan Goals, Programs, and Policies in addition to the policy and program stated above, that the project is consistent with or would promote:

■ **Land Use Element**

Sustainability

Program 2.1: Reduce the need for vehicular traffic by locating employment, residential, and service activities close together, and plan development so it is easily accessible by transit, bicycle, and on foot.

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

Program 2.3: Require transit-compatible development near BART stations, along transportation corridors, in business parks and the Downtown, and at other activity centers, where feasible.

Program 2.6: Require design features in new development and redevelopment areas to encourage transit, bicycle, and pedestrian access, such as connections between activity centers and residential areas, and road design that accommodates transit vehicles, where feasible.

Program 2.8: Require land development that is compatible with alternative transportation modes and the use of trails, where feasible.

Overall Community Development

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

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.

Housing Element

Housing Variety, Type, and Density

Goal 1: Attain a variety of housing sizes, types, densities, designs, and prices which meet the existing and projected needs of all economic segments of the community.

Housing Location

Policy 35: Disperse high-density housing throughout the community, in areas near public transit, major thoroughfares, shopping, and employment centers.

Program 35.1: Provide and maintain existing sites zoned for multi-family housing, especially in locations near existing and planned transportation and other services, as needed to ensure that the City can meet its share of the regional housing need.

2. Zoning

The project site was rezoned in January 2012 to allow multi-family residential with a minimum density of 30 dwelling units/acre. The applicant requests a density reduction from a minimum of 30 dwelling units/acre to the proposed 15.9 dwelling units/acre. With the approval of the proposed density reduction, the proposed development would be consistent with the zoning designation.

3. Housing Site Development Standards and Design Guidelines (Standards and Guidelines)

■ Density

The project site, identified as Site #9 by the Standards and Guidelines, has an approved minimum and maximum density of 30 dwelling units/acre. The applicant is requesting to modify the minimum and maximum density to 15.9 dwelling units/acre in order to accommodate the proposed 94-unit residential development. As previously mentioned, in February 2015, the City Council approved a density reduction for the 6.7-acre parcel located at the immediate east at 5758/5794 West Las Positas Boulevard from the approved minimum and maximum density of 30 dwelling units/acre to a maximum density of 12.5 dwelling units/acre. The eastern 6.7-acre parcel and the 5.9-acre project site comprise Site #9 of the Standards and Guidelines. Staff finds that the request for a density reduction on the project site to 15.9 dwelling units/acre is similar to what the City Council has approved for the adjoining parcel to the east. With the approval of the

density reduction request, both parcels, when developed with residential units, would have compatible densities.

■ **Exceptions Requested by Applicant**

The project conforms to most of the Standards and Guidelines. The applicant is requesting the following exceptions to the Standards and Guidelines. For the Commission's reference, the page and section number for each item below is noted in *italics*.

1. *Front Yard Setback (page 20, Design Guideline A4.2.) – Front setbacks shall be a minimum 8 feet from the back of sidewalk providing enough room for planting and privacy while still allowing a strong relationship between the units and street.*

Buildings 9 and 16 would not comply with the front yard setback requirements in the Standards and Guidelines. Specifically, the northern end of Building 9 would be located 4'-6" from the back of the sidewalk, and the eastern end of Building 9 would be located 7' from the back of the sidewalk. Building 16 would be located 5' from the back of the sidewalk.

Comments: The front yard exception is requested for Buildings 9 and 16 fronting internal streets. The northern end of Building 9 would be located 9'-6" from the face of curb on the north side and 12 feet from the face of the curb on the east side. Building 16 would be located 10 feet from the face of curb. Staff finds that proposed setbacks would provide enough separation between the units and the street. Therefore, staff can support this exception.

2. *Building Orientation (page 14, Design Guidelines A2.c) – On residential frontage including public streets, internal streets, pedestrian walks/paseos, and open spaces, a minimum of 75% of building façade should be fronted with livable residential space, i.e. not garages.*

Building 12 has garages fronting the street and do not meet the 75% requirement.

Comments: Building 12 is a two-story, two-unit building. Given that it is a two-unit building contains only two garages, and given that the remaining buildings along this street meet this building orientation requirement, staff is able to support this exception.

3. *Building Separation (page 23, Standard A6.1 Paseo) -- A 25-30 foot minimum building-to-building separation is required for residential buildings along paseos.*

Comment: Buildings 4 through 7 face a paseo. As the building walls are alternately recessed and projected, the walls of the middle two units of Buildings 4 and 5 would have a 21-foot separation. A similar situation occurs at Buildings 6 and 7. The areas that need the exception are located on the upper level of the buildings and the amount of encroaching building is limited (approximately 12% of Buildings 4 and 5 and approximately 14% of Buildings 6 and 7). In addition, the spacious central

paseo area provides a usable space for residents, thus compensating for the small portions of the buildings which do not meet the minimum building-to-building separation requirements. Therefore, staff supports this exception.

4. Planter Strips (*page 20, Standard A4.1 Internal Street*) -- *A minimum four-foot planting strip is required on each of the street.*

The proposed site does not include a planting strip on the west side of Building 16 or the northern end of Building 9.

Comment: An open space area is proposed between Buildings 14 and 15. The elimination of the planting strip on the west side of Building 16 helps to maximize the open space area. Staff finds this an acceptable tradeoff. Except at the northeastern corner of Building 9, a planting strip is proposed along the east side of the building and the street. Staff finds it acceptable for this small area to deviate from the standard. Therefore, staff supports this exception.

3. Proposed Development

■ Site Plan

The proposed project complies with the Standards and Guidelines except in the areas noted above. The parking has been positioned to minimize its visibility from West Las Positas Boulevard and the adjacent properties.

Staff finds that the street layout would efficiently facilitate vehicular and pedestrian circulation within the project site. The parallel parking would provide convenient parking to visitors and guests. The proposed common areas are located to be conveniently accessible by residents. The size of the proposed tot lot area and common green space area would be adequate to serve the project site. Two-story buildings would be located along the southern and western boundaries to minimize the buildings' mass and bulk on the surrounding neighbors. Overall, staff believes that the proposed site plan and positioning of the buildings are appropriate for the subject property.

■ Floor Area Ratio

The Housing Site Development Standards and Design Guidelines indicate that there is no FAR applicable to residential developments.

■ Open Space/Amenities

The proposed project contains several outdoor amenities: a children's play area, open green area, and barbeque picnic area. Pedestrian walkways connect residential buildings throughout the site.

As proposed, the project would include 44,769 square feet of group open space on-site. The Standards and Guidelines require a minimum of 300 sq. ft. of group open space per dwelling unit (94 units x 300 = 28,200 sq. ft.). Therefore, the project complies with the open space requirements. The Standards and Guidelines do not require private open space to be provided for each unit. Eight two (82) of the ninety four (94) units would

have private open space areas in the form of patios or balconies. The private open space areas range from 53 to 114 sq. ft. in area.

Overall, staff finds the project amenities and group and private open space to be acceptable.

■ **Traffic and Circulation**

A traffic study for the prior 177-unit apartment development was prepared by Whitlock & Weinberger Transportation, Inc. (W-Trans). The prior apartment project would have generated an average of 1,177 new vehicle trips on a daily basis, including 90 additional trips during the a.m. peak hour and 110 additional trips during the p.m. peak hour. As the project site is located across from Thomas Hart Middle School, the traffic study included analysis of school-related traffic. The study stated that 65 of the anticipated morning trips would be school-related trips and none of the anticipated evening trips would be school-related. The traffic analysis analyzed traffic at seven intersections within the vicinity of the project site. The analysis found that all of the study intersections would operate acceptably under all traffic scenarios with and without the addition of the project-generated traffic. The study for the prior apartment project concluded that project would have a less-than-significant impact to the existing traffic. The prior apartment project was conditioned to provide the design and installation of all needed modifications to the traffic signal system at the intersection of West Las Positas Boulevard at Hacienda Drive. A copy of the study is attached as Exhibit B.

The City Traffic Engineer has reviewed the current proposal and determined that no additional traffic analysis would be required as the current project would have 83 fewer units than the prior apartment project and, therefore, would generate fewer trips than the prior project. As required for the prior project, the current proposal will be required to provide the design and installation of all traffic signal modifications. In addition, the project has been conditioned to pay the applicable City and Tri-Valley Regional traffic impact fees to help fund future improvements to local and regional roadways.

■ **Transit**

Livermore Amador Valley Transit Authority (LAVTA) currently provides bus service (the Wheels Bus System) to the project area. The project design includes a network of pathways internal to the project that allows access to the sidewalk that leads to the bus stop.

■ **Bicycle Storage**

The Standards and Guidelines for the proposed project require 0.8 secured and weather protected bicycle spaces per dwelling unit (94 units x 0.8 = 75 spaces required). The project summary indicates that bicycle parking would be located in the garages. The applicant indicated that bicycle hooks would be installed on the garage wall. Staff has included a condition requiring the bicycle parking areas be clearly indicated on the garage floor plan.

The Standards and Guidelines also require a minimum of two public bike racks per 50 dwelling units, which must be located within 100 ft. of main entries (two racks required). The project would provide seven bicycle racks distributed throughout the site at Buildings 3, 4, 5, 11, 14, and 15, meeting the requirements.

■ **Parking**

The Standards and Guidelines established minimum parking requirements for the Transit Orientated Development sites, but defers to the Pleasanton Municipal Code for off-street parking requirements for all other sites such as this one. The PMC requires two parking spaces be provided per unit. The project would include two parking spaces inside the garage for each unit. The PMC does not require guest parking to be provided for condominiums or townhomes. However as no street parking is allowed on West Las Positas Boulevard and the driveway at each residential unit does not have adequate depth to accommodate parking, staff believes it is important to provide dedicated guest parking within the project site. The proposed project would provide 58 guest parking spaces: 55 parallel spaces along the internal streets and three ADA accessible parking spaces by the tot lot. The overall parking ratio for the project is 2.62 spaces per unit, which staff finds to be sufficient to accommodate the demand generated by the proposed project.

■ **Noise**

An Environmental Noise Assessment report was prepared by Charles M. Salter & Associates, Inc. in December 2013 for the prior development project. The study indicated that the exterior noise levels for the project would comply with the General Plan standard and that the interior noise levels would comply with the General Plan standard with recommended noise mitigation measures (i.e., the prior project was required to install windows and doors with a Sound Transmission Class (STC) of 30 in the units fronting W. Las Positas Boulevard and windows and doors with a STC rating of 28 in other locations). A copy of the study is attached as Exhibit B.

Although traffic volumes and surrounding noise-generating land uses have not substantially changed in the past 1½ years, the building configuration and location of common areas of the current proposal differ from the prior apartment development. Therefore, Charles M. Salter & Associates reviewed the current proposal and found that the conclusions and mitigations of the previously prepared report apply to the current project. Staff has included conditions of approval requiring the project meet the window/door STC ratings and require that the final design and sound insulation ratings be reviewed by an acoustical consultant prior to issuance of a building permit. As conditioned, the proposed 94-unit residential development would meet the General Plan noise standards.

Noise Impacts on Adjacent Properties. A six-foot high precast concrete wall was required to be constructed along the southern property line of the prior apartment project to mitigate potential noise from the development. The current proposal includes the construction of this wall along the southern property line.

Short-term construction noise would be generated during construction. The SEIR included construction related noise mitigation measures (e.g., limiting construction hours, compliance with the City's Noise Ordinance, locating stationary construction equipment as far from occupied buildings as possible, etc.). Conditions of approval have been included to address these mitigation measures.

■ **Grading and Drainage**

The majority of the lot is relatively level with a perimeter landscaped berm along West Las Positas Boulevard. The applicant is proposing to generally maintain the existing grades on the property. Parking lot and roof drainage would drain into bio-retention areas on the project site that would filter contaminants before entering the arroyos. It is estimated that approximately 8,000 cubic yards of dirt would be excavated on the site. As conditioned, staff finds the proposed grading and drainage plan to be acceptable and in compliance with applicable stormwater runoff requirements. The haul route will be subject to the approval of the City Engineer.

■ **Architecture and Design**

Staff believes that the proposed buildings are generally well designed and articulated. The building designs feature articulation and detailing on all sides. Portions of the building walls would be projected or recessed to provide variation in the wall plane and break up the building. The rooflines of the buildings are broken up to reduce the building mass and add interest. Building walls vary in materials and colors to provide variety and interest. The awnings and wrought iron detailing enrich the quality of the architecture.

Similar to the prior 177-unit development, architectural elements, such as rafter tails, simulated stone trim, sconces, wrought iron railings, wooden gates, etc. were incorporated into the building design. In addition, a lowered wall at the first floor patio area and painted accents and thin brick veneer help break the mass of the buildings and enhance the buildings' aesthetic appearance. Staff generally finds the buildings are well-designed. Staff is recommending that the applicant make a few minor revisions and/or provide additional detailing to address the following items:

- use a different material/color at building base and/or the building base should project slightly out from the building wall;
- add trellises above the garage doors;
- enhance the entry to each residential unit to be more prominent.

Conditions of approval have been included to address these items.

The proposed building colors would provide additional contrast and variation. Staff finds the proposed colors and materials, the window design and treatment, and the overall massing and detailing of all the proposed buildings to be acceptable.

■ **Green Building**

As required by the City's Green Building Ordinance, the proposed project is required to qualify for at least 50 points on Alameda County Waste Management Authority's

"Multifamily Green Building Rating System." The applicant has proposed to incorporate green building measures into the project to allow it to qualify for seventy-nine (79) points. Some of the proposed green building measures include: installing water-efficient fixtures; use of recycled content material in construction, high efficiency toilets, installing Energy Star™ dishwashers; and utilizing zero or low volatile organic compound (VOC) caulks, adhesives, and sealants. Please see the attached Green Building checklist for the complete list of the proposed Green Building items.

The applicant has proposed to exceed the 50-point minimum. Staff appreciates that the applicant has included a considerable number of green building measures in the project.

■ **Climate Action Plan**

On February 7, 2012, the City of Pleasanton adopted a Climate Action Plan (CAP). The CAP was reviewed by the Bay Area Air Quality Management District and was deemed a "Qualified Greenhouse Gas Reduction Strategy" in accordance with the District's California Environmental Quality Act (CEQA) guidelines. Implementation of the CAP will occur over several years and will consist of amendments to regulations and policies related to Land Use and Transportation, Energy, Solid Waste, and Water and Wastewater, which will result in reductions in greenhouse gas emissions in compliance with the targets set by Assembly Bill (AB) 32, California's Global Warming Solutions Act.

Staff completed an analysis of how the project is consistent with or implements the applicable measures outlined in the City's CAP. As a high-density residential project located near commuter bus lines and within a major business park, the project is generally consistent with Goal 1 of the CAP: to reduce vehicle miles traveled (VMT) through mixed-use, infill, and higher density development. In addition, all applicable Strategies and Supporting Actions related to parking, transit use, water conservation, and energy conservation from the CAP are implemented in the proposed project or recommended conditions of approval.

■ **School Impacts**

The prior 177-unit apartment project was anticipated to add 56 students to the school district based on the School District's 0.319 Student Yield Factor (SYF) for grades K-12. The project was found to have less-than-significant impact to schools. The SYF has been increased from last year's 0.319 to 0.359. As such, the proposed development of 94-units would be anticipated to add 34 students, 22 students less than the prior development based on the 0.319 SYF, or 30 students less than the prior development using the current 0.359 SYF. Therefore, the proposed development would have less-than-significant impact to schools.

A condition of approval requires the project developer to work with the Pleasanton Unified School District and the City Director of Community Development to develop a program, in addition to the school impact fees required by State law and local ordinance, to offset this project's long-term effect on school facility needs in Pleasanton. This program will be designed to fund school facilities necessary to offset this project's reasonably related effect on the long-term need for expanded school facilities to serve

new development in Pleasanton. Construction will not be allowed to start until the terms of this program and/or funds have been approved by the City.

■ **Landscaping**

A preliminary landscape plan has been provided for the project, including enlargements of the design for the common open space/recreation areas, additional planting and the precast concrete wall all along the southern property line. Although the landscape plans are conceptual, staff believes that the species, quantities, and sizes of the proposed landscaping for the site is consistent with the Standards and Hacienda Guidelines and is generally appropriate.

The City is in the design and construction process of bringing recycled water to Hacienda Business Park, and the project will be conditioned to use recycled water for landscape irrigation when it becomes available. Some of the proposed species, such as *Celtis sinensis*, *Ginkgo biloba*, *Pistacia chinensis*, etc. are salt-sensitive, and are not suitable for recycled water irrigation. Staff has included conditions requiring plant species be changed to only include recycled water tolerant plants and that the planting meet the State Water Efficient Landscape Ordinance and Bay Friendly Basics requirements.

A condition of approval has been added requiring detailed landscape and irrigation plans be provided at the building permit stage subject to the review and approval by the Director of Community Development.

■ **Tree Removal**

The Existing Trees Disposition Plan (Sheet C2.0 of Exhibit B) shows that tree Nos. 91, 92, 95 and 99, would be removed. These trees are heritage-sized trees located in the berm area along the front of the project site and were noted to be "Preserved" by the tree report prepared for the prior apartment development. In addition, the latest review by the project arborist, HortScience, indicates that tree No. 97, another heritage-sized tree, would be removed. The additional tree removal is based on the following analysis prepared by the arborist:

Evergreen ash #91, 92, 95, 97 and 99 would be removed rather than preserved. All 5 trees meet the City's criteria for Heritage status. These 5 trees are now within or immediately adjacent to the pedestrian access routes to the townhomes. RJA, the project's civil engineer, informs me that access routes cannot feasibly be shifted to avoid the trees given the location of utilities and existing berms.

Staff has reviewed the arborist's recommendation with the proposed plans. Tree Nos. 91, 92, 95, and 97 may interfere with the proposed development. Tree No. 99 may be preserved. Staff has included a condition requiring that an updated arborist report re-evaluating the trees impacts be submitted at the building permit plan check stage based on the construction plans.

4. Affordable Housing Agreement and Housing Commission Recommendation

The Housing Commission, at its April 16, 2015, meeting, reviewed affordable housing options to identify an Affordable Housing Agreement (AHA) for the project. The Housing Commission unanimously recommended the approval of the AHA to the City Council.

The Inclusionary Zoning Ordinance (IZO) requires all new multi-family residential projects of 15 units or more to provide at least 15 percent of the project's dwelling units at prices that are affordable to very low, low, and/or moderate income households. The proposed development of 94 multi-family units would require 14 affordable units. For this development, the applicant offered and staff accepted that the percentage of affordability would be based on the 20% requirement set forth in the IZO for a single-family residential project. As agreed between the applicant and staff, the applicant will provide 10 units and pay the City's Lower Income Housing Fee (LIHF) in a total fee of \$122,452 to fulfill the IZO requirements.

Commissioners agreed with the staff recommendation to approve the Affordable Housing Agreement for the SummerHill Development and wanted to ensure the in-lieu fees would be used properly. Staff responded that City Council has the latitude to decide about the disposition of in-lieu fees.

Several Parkside residents attended the Housing Commission meeting. Lynn Kriegbaum, represented the neighborhood and spoke in support of the proposal.

Please see the attached Housing Commission staff report and draft meeting minutes (Exhibit D) for additional details and discussion.

5. 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. In essence, 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. 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 March 2014, the City Council approved a 10-year term Development Agreement. The developer is obligated to pay the applicable development impact fees which are in effect when the ordinance approving the agreement is effective. The agreement allows the City to utilize the project's in-lieu park dedication fees towards improving community parks in the City, including Phase II of Bernal Community Park. The agreement also ensures that the developer will provide a number and range of affordable housing units acceptable to the City.

The applicant is requesting an amendment to the previously approved Development Agreement to reflect the current proposal. 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. The Draft amendment to the previously approved Development Agreement is attached as Exhibit B.

6. Growth Management

In March 2014, the City Council approved a Growth Management Agreement for the then proposed 177-unit apartment development. As stated in Section 17.36.100 of the Pleasanton Municipal Code, a modified project that has already been granted allocations can keep those older allocations. Therefore, no new growth management is needed for the current proposal.

Regional Housing Needs Allocations (RHNA). California Code Section 65863 states that each city shall ensure its housing element inventory described in its housing element program to make sites available to accommodate its share of the regional housing need throughout the planning period. In February 2015, the City Council approved a General Plan Amendment to adopt the 2015-2023 General Plan Housing Element. As part of the Housing Element update, State Department of Housing and Community Development (HCD) continues to require each city to demonstrate capacity to meet its revised RHNA affordable housing obligations. Per HCD guidelines, vacant/underutilized sites with a density of 30 units per acre or greater are considered inventory for the construction of very low- and low-income housing; permitted and approved sites with a density of 30 units per acre or greater are considered inventory for the construction of moderate-income housing; and lower density single-family residential sites are considered inventory for the above moderate-income category.

The following table shows the estimated current site capacity City-wide.

Table 1: Estimated Current Capacity

Income Levels	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
Estimated Capacity					
o Permitted and Approved Projects ¹	279		1,527	174	1,980
o Vacant and Underutilized Land	991		-	272	1,263
Total	1,270		1,527	446	3,243
2014-2022 RHNA	1,107		407	553	2,067
RHNA Surplus/Shortfall	+163		+1,120	-107	+1,176

¹ The Permitted and Approved Projects include the prior apartment project.

The City is required to show capacity to build 1,107 units affordable to very low- and low-income households. The site inventory currently shows a capacity of 1,270 units (279 units approved through affordable housing agreements and 991 units on vacant/underutilized sites) with 163 units above the required capacity.

The previously approved 177-unit residential development included 27 affordable units, with 6 of the units rented at rates affordable to very-low-income households (50% of the annual median income for Alameda County), 12 of the units rented at rates affordable to low-income households (80% of the annual median income), and nine units rented at rates affordable to moderate-income households (100% of the annual median income). Because the development was high density, the remaining 159 units were also categorized as moderate-income households as defined by HCD.

The current project would provide a total of 10 affordable units that would be affordable to low-income households with incomes at 80% Area Median Income (AMI). Despite the change in the units' affordability level, with the current estimated surplus of 163 units in the very-low-income to the low-income category, the City would continue to meet its RHNA obligations within the very-low-income to the low-income category by providing a 155 unit surplus.

7. Hacienda Owners Association

The Hacienda Owners Association has the authority to review and approve the proposed development before action is taken by the City. A letter of approval from Hacienda is attached.

V. PUD CONSIDERATIONS

The Zoning Ordinance of the Municipal Code sets forth purposes of the Planned Unit Development District and "considerations" to be addressed in reviewing a PUD development plan.

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 development. The project will not generate volumes of traffic that cannot be accommodated by existing or already planned improvements for City streets and intersections in the area. 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 uses and would be consistent with the existing scale and character of the area. The project also would provide 10 affordable housing units and help the City to meet its requirements for provision of lower income housing.

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.

The site's General Plan Land Use Designation of "Mixed Use/Business Park" allows residential uses requiring high-density residential development. The proposed development of 94 residential units on a 5.9-acre site would have a density of 15.9 dwelling units/acre, meeting the high-density requirements. The proposed project would further several General Plan Programs and Policies encouraging new housing to be developed in infill and peripheral areas which are adjacent to existing residential development, near transportation hubs, or local-serving commercial areas and for the City to attain a variety of housing sizes, types, densities, designs, and prices which meet the existing and projected needs of all economic segments of the community.

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 office uses to the east and west, a public school and office uses to the north, across West Las Positas Boulevard, and Arroyo Mocho to the south and residential uses (Parkside neighborhood) to the south of the arroyo. The proposed residential use would be compatible with the surrounding uses. The building height would be compatible with the office building to the east (approximately 40 feet in height) and the residential buildings on the south side of the arroyo.

The buildings have been attractively designed and would be compatible with the design of the surrounding structures. The buildings contain many architectural elements/treatments to help break up the building mass and height. New landscaping would be installed to soften the buildings and help screen the parking areas from off-site views. The majority of the site is relatively level. The existing topography of the site would generally be maintained. Grading conducted on the site will be subject to engineering and building standards prior to any development.

Therefore, staff believes that this finding can be made.

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

As described above, the site is relatively level with minimum changes in grades proposed. Erosion control and dust suppression measures will be documented in the improvement plans and will be administered by the City's Building and Public Works Divisions. 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. Parking lot and roof drainage would drain into the drainage basin area that would filter contaminants before entering the arroyos

and, ultimately, the bay. The site is not located within an Alquist-Priolo Earthquake Fault Zone.

As indicated by Federal Emergency Management Agency (FEMA) map¹, the project site is not located within a 100-year flood zone, but Arroyo Mocho, which borders the site to the west, is located within a 100-year flood zone. However, the waters are contained in the creek's channel and would not be expected to affect the project site.

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 project site is in a developed area of the City and would not involve the extension of any new public streets. The relatively flat, urban infill site has no constraints to either roads or buildings. Development of the site complements the natural terrain by making only minor changes as necessary to the site's existing relatively flat topography. The proposed buildings will be compatible in size and scale with surrounding structures.

Therefore, staff believes that this PUD finding can be made.

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

The public improvements associated with this project would be consistent with City design standards. The driveway entrances are located and configured to provide adequate line-of-sight viewing distance and to facilitate efficient ingress/egress to and from the project site. All on-site drive aisles would meet City standards for emergency vehicle access and turn-around. Adequate access would be provided to all structures for police, fire, and other emergency vehicles. Buildings would be required to meet the requirements of the Uniform Building Code, Fire Code, other applicable City codes, and State of California energy and accessibility requirements. The buildings would be equipped with automatic fire suppression systems (sprinklers).

Therefore, staff believes 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. Staff believes that the proposed project implements the purposes of the PUD ordinance in this case by providing a high-density residential project that is well-designed and well-integrated with the existing office development on adjoining properties, that fulfills the desires of the applicant, and that meets the City's General Plan goals and policies. Moreover, input from the adjacent

¹ Flood Insurance Rate Map 06001C0317G

property owners has been sought and obtained through neighborhood outreach effort by the applicant; further opportunity for public comment will occur at the Planning Commission and City Council hearings.

Staff believes that through the PUD process the proposed project has provided the developer and the City with a development plan that optimizes the use of this infill site in a sensitive manner.

Therefore, staff believes that this finding can be made.

VI. PUBLIC COMMENT

Public notices were sent to property owners within a 1,000-foot radius of the project site. Doug Giffin, Chamberlin Associates, owner of the property located to the immediate west, requested that the storage units on Buildings 1, 4, 5, and 16 be relocated so that they would not face his property. The storage units have been relocated.

Staff will forward to the Commission any public comments as they are received.

VII. ENVIRONMENTAL ASSESSMENT

On January 4, 2012, the City Council certified a Supplemental Environmental Impact Report (SEIR) and adopted the CEQA Findings and a Statement of Overriding Considerations for the Housing Element update and Climate Action Plan General Plan Amendment and Rezonings. This SEIR was a supplement to the EIR prepared for the Pleasanton 2005-2025 General Plan which was certified in July 2009. The subject property was one of 21 potential housing sites analyzed in the SEIR. A total of 177 multi-family housing units was analyzed in the SEIR for this site.

Under CEQA, once an EIR has been prepared for a project, the lead agency (in this case, the City) may not require a subsequent or supplemental EIR unless:

- Substantial changes are proposed in the project that will require major revisions of the EIR;
- Substantial changes have occurred in the circumstances under which the project is being undertaken that will require major revisions in the EIR; or
- New information, which was not known and could not have been known at the time the EIR was certified as complete, becomes available.

The CEQA Guidelines further clarify the circumstances under which a supplemental or subsequent EIR may be required. Guidelines Section 15162 provides as follows:

(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The California Environmental Quality Act states that a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the above-listed conditions in Section 15162 calling for the preparation of a subsequent EIR have occurred. Staff believed that none of the conditions described in Section 15162 occurred. Therefore, an addendum to the SEIR was prepared for this project.

The analysis in the attached Addendum to the SEIR (Exhibit D) determined that the proposed project will not trigger any new or more severe significant environmental impacts as compared to those analyzed in the context of the SEIR and confirmed that none of the conditions described in Section 15162 occurred.

The SEIR included some mitigation measures that needed to be addressed prior to issuance of a building permit for a project (e.g., pre-construction bat survey, air quality construction plan). These mitigation measures have been addressed in the draft conditions of approval for this project.

The SEIR included a Statement of Overriding Considerations for two significant and unavoidable impacts:

Impact 4.D-1: Development facilitated by the General Plan Amendment and rezoning has the potential to adversely change the significance of historic resources.

The Irby-Kaplan-Zia and Pleasanton Mobilehome Park properties on Stanley Boulevard contain older structures that may be historic. Mitigation measures in the SEIR required that historic evaluations be conducted for the structures before they could be demolished. If deemed to be historic through these evaluations, the demolition of these structures to make way for new housing would be a significant and unavoidable impact. Staff notes that the Irby-Kaplan-Zia and Pleasanton Mobilehome Park properties were ultimately not included in the nine sites that were selected for multifamily housing.

Impact 4.N-7: Development facilitated by the General Plan Amendment and rezonings could potentially add traffic to the regional roadway network to the point at which they would operate unacceptably under cumulative plus project conditions.

Traffic generated by development facilitated under the proposed Housing Element on the potential sites for rezoning would not worsen any segment projected to operate acceptably to unacceptable conditions; however, it would increase the volume to capacity ratio (V/C) by more than 0.03 on two roadway segments projected to operate at LOS F: Sunol Boulevard (First Street) between Vineyard Avenue and Stanley Boulevard under Year 2015 and 2035 conditions; and Hopyard Road between Owens Drive and I-580 under 2035 conditions. Based on the significance criteria, this is considered a significant impact. Existing development surrounding these roadways would need to be removed in order to widen them, rendering such widening infeasible. However, there are improvements that could be made to nearby parallel corridors which could create more attractive alternative routes and lessen the traffic volumes on Sunol Boulevard and Hopyard Road. A mitigation measure of the SEIR requires developers of the potential sites for rezoning to contribute fair-share funds through the payment of the City of Pleasanton and Tri-Valley Regional traffic impact fees to help fund future improvements to local and regional roadways. However, because the City cannot be assured that the collected regional funds would be spent to specifically improve the nearby parallel corridors as the regional funds are used by the regional agency, the traffic impact remained significant and unavoidable. Staff notes that the traffic impacts of the nine sites ultimately selected would be considerably less than the traffic impacts analyzed in the SEIR.

A memo was prepared by FirstCarbon Solutions (attached as Exhibit D) to evaluate the currently proposed project. The memo concluded that potential environmental impacts from the current project would be substantially similar to or reduced as compared to those disclosed in the 2014 Addendum. As such, with the implementation of mitigation identified in the 2014 Addendum and discussed herein, the current project would not result in any impacts beyond those considered in the Supplemental EIR. Therefore, the 2014 Addendum, in combination with this memo, satisfies the requirements of CEQA for the current project and no further environmental analysis is warranted.

VIII. CONCLUSION

Staff believes that the proposed site plan and positioning of the buildings are appropriate for the subject property. The applicant has included an adequate amount of usable open space and landscaped areas within the project given the site constraints. Staff finds the building design to be attractive and that the architectural style, finish colors, and materials will complement the surrounding development. The project also would provide affordable housing units which would help the City meet its housing goals.

IX. STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. Find that the conditions described in CEQA Guidelines Section 15162 have not occurred as described in the Addendum to the SEIR and find that the previously prepared SEIR, including the adopted CEQA Findings and Statement of Overriding Considerations, the Addendum to the SEIR, and the memo to the Addendum are adequate to serve as the environmental documentation for this project and satisfy all the requirements of CEQA;
2. Find that the proposed PUD major modification to amend the City Council Ordinance No. 2030 to modify the required minimum density of 30 dwelling units/acre to a density of 15.9 dwelling units/acre for the project site and PUD development for the construction of 94-unit condominium development and related on-site improvements are consistent with the General Plan;
3. Find that the proposed PUD major modification to modify the Housing Site Development Standards and Design Guidelines to modify the minimum and maximum density from 30 dwelling units/acre for the project site to a density of 15.9 dwelling units/acre is consistent with the General Plan;
4. Find that the proposed PUD Development Plan and amendment to the Development Agreement are consistent with the General Plan;
5. Make the PUD findings for the proposed development plan as listed in the staff report;
6. Find that the exceptions to the Housing Site Development Standards and Design Guidelines as listed in the staff report are appropriate;
7. Adopt resolutions recommending approval of: 1) Case P15-0170, Planned Unit Development (PUD) Major Modification to City Council Ordinance No. 2030 to modify the minimum density requirement of 30 dwelling units/acre to a density of 15.9 dwelling units/acre; 2) Case PUD-81-30-55M, a PUD Major Modification to amend the Housing Site Development Standards and Design Guidelines for Site #9 to specifically change the minimum and maximum density from the required 30 dwelling units/acre to the proposed 15.9 dwelling units/acre for the 5.9-acre site; 3)

Case PUD-81-30-89D, PUD development plan for the construction of 94 condominium units and related on-site improvements, subject to the conditions of approval listed in Exhibit A; ; and 4) Case P15-0169, an amendment to the previously approved Development Agreement, and forward the applications to the City Council for public hearing and review.

Staff Planner: Jenny Soo, 925.931.5615; email: jsoo@citypleasantonca.gov

P15-0170/PUD-81-30-89D/P15-0169/PUD-81-30-55M, Summerhill Homes
Applications for the following at the approximately 5.9-acre site located at 5850 West Las Positas Boulevard: (1) Planned Unit Development (PUD) Major Modification to City Council Ordinance No. 2030 to modify the minimum density requirement of 30 dwelling units/acre to a density of 15.9 dwelling units/acre; (2) an amendment to the Housing Site Development Standards and Design Guidelines to modify the minimum and maximum density requirement of 30 dwelling units/acre to a minimum and maximum density of 15.9 dwelling units/acre; (3) PUD Development Plan to construct 94 residential condominium units and related site improvements; and (4) an amendment to the Development Agreement for the project. Zoning for property is PUD-MU (Planned Unit Development – Mixed Use) District.

Commissioner Balch recused himself due to a conflict of interest.

Jenny Soo presented the staff report and described the scope, layout, and key elements of the project.

Chair Allen commented for anyone in the public who might be interested that it looks like Summerhill is providing more than just ten affordable units in terms of overall compensation as in the Housing Agreement, Summerhill is also paying a total of \$122,000 into the City's Low-Income Housing Fund for 44 units. She asked staff if that was correct.

Ms. Soo said yes.

THE PUBLIC HEARING WAS OPENED.

Kevin Ebrahimi, Vice President for Development for Summerhill Homes, stated that Summerhill Homes is a privately held company headquartered in San Ramon and has been developing high quality homes in the Bay Area since 1976. He indicated that Summerhill was excited to be back in Pleasanton for this new project, a 94 for-sale townhome condominium community on the 5.9 acre site. He noted that the current zoning for the site is Planned Unit Development, Multi-Use, with a density of 30 units per acre, and Summerhill proposes to amend the zoning designation for the site to allow a density of approximately 15.9 units per acre which substantially reduces the density.

Mr. Ebrahimi stated that last year, the City approved Summerhill's proposal to construct 177 new rental apartments on this site. He noted that while the apartment project remains approved, recent trends in the residential market provided Summerhill with the opportunity to develop for-sale townhome condos instead, which would be a better fit for Pleasanton while continuing to meet the City's need for high quality housing.

Mr. Ebrahimi continued that last year, Summerhill also worked extensively with the Parkside neighborhood residents to try to understand their concerns about the potential impact of the 177 apartment project and made a number of changes to the project to

address their concerns. He noted that Summerhill has incorporated and improved all of those modifications in this new project to honor all of the commitments it had previously made, such as reducing the maximum height of the project from four stories to three stories and tapered the units down to two stories at the edge of the site as a transition to both the southern and westerly neighborhood; increasing the building setback from the required 50 feet to 59 feet on the south side of the property, and from 52 feet to 59 feet on the western side of the property.

Mr. Ebrahimi then showed some slides illustrating the key elements of the project: buildings inspired by the Spanish Colonial architecture with a blend of warm colors and mix of plaster and brick surfaces and decorative details like exposed rafter tails, door trim and wrought iron railings; the main entry to the community at the corner of Hacienda Drive and West Las Positas Boulevard where there will be a pocket plaza for residents and guests; the pedestrian paseo and central courtyard with walking path, ornamental trees and flowers, picnic tables, shade trellises and barbecue grills; the open grass area and children's play area; and the landscaping design that provides a relaxing and functionally attractive, outdoor environment for the community.

Mr. Ebrahimi noted that as with the 177-unit apartment project, there will be a six-foot tall concrete wall at the southern edge of the property to help screen the Parkside neighborhood from noise and view. He further noted that the irrigation system and landscaping will meet the water-efficient landscaping standards, with the planting design that minimizes turf areas and primarily uses low water use and native plant species and ornamental plants that are adapted to the local climate. He added that because the project site will soon be serviced by recycled water, the landscape design uses plants that grow well with the recycled water system.

Mr. Ebrahimi stated that as earlier mentioned, the project includes ten inclusionary units, which is 10 percent of the total number of units, and the remainder would be paid into the City's Low-Income Housing Fund. He indicated that the proposed townhome-condominium community is a much improved project for the site and that Summerhill has received positive feedback from the community and staff.

George Bowen, representing the Parkside community, stated that the first date he came down here and spoke about this project was about 2 years ago, and with him were 50 to 100 concerned residents from the neighborhood; and over the course of that time, tonight there are just two of them, which is a sign that he is here tonight to express the support of the Parkside community for this project, and to express their appreciation for Summerhill Homes and James Paxson of Hacienda Park for their work in accommodating the neighborhood concerns in original plan for this property.

Mr. Bowen stated that when the 177-unit project in their backyard was first proposed, the neighborhood took a survey, and there was considerable concern among the neighbors about design features and the impact on their neighborhood. He noted that a number of members of the community emerged as representatives of the neighborhood and worked with the Summerhill folks, and they made a number of accommodations

that ultimately the neighborhood reached consensus that they were reasonable and met their concerns. He indicated that it was good news for them to hear that Summerhill had opted to revise its plans and go to a less dense owned project. He added that the Summerhill representatives were very proactive in meeting with them and again addressing their concerns, and the feedback from the 225 homes in the Parkside neighborhood was unanimous in support of this project.

Mr. Bowen thanked Summerhill for really building trust, for excellent communication, and for continuing the same design revisions made in the prior project that are relevant to this project. He stated that the Summerhill representatives did an excellent job in working with the neighbors, and they are just very pleased to be here tonight to express their support.

Commissioner Nagler asked Mr. Bowen, just out of curiosity, what the top two or three revisions made in the design of the project were important to the neighborhood.

Mr. Bowen replied that the number one revision was the reduction by 83 units, and the incredible job of having very few windows face the Parkside neighborhood which is a considerable effort on Summerhill's part to accommodate the community's concerns when those purchasing these homes would probably like to look out over the Arroyo. He added that there were also concerns of noise coming from the project, and Summerhill has addressed that with a soundwall and trees. He noted that the Parkside community has many two-story homes, and folks have enjoyed the ability to leave their windows open after work hours and feel some degree of privacy with their windows open.

James Paxson, General Manager of Hacienda Park, expressed Hacienda's support for the project. He stated that in some ways, he actually feels that Hacienda had a choice of two great opportunities and as much as they like the other project, Summerhill went back and used the same thoughtful approach to the site planning, working with the neighbors and coming up with another project Hacienda is pleased to support. He added that one of the other interesting things about this project too is that it is a product type in Hacienda that they would like to see more of: having a for-sale component along with the rental projects they have offers a really nice balance, and they are really particularly pleased to see that.

Mr. Paxson added that given all of the discussions that have happened with the various neighbors in the area with regard to the different type of design standards they would like to see on this parcel and the adjoining parcel, having this be consistent with the agreements that have been worked out is a terrific thing. He noted that Hacienda has performed its design review, and a copy of Hacienda's approval letter in the Commission's packet. He urged the Commission to support the project.

THE PUBLIC HEARING WAS CLOSED.

Chair Allen referred to the Regional Housing Needs Allocation (RHNA) chart on page 20 of the staff report and noted that this project originally came to the Commission because it was part of RHNA and was supporting some of the low-income capacity. She requested Ms. Soo to explain the implications of this project with respect to the City's RHNA numbers, especially for very-low- and low-income versus moderate versus above-moderate.

Ms. Soo replied that the 117-unit apartment included 27 affordable units, 6 of which were very-low-income units, 12 were low-income units, and 9 were moderate-income units. She indicated that the current project includes 10 low-income units for households with 80 percent of the annual median income. She added that the net in the very-low-income and low-income categories previously included a surplus of 163 units, which is now reduced to 155 units with the removal of the 18 units from the original Summerhill project and the addition of the 10 units from this current proposal.

Chair Allen referred to the last paragraph on page 20 of the staff report regarding the comment that *"vacant/underutilized sites with a density of 30 units per acre or greater are considered inventory for the construction of very-low- and low-income housing; permitted and approved sites with a density of 30 units per acre or greater are considered inventory for the construction of moderate-income housing; and lower-density single-family residential sites are considered inventory for the above-moderate-income category."* She requested clarification that when a site is first inventoried for 30 units or more but has not been approved, those would be considered as lower-income, but once they are approved such as was done for this project specifically, those units would be moved out of low-income into moderate-income or above-moderate-income, depending upon the category.

Ms. Soo said yes. She indicated that should this project be approved, the table will be revised or updated accordingly.

Commissioner Piper complemented the applicant for working so hard and so closely with the Parkside neighborhood and to come to such a wonderful agreement. She stated that, particularly after hearing Mr. Bowen's speech, it seems everybody is so happy, and this does not happen very often. She indicated that it is really neat to sit up there and hear that. She congratulated Summerhill, Parkside, and Mr. Paxson and stated that she excited for the project and really supports it.

Commissioner O'Connor agreed with Commissioner Piper. He stated that from a City perspective, he knows the City had more than it needed earlier and it was not really providing a lot of for-purchase properties that were lower in square footage and more affordable, and this project brings that to the City. He added that he also knows that when the City of Pleasanton lost the court battle over the housing cap, the City did not want to provide more than it had to, and this helps that and also brings that affordability in ownership as opposed to just rental property. He stated that he is very pleased to see what Summerhill has brought forward, something the City has not seen for a while.

Commissioner Nagler echoed what has been said. He stated that this is an example that it is possible to do a major development in a way that takes everyone's perspective into account and be responsive. He added that in the future, when the City get projects where there's significant disagreement, it will be appropriate for the Commission to push towards an agreement that is exemplified by what has been brought forward this evening.

Chair Allen echoed that as well, and as the Commission has always said, when developers and citizens come to the meeting, the role model is at the last meeting when, as Mr. Bowen said, there are one or two representatives from the homeowners who come out and support the project. She indicated that she is in full support of the project.

Commissioner O'Connor moved to:

- 1. find that the conditions described in California Environmental Quality Act (CEQA) Guidelines Section 15162 have not occurred as described in the Addendum to the Supplemental Environmental Impact Report (SEIR) and that the previously prepared SEIR, including the adopted CEQA Findings and Statement of Overriding Considerations, the Addendum to the SEIR, and the memo to the Addendum are adequate to serve as the environmental documentation for this project and satisfy all the requirements of CEQA;**
- 2. find that the proposed PUD Major Modification (P15-0170) to amend City Council Ordinance No. 2030 to modify the required minimum density of 30 dwelling units per acre to a density of 15.9 dwelling units per acre for the project site and, the PUD Development Plan (PUD-81-30-89D) for the construction of a 94-unit condominium development and related on-site improvements, are consistent with the General Plan;**
- 3. find that the proposed PID Major Modification (PUD-81-30-55M) to modify the Housing Site Development Standards and Design Guidelines to modify the minimum and maximum density from 30 dwelling units per acre for the project site to a density of 15.9 dwelling units per acre is consistent with the General Plan;**
- 4. find that the proposed amendment to the Development Agreement (P15-0169) is consistent with the General Plan;**
- 5. make the PUD findings for the proposed Development Plan (PUD-81-30-89D) as listed in the staff report;**
- 6. find that the exceptions to the Housing Site Development Standards and Design Guidelines, as listed in the staff report, are appropriate; and**
- 7. recommend approval of Cases P15-0170 (PUD Major Modification to amend City Council Ordinance No. 2030), PUD-81-30-89D (PUD Development Plan), PUD-81-30-55M (Major Modification to modify the Housing Site Development Standards and Design Guidelines), and P15-0169 (amendment to the Development Agreement) to the City Council.**

Commissioner Piper seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Allen, Nagler, O'Connor, and Piper.

NOES: None

ABSTAIN: None

RECUSED: Commissioner Balch

ABSENT: Commissioner Ritter

Resolution No. PC-2015-09 recommending approval of Case P15-0170 (PUD Major Modification to amend City Council Ordinance No. 2030), Resolution No. PC-2015-10 recommending approval of Case PUD-81-30-89D (PUD Development Plan), Resolution No. PC-2015-11 recommending approval of Case PUD-81-30-55M (Major Modification to modify the Housing Site Development Standards and Design Guidelines), and Resolution No. PC-2015-12 recommending approval of Case P15-0169 (amendment to the Development Agreement) were entered and adopted as motioned.



CITY COUNCIL AGENDA REPORT

June 16, 2015
Community Development Department

TITLE: P15-0170, PUD-81-30-55M, PUD-81-30-89D, AND P15-0169, SUMMERHILL HOUSING GROUP – CONSIDER THE FOLLOWING AT THE APPROXIMATELY 5.9-ACRE SITE LOCATED AT 5850 W. LAS POSITAS BOULEVARD: (1) INTRODUCTION OF AN ORDINANCE APPROVING A PLANNED UNIT DEVELOPMENT (PUD) MAJOR MODIFICATION TO CITY COUNCIL ORDINANCE NO. 2030 TO MODIFY THE MINIMUM DENSITY REQUIREMENT OF 30 DWELLING UNITS/ACRE TO A DENSITY OF 15.9 DWELLING UNITS/ACRE; (2) INTRODUCTION OF AN ORDINANCE APPROVING A PUD MAJOR MODIFICATION TO AMEND THE HOUSING SITE DEVELOPMENT STANDARDS AND DESIGN GUIDELINES TO MODIFY THE MINIMUM AND MAXIMUM DENSITY REQUIREMENT OF 30 DWELLING UNITS/ACRE TO A DENSITY OF 15.9 DWELLING UNITS/ACRE; (3) INTRODUCTION OF AN ORDINANCE APPROVING A PUD DEVELOPMENT PLAN TO CONSTRUCT 94 RESIDENTIAL CONDOMINIUM UNITS AND RELATED SITE IMPROVEMENTS; (4) INTRODUCTION OF AN ORDINANCE APPROVING A FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT; AND (5) A RESOLUTION APPROVING AN AFFORDABLE HOUSING AGREEMENT

APPLICANT: SHAC LAS POSITAS APARTMENTS LLC (SummerHill)

SUMMARY

The applications are for a residential development consisting of 94 condominium units and related parking, community areas and other related site improvements on a site located at 5850 West Las Positas Boulevard, east of Hopyard Road and north of Arroyo Mocho in Hacienda. Related land use entitlements include an Affordable Housing Agreement and an amendment to the Development Agreement.

HOUSING COMMISSION RECOMMENDATION

On April 16, 2015, the Housing Commission recommended approval of an Affordable Housing Agreement, as described in Attachment 4.

PLANNING COMMISSION RECOMMENDATION

On May 13, 2015, the Planning Commission made the appropriate findings and recommended approval of the applications subject to the conditions of approval in Attachment 1.

RECOMMENDATION

1. Find that the conditions described in the California Environmental Quality Act (CEQA) Guidelines Section 15162 have not occurred as described in the Addendum to the Housing Element Update and Climate Action Plan General Plan Amendment and Rezonings Supplemental Environmental Impact Report (SEIR) and find that the previously prepared SEIR and associated documentation, including the adopted CEQA Findings and Statement of Overriding Considerations, and the Addendum to the SEIR, and the memo to the Addendum are adequate to serve as the environmental documentation for this project and satisfy all the requirements of CEQA;
2. Find that the proposed PUD Development Plan and the amendment to the Development Agreement are consistent with the General Plan;
3. Make the PUD findings for the proposed Development Plan as stated in the May 13, 2015 Planning Commission staff report (pages 21-24 in Attachment 7);
4. Find that the exceptions to the Housing Site Development Standards and Design Guidelines as stated in the May 13, 2015 Planning Commission staff report (pages 12-13) are appropriate;
5. Adopt a resolution approving the Affordable Housing Agreement for the project (Attachment 4);
6. Introduce the draft ordinance approving the First Amendment to the Development Agreement for the project (Attachment 5);
7. Introduce the draft ordinance approving Case No. P15-0170, PUD Major Modification to City Council Ordinance No. 2030 to modify the minimum density requirement of 30 dwelling units/acre to a density of 15.9 dwelling units/acre (Attachment 2);
8. Introduce the draft ordinance approving Case No. PUD-81-30-55M, a PUD Major Modification to amend the Housing Site Development Standards and Design Guidelines for Site #9 to specifically change the minimum and maximum density from the required 30 dwelling units/acre to the proposed 15.9 dwelling units/acre for the 5.9-acre site (Attachment 3); and
9. Introduce the draft ordinance approving Case No. PUD-81-30-89D, PUD Development Plan for the construction of 94 condominium units and related on-site improvements, subject to the conditions of approval listed in Attachment 1.

FINANCIAL STATEMENT

The project would be expected to generate revenues to cover its costs of service. Increases in property tax would be used to provide services, such as police and fire services to the occupants of the dwelling units. The applicant will be required to pay

development impact fees (e.g., in-lieu park dedication fee, public facilities fee, traffic fees, water/sewer connection fees) that will be used to offset the cost of City facilities and infrastructure, necessitated by development.

BACKGROUND

In January 2012, the City Council approved the rezoning of nine sites throughout the City for high-density multifamily development in order to meet the City's Regional Housing Needs Allocation (RHNA) (Ordinance No. 2030). One of the approved sites, Site #9, is the CM Capital Properties site located at 5850 and 5758/5794 West Las Positas Boulevard. The zoning of Site #9 is Planned Unit Development – Mixed Use (PUD-MU) District. On September 4, 2012, the City Council adopted the Housing Site Development Standards and Design Guidelines (Standards and Guidelines) to guide development on the nine sites.

The CM Capital Properties site consists of two parcels: a 5.9-acre parcel located at 5850 West Las Positas Boulevard and a 6.7-acre parcel located at 5758/5794 West Las Positas Boulevard. These two parcels are not required to be developed together. In 2013, Summerhill Housing Group (Summerhill) purchased the 5.9-acre parcel.

In March 2014, the City Council reviewed and approved a PUD Development Plan from Summerhill for the development of a 177-unit apartment project on the 5.9-acre site located at 5850 West Las Positas Boulevard. On March 6, 2015, Summerhill submitted an application for a 94-unit condominium development and related on-site improvements. The Housing Commission reviewed the affordable housing component of the 94-unit condominium development proposal on April 16, 2015, and unanimously recommended approval to City Council. The Planning Commission reviewed the project on May 13, 2015 and also unanimously recommended approval.

The proposed 94-unit condominium development, if approved, will replace the previously approved 177-unit apartment project.

SITE DESCRIPTION

The subject site is located on the south side of West Las Positas Boulevard, across from Thomas Hart Middle School, within the Hacienda Business Park. The subject 5.9-acre site and the adjoining 6.7-acre site to the east are collectively referred as the 12.6-acre Site #9 of the Standards and Guidelines. Please see Figure 1, Project Aerial Location, on the following page.

Figure 1: Project Aerial Location



The project site is bordered by West Las Positas Boulevard on the north and Arroyo Mocho on the south. The site contains a one-story building, approximately 88,512 square feet in floor area. The building, which is currently vacant, was initially developed in 1984 for AT&T and later was occupied by clinical laboratories for SmithKline Beecham.

The site is generally flat. A bus stop and shelter served by Livermore Amador Valley Transit Authority (LAVTA) are located in front of the 5758/5794 West Las Positas Boulevard building to the east, and also across West Las Positas Boulevard at Hart Middle School.

PROJECT DESCRIPTION

The project consists of a series of related land use entitlements: PUD major modifications to the previously approved PUD Development Plan and Standards and Guidelines, PUD Development Plan, Affordable Housing Agreement, and amendment to the Development Agreement. These entitlements are summarized below and are described fully in the attached Planning Commission and Housing Commission staff reports (Attachments 7 and 8, respectively).

PUD Development Plan

The proposed development is summarized below. Please see attachment 6 for project details.

- **Density.** The project site has an approved minimum and maximum density of 30 dwelling units/acre in the Standards and Guidelines. The applicant is requesting to modify the minimum and maximum density to 15.9 dwelling units/acre in order to accommodate the proposed 94-unit residential development. In February 2015, the City Council approved a density reduction for the 6.7-acre parcel located to the east of the site at 5758/5794 West Las Positas Boulevard from the approved minimum and maximum density of 30 dwelling units/acre to a maximum density of 12.5 dwelling units/acre. Staff finds that the request for a density reduction on the project site to 15.9 dwelling units/acre is similar to what the City Council has approved for the adjoining parcel to the east. With the approval of the density reduction request, both parcels, when developed with residential units, would have compatible densities.
- **Site Layout.** The project contains 16 buildings that are organized to provide a nearly continuous street frontage along West Las Positas Boulevard and to incorporate small open spaces, including an oval-shaped open green area, tot lot, and paseo. Lower-scale, two-story buildings are generally situated along the southern and western boundaries of the site in order to reduce the perceived mass of the project. In addition, buildings on the east, south, and west sides of the project site would be set back behind fire lanes, which would also create a buffer between the project and adjacent land uses.
- **Setbacks.** The buildings would have the following minimum setbacks:

Front Yard (W. Las Positas Blvd.)	33 feet
Side Yard:	
West Side:	60 feet to property line
East Side:	17 feet to the face of curb
Rear Yard (Arroyo Mocho)	59 feet

- **Building Height.** The two-story portions of the proposed building would be 29'-1" in height. The three-story portions of the building would range from 40'-88" to 40-11" feet in height.
- **Unit Sizes.** The following table shows the project unit size breakdown:

Unit Type	No. of Units	Unit Size
Two-bedrooms	10	1,214 sq. ft.
Three-bedrooms	70	1,500 sq. ft. – 1,836 sq. ft.
Four-bedrooms	14	2,053 sq. ft.

The proposed development would provide a total of 286 bedrooms.

- **Open Space and Amenities.** The project includes several active and passive recreation areas and amenities. Specifically, the development would provide a children's play area with play equipment in the middle of a U shape formed by Buildings 11-13, a common open green area between Buildings 14 and 15, and a paseo area linking Buildings 4 through 8. The proposal would provide private open space areas in the form of patios or balconies for eight-two (82) of the ninety-four (94) units. The private open space areas range from 53 sq. ft. to 114 sq. ft. in area.
- **Vehicular Access.** Vehicular access to the complex would be maintained from the existing West Las Positas Boulevard driveways with right-in/right-out movements permitted at the western driveway and a signalized eastern driveway at the intersection of West Las Positas Boulevard and Hacienda Drive. Improvements at West Las Positas Boulevard and Hacienda Drive are proposed as part of the development. The northbound Hacienda Drive approach would be modified to provide one left-turn lane and one shared through/right-turn lane. The southbound Hacienda Drive approach would be modified to include one left-turn lane, one through lane and one right-turn lane. No changes would occur to existing transit infrastructure in the vicinity of the project site.
- **Pedestrian Access.** A pedestrian pathway would link residential buildings with the passive and active recreational uses on the site. Pedestrian access to the residential units would be directly from streets to the front doors. No pedestrian access would be provided to the arroyo trail to the south, primarily because such a feature in the previous project was not approved by City Council due to neighbor concerns.
- **Building Design.** The buildings feature a Spanish-influenced architectural style. The materials that are proposed include stucco exterior finish, brick veneer, wood-like trim for the windows, tile roof, and wrought iron patio and balcony railings. Building walls would be alternately recessed and projected to provide variation in the wall plane and break up the building mass. Building walls vary in materials (stucco and brick veneer) and colors (shades of off-white, taupe, and dark brown) to provide variety and interest. The roof color would be a blend of brown and terra cotta.
- **Parking.** A total of 246 parking spaces for residents and guests would be provided, comprising 188 spaces in the garages and 58 surface parking spaces, including three wheelchair accessible parking spaces.
- **Tree Removal.** A total of 103 existing trees were identified on the subject property, including 27 heritage-sized trees as defined in the Municipal Code. The heritage-sized trees consist of 13 evergreen ash, six red ironbark eucalyptus, seven callery pear, and one cork oak tree. As proposed, seven heritage-sized trees would be removed. The existing trees located along the west and south

property lines would be preserved. Overall, the proposed development would remove 62 existing trees.

- **Landscaping.** Preliminary landscape plans have been provided for the proposed development. The plan includes a six-foot precast concrete wall with grapestake textured finish along the southern property line. Climbing vines and evergreen screen trees would be planted on the north side (project side) of the wall. A variety of trees, shrubs, and groundcover are proposed throughout the project.
- **Vesting Tentative Map.** The applicant intends to subdivide the 5.9-acre site into a total of 18 parcels: 16 parcels for 16 buildings, Lot A for the proposed tot lot, and Lot B for the remaining areas (streets, alleys, common areas, landscaping, etc.). The Vesting Tentative Map will be subject to Planning Commission review and approval following action on the proposed PUD Development Plan.

Exceptions Requested by Applicant

As described on pages 12-13 of the attached Planning Commission staff report, the applicant is requesting four exceptions to the Standards: 1) Front Yard Setback for Buildings 9 and 16; 2) Building Orientation for Building 12; 3) Building Separation for Buildings 4 through 7; and 4) Planter Strips at Buildings 9 and Building 16. Staff and the Planning Commission support the requested exceptions because they would not compromise the design quality of the proposed project.

Affordable Housing Agreement

The Housing Commission, at its April 16, 2015, meeting, reviewed affordable housing options to identify an Affordable Housing Agreement (AHA) for the project. The Housing Commission unanimously recommended the approval of the AHA to the City Council.

The Inclusionary Zoning Ordinance (IZO) requires all new multi-family residential projects of 15 units or more to provide at least 15 percent of the project's dwelling units at prices that are affordable to very low, low, and/or moderate income households. The proposed development of 94 multi-family units would require 14 affordable units. For this development, the applicant offered and staff accepted that the percentage of affordability would be based on the 20% requirement set forth in the IZO for a single-family residential project. As agreed between the applicant and staff, the applicant will provide 10 units and pay the City's Lower Income Housing Fee (LIHF), for a total fee of \$122,452, to fulfill the IZO requirements.

Amendment to the Development Agreement.

In March 2014, the City Council approved a 10-year term Development Agreement for the previously-proposed 177-unit apartment project. The terms of the Development Agreement would expire in 10 years. The applicant requests an amendment to the previously approved Development Agreement to reflect the current proposal. The amendment to the previously approved Development Agreement is attached as Attachment 5.

Growth Management

In March 2014, the City Council approved a Growth Management Agreement for the previous 177-unit apartment development. As stated in Section 17.36.100 of the Pleasanton Municipal Code, a modified project that has already been granted allocations can retain those older allocations. Therefore, no new growth management allocation is needed for the current proposal.

HOUSING COMMISSION ACTION

At its April 16, 2015, meeting, the Housing Commission approved the agreement described above. The Housing Commission Agenda Report and draft minutes of the Housing Commission meeting are included in Attachment 8.

PLANNING COMMISSION ACTION

The Planning Commission held a public hearing on May 13, 2015, to review the proposed project. Detailed information on this meeting is provided in Attachment 7, draft excerpts of the Planning Commission minutes. At the hearing George Bowen, representing the Parkside community, spoke in support of the proposed project. James Paxson, Hacienda General Manager, also spoke in favor of the project. After receiving public testimony, the Commission unanimously voted to recommend the project to the City Council.

DISCUSSION

With the implementation of conditions of approval, staff is satisfied with the site design, density, housing product, building design, and open space/amenities. The attached Planning Commission staff report presents a more thorough discussion of the project, including: General Plan conformity, zoning and uses, conformity with the Standards and Guidelines, site plan, traffic and circulation, parking, noise, grading and drainage, building design, Green Building, Climate Action Plan, school impacts, landscaping, tree removal, and affordable housing.

PUD FINDINGS

Please refer to the attached Planning Commission staff report, pages 21-24 for a discussion of the considerations needed to approve the proposed PUD Development Plan.

PUBLIC NOTICE

Notices regarding the public hearing were mailed to the surrounding property owners and tenants within a 1,000-foot radius of the project site. At the time this report was prepared staff had not received any comments or concerns.

ENVIRONMENTAL ASSESSMENT

On January 4, 2012, the City Council certified a SEIR and adopted the CEQA Findings and a Statement of Overriding Considerations for the Housing Element Update and Climate Action Plan General Plan Amendment and Rezonings. This SEIR was a supplement to the EIR prepared for the Pleasanton 2005-2025 General Plan, which was

certified in July 2009. The subject property was one of 21 potential housing sites analyzed in the SEIR. CEQA requires that a lead agency shall prepare an Addendum to a previously certified EIR if only minor changes or additions are required to reflect the evaluation of a changed project. After certification of the SEIR, the City prepared an Addendum (2014 Addendum) to the SEIR analyzing the effects of development of 177 multi-family housing units on the project site.

A memo was prepared by FirstCarbon Solutions (attached as Attachment 9) to evaluate the currently proposed project. The memo, which is considered a second Addendum to the SEIR, concluded that potential environmental impacts from the current project would be substantially similar to or reduced as compared to those disclosed in the 2014 Addendum. As such, with the implementation of mitigation identified in the 2014 Addendum and discussed therein, the current project would not result in any impacts beyond those considered in the Supplemental EIR. Therefore, the 2014 Addendum, in combination with this memo, satisfies the requirements of CEQA for the current project and no further environmental analysis is warranted.

The SEIR included a Statement of Overriding Considerations for two significant and unavoidable impacts: development that would result from the General Plan Amendment and rezonings could potentially add traffic to two regional roadway segments such that they would operate unacceptably under Cumulative Plus Project conditions; and development that would result from the General Plan Amendment and rezonings has the potential to adversely change the significance of historic resources (staff notes that the subject site was not one of the housing sites that contained older structures that may be historic). The Council needs to make the same Statement of Overriding Considerations for this project.

CONCLUSION

Staff's analysis concludes that the project is consistent with the Housing Site Development Standards and Design Guidelines, with the exceptions referred to in this report, and is consistent with City policies for creating higher-density housing near transportation corridors. Staff believes that the proposed site plan and positioning of the buildings are appropriate for the subject property. The applicant has included an adequate amount of usable open space and landscaped areas within the project given the site constraints. Staff finds the building design to be attractive and that the architectural style, finish colors, and materials will complement the surrounding neighborhood. The project also would provide affordable ownership housing which would help the City meet its housing goals.

Submitted by:

Fiscal Review:

Approved by:

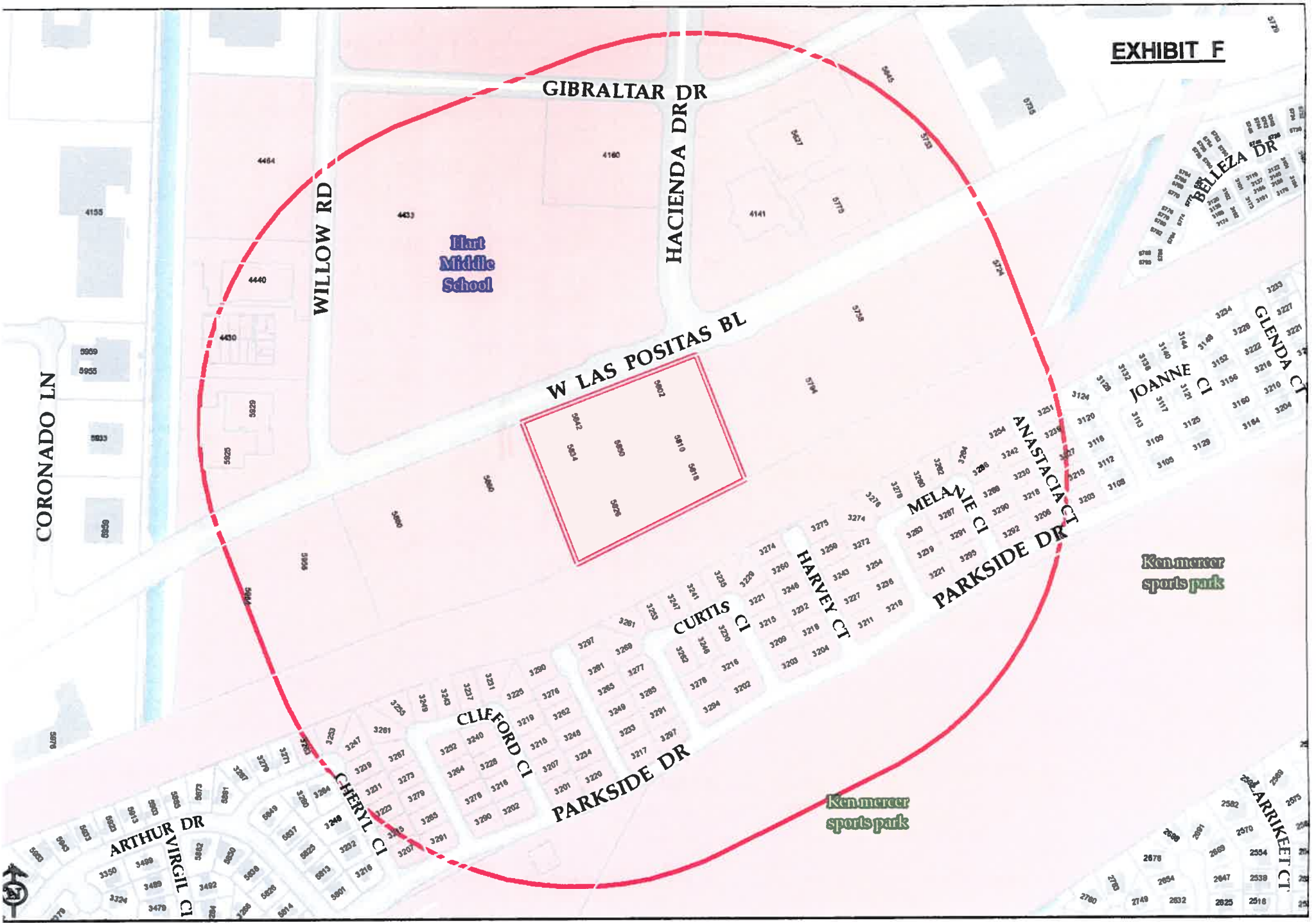
Steve Kirkpatrick
Acting Director of Community
Development

Tina Olson
Director of Finance

Nelson Fialho
City Manager

Attachments:

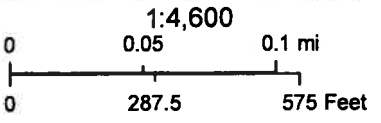
1. Draft City Council Ordinance for PUD-81-30-89D with Exhibit A, Recommended Conditions of Approval
2. Draft City Council Ordinance for P15-0170 amending City Council Ordinance No. 2030.
3. Draft City Council Ordinance for PUD-81-30-55M to modify the density of the project site.
4. Draft City Council Resolution approving the Affordable Housing Agreement
5. Draft City Council Ordinance approving the First Amendment to the Development Agreement
6. The Proposal Development Plans
The following items are available upon request:
 - *Air Quality and Greenhouse Gas Review and Update*
 - *Tree Report and Update*
 - *Noise Analysis and Update*
 - *Traffic Impact Analysis*
 - *Green Point Checklist*
7. May 13, 2015 Planning Commission Meeting Report (without attachments), Draft excerpts of the May 13, 2015 Planning Commission meeting minutes
8. April 16, 2015 Housing Commission Staff Report (without attachments) and draft minutes
9. CEQA Addendum Substantial Conformity Letter
10. Hacienda Owners Association Approval Letter
11. Location and public noticing map



Hart Middle School

Ken mercer sports park

Ken mercer sports park



Tract 8246, Summerhill Homes, 5850 W Las Positas Blvd.