



Planning Commission Staff Report

June 24, 2015

Item 6.a.

- SUBJECT:** PUD-25
- APPLICANT:** Greenbriar Homes Communities, Lund Ranch II
- PROPERTY OWNER:** Greenbriar Homes Communities
- PURPOSE:** Consider the following and provide a recommendation to the City Council to:
1. Certify the Final Environmental Impact Report for the Lund Ranch II Planned Unit Development;
 2. Approve the Planned Unit Development (PUD) Rezoning from the PUD-LDR/OS (Planned Unit Development – Low Density Residential/Open Space) District to the PUD-LDR/RDR/OS-PHSWO (Planned Unit Development – Low Density Residential/Rural Density Residential/Open Space-Public Health and Safety) District; and Development Plan to construct 50 single-family, two-story homes and related improvements on the approximately 194.7-acre Lund Ranch II property;
 3. Approve the Development Agreement to vest entitlements for the project.
- GENERAL PLAN:** Low Density Residential (< 2.0 dwelling units per acre), Rural Density Residential (1 dwelling unit per 5 acres), and Open Space – Public Health and Safety
- CURRENT ZONING:** PUD – LDR/OS (Planned Unit Development – Low Density Residential/Open Space) District
- LOCATION:** 1500 Lund Ranch Road at the end of Lund Ranch Road

EXHIBITS:

- A. [Draft Conditions of Approval](#)
- B. [Development Agreement for Lund Ranch Site](#)
- C. [Summaries of Project History and Environmental Impact Report \(EIR\) Process](#)
- D. [Proposed PUD Development Plan dated "Received February 27, 2012"](#)
- E. [Lund Ranch II Final Environmental Impact Report](#), including the [Revised Draft Environmental Impact Report, dated July 14, 2014](#), and [Response To Comments, dated January 12, 2015](#) (previously distributed)
- F. [CEQA Findings of Fact for the Lund Ranch II Project \(PUD-25\) and Mitigation Monitoring and Reporting Program](#)
- G. [Staff Memo on Hillside Ordinances and Related Definitions, dated April 16, 2015](#)
- H. [Visual Simulation Illustrating Building Pad vs. Roofline Setback](#)
- I. [Staff Memo on Supplemental Information about Drought and Growth Management, dated June 19, 2015](#)
- J. [Excerpt of the August 27, 2014 Planning Commission Meeting Minutes on the Revised Draft EIR](#) (Audio available at <http://www.cityofpleasantonca.gov/downloads/planning/8-27-2014a.mp3>)
- K. [Excerpt of the February 25, 2015 Planning Commission Work Session Minutes on the PUD Rezoning and Development Plan](#) (Audio available at <http://www.cityofpleasantonca.gov/downloads/planning/2-25-2015.mp3>)
- L. [Excerpt of the March 13, 2013 Planning Commission Meeting Minutes on the Ridgeline and Hillside Protection and Preservation Ordinance](#) (Audio available at <http://www.cityofpleasantonca.gov/downloads/planning/3-13-2013.mp3>)
- M. [Excerpt of the November 27, 2012 Special City Council Meeting Minutes](#) (Audio available at <http://www.cityofpleasantonca.gov/gov/council/granicus.asp>)
- N. [Letter of Understanding between the Ventana Hills Steering Committee and Shapell Industries of Northern California, dated April 19, 1991](#)
- O. [Ordinance 1509 for PUD-90-18 \(Bonde Development\), dated April 16, 1991](#)
- P. [Ordinance 1791 for PUD-97-12 \(Sycamore Heights Development\), dated October 26, 1999](#)
- Q. [Chapter 18.76 of the Pleasanton Municipal Code, HPD \(Hillside Planned Residential\) District](#)
- R. [Bridle Creek Declaration of Restrictions \(CC&Rs\) and Declaration of Covenants, Conditions, and Restrictions of Sycamore Heights](#)
- S. [Location and Public Notification Area Map](#)
- T. [Public Comments](#)

I. PROJECT SITE AND SURROUNDINGS

The following section describes relevant information regarding the project site and its General Plan land use designations, surrounding land uses, and the project location.

Pleasanton General Plan

The Pleasanton General Plan designates the Lund Ranch II property for Low Density Residential (< 2.0 dwelling units per acre) on 58.4 acres equaling 116 units, Rural Density Residential (1 dwelling unit per 5 acres) on 123 acres equaling 24 units, and Open Space–Public Health and Safety with a Wildlands Overlay on 13.3 acres, which equals 0 units. Based on these land use designations and acreages, the Lund Ranch property would have a maximum density of approximately 140 units and a total midpoint density of approximately 82 units; 58 units for the Low Density Residential and 24 units for the Rural Density Residential areas of the property. The proposed density for the overall Lund Ranch development is 0.26 dwelling units per acre (50 units/194.7 acres)

Subject Property

The Lund Ranch II property consists of one parcel of approximately 194.7 acres in area. The Lund Ranch II property was an operating cattle ranch with several buildings including a vacant farmhouse, barn, corrals, and sheds. All existing structures would be removed with the development of the proposed project.

The Lund Ranch II property comprises relatively flat areas and rolling hills, swales, and ravines with areas of steep slopes. Several ridges, ridgelines, and knolls are within the northern and southerly portions of the site, primarily aligned in an east to west direction. The ridgelines of the property cross over the property lines onto the adjoining Lin, Spotorno, and Foley properties. The flatter areas of the site, below a 25-percent slope, are located at the northwesterly portion of the site near the property's entrance from Lund Ranch Road.

A series of ephemeral streams drain the Lund Ranch II property into a sloped channel that then empties into Sycamore Creek on the adjacent Sycamore Heights development to the west. There are approximately 1,700 existing trees on the property including approximately 1,400 Valley Oak trees and Blue Oak trees and a variety of orchard/ornamental trees, such as palm trees, California Black and English Walnut trees, and olive trees. Construction of the proposed project would result in the removal of a total of 146 existing trees, including 80 Heritage-size trees.

Surrounding Land Uses

Surrounding land use/developments and their General Plan designations are described in Table 1, below.

Table 1: Surrounding Land Uses or Developments

Direction	Land Use/Development	General Plan Designation
North	Kottinger Ranch development: Single-Family Homes on 13,600+ sq.ft. lots and open space	Rural Density Residential (1 du/5 ac, Low Density Residential (< 2 du/ac), and Medium Density Residential (2 to 8 du/ac)
East	Foley property: Cattle grazing	Rural Density Residential (1 du/5 ac, Agriculture and grazing with Wildland Overlay, and Urban Growth Boundary Line
South	Spotorno property: Cattle and sheep grazing	Happy Valley Specific Plan: 1 du/2 ac or 1 du/1.5 ac in conjunction with major open space land or an agriculture/open space easement dedication, Medium Density Residential (2 to 8 du/ac), and Urban Growth Boundary Line
West	Bonde Ranch development: Single-Family Homes on 8,000+ sq. ft. lots and open space.	Low Density Residential (< 2 du/ac) and Open Space-Parks and Recreation
	Ventana Hills development: Single-Family Homes on 8,000+ sq. ft. lots.	Low Density Residential (< 2 du/ac) and Open Space-Parks and Recreation
	Sycamore Heights development: Single-Family Homes on 15,000+ sq. ft. lots.	North Sycamore Specific Plan: Low Density Residential (< 2 du/ac)

Project Location

The Lund Ranch II property is presently accessed from Lund Ranch Road. Figure 1, below, is an aerial view of the Lund Ranch II property and surrounding uses and developments.

Figure 1: Aerial View of the Lund Ranch Property and Surrounding Land Uses



II. PROJECT HISTORY

The PUD Development Plan that is the subject of this report is an iteration of a project that was initially proposed in September 2002. That initial project was substantially modified in subsequent years to respond to public and decision-maker comments on environmental issues, along with the City's General Plan Update and Measures PP and QQ. The September 2002 application proposed 113 single-family residential units on approximately 12,000-square-foot lots. At the EIR Scoping Session for that project in September 2003, the Planning Commission expressed concern about the project's

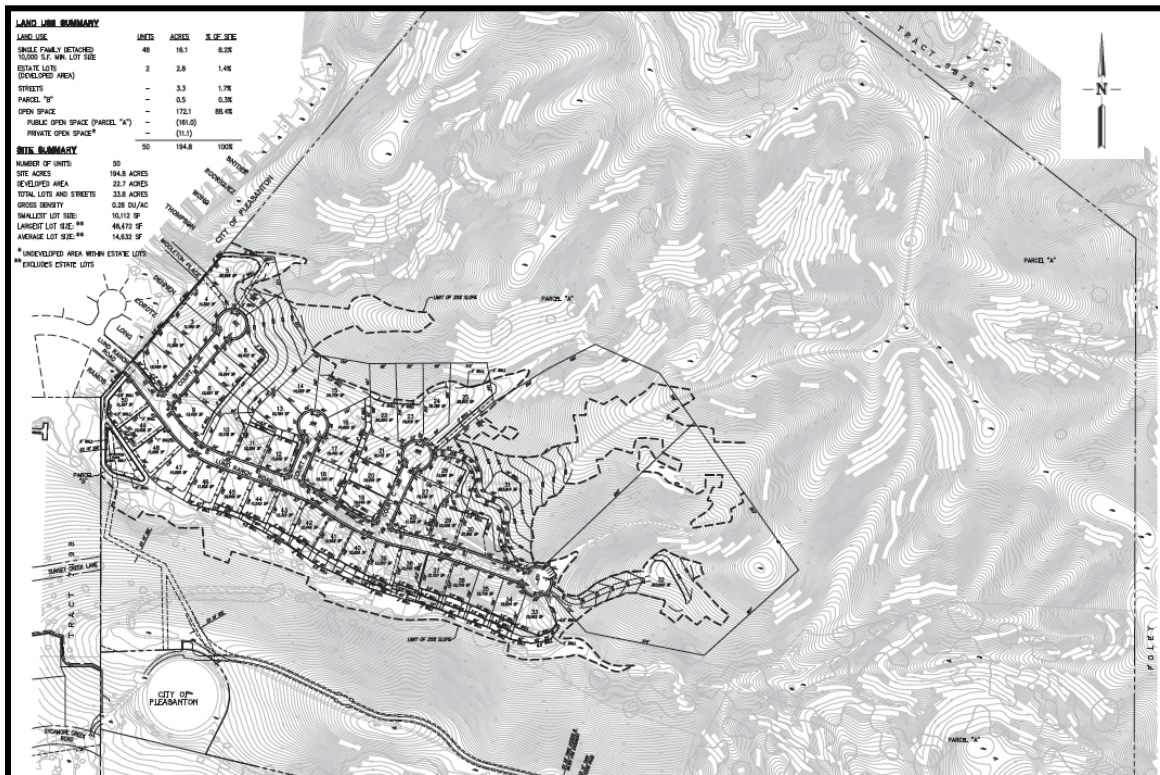
effects on hillsides/ridgelines, grading, trees, and consistency with applicable City policies, among other issues.

The applicant considered these comments and in April 2007 submitted a second application that included three alternatives: (1) 149 units on 3,000- to 40,000-square-foot lots; (2) 107 units on 17,000- to 60,000-square-foot lots; and (3) 82 units on 14,000- to 60,000-square-foot lots. These alternatives also included approximately 124 to 130 acres of open space that would be dedicated to the City. Access would be provided via public street connections to Livingston Way (Bonde Ranch development) and Sunset Creek Lane and Sycamore Creek Way (Sycamore Heights). However, the EIR for these alternatives was never completed; the project was further delayed by the General Plan Update and the initiatives for Measures PP and QQ. In 2008, the applicant submitted a third application, a revised PUD Development Plan with 77 residential units, but that plan was rejected by staff because it was deemed inconsistent with Measure PP. Staff continued to work with the applicant on refining the project to meet the requirements of Measures PP and QQ, resulting in submittal of the current application.

III. PROJECT DESCRIPTION

Figure 2, below, is a copy of the focused site Development Plan for the proposed development of the Lund Ranch II property.

Figure 2: Focused Site Development Plan for PUD-25



Site Design

Greenbriar Homes is requesting approval of a PUD Development Plan, which would allow for the construction of 48 production lots, varying in area from 10,506 square feet (0.24 ac) for Lot 49 to 48,472 square feet (1.11 acres) for Lot 6, and two estate lots for custom homes varying in area from 283,814 square feet (6.52 acres) to 323,992 square feet (7.44 acres). The average lot size for all 50 lots would be approximately 14,632 square feet (0.34 ac). The developed portion of the project site would be located on approximately 33.8 acres.

The remaining 160.9 acres of the Lund Ranch II property would be preserved as natural terrain designated as permanent open space containing the proposed development's wildland fire management areas, public trails, and the existing City water tank and water tank access roads. A bio-retention pond is proposed along the rear property lines of Lots 48 through 50 to treat the development's stormwater runoff before entering the City's storm drain system.

All proposed lots will be accessed from public streets. The applicant would extend Lund Ranch Road approximately 1,500 feet into the property to end at a cul-de-sac. Three courts ending in cul-de-sacs would then extend into the developable areas of the site. All streets and courts are double-loaded with lots on both sides of the street and court. No public street connections are proposed with this Development Plan to Livingston Way in the Bonde Ranch development or to Sunset Creek Lane in the Sycamore Heights/Bridal Creek developments.

Grading Design/Urban Stormwater Runoff

All proposed lots are flat pad lots. Grading for the two custom lots will be addressed with the design guidelines prepared for these lots. Grade differences between lots would be designed with a combination of single or multiple retaining walls and/or slope banks. A combination of single and multiple retaining walls and slope banks would transition the rear property lines of lots to the existing creek and to the surrounding hillsides.

The proposed retaining walls would vary in height from 3 feet to 6.5 feet. Multiple retaining walls would be designed as stepped retaining walls separated by a distance varying from 10 feet to 40 feet that would allow for planting in these stepped areas to soften and/or screen the retaining wall from view. The applicant has not identified the material that would be used to construct the retaining walls.

All grading will be primarily done to a 3:1 slope bank and will also feature varied slopes to integrate the proposed development with the surrounding terrain. The proposed lots and public streets would be designed to drain to the bio-detention pond shown on the site plan to pretreat the runoff before its entry into the City's storm drain system. In addition to the bio-retention pond, each lot would also be graded and constructed with a bio-retention swale to filter each lot's storm water and landscape water runoff before it enters the bio-retention pond.

House Design

Three house plans are proposed. Plan One – 4,123 square feet, one- and two stories in height, with a one-car side-entry and a two-car front-entry garage; Plan Two – 4,280 square feet, two stories in height, with a one-car side-entry and a two-car front-entry garage; and Plan Three – 4,501 square feet, two stories in height, with a one-car side-entry and a two-car front-entry garage.

Each building plan includes three exterior finishes with varied material and color palettes including a combination of light- to dark-tone gray, beige, and brown body and trim colors, beige and gray flat concrete tile roofs, and beige and gray stone and red brick wainscots. The lot-specific house, site, and landscape designs for the two custom lots will be covered by design guidelines.

IV. ENVIRONMENTAL IMPACT REPORT

California Environmental Quality Act (CEQA) review for the proposed project is addressed with the preparation of a Final EIR. The Final EIR is an information document only; it does not provide an opinion on the approval or rejection of the project. Its purpose is to meet CEQA requirements by disclosing the environmental impacts of the project such that the Planning Commission and the City Council can make an informed decision about the project.

The Final EIR consists of the Response to Comments and the previously completed Revised DEIR. The Revised DEIR discussed the environmental effects of the proposed project related to aesthetics; air quality; biological resources; cultural resources (including archeological and historical resources); energy; geology and soils; greenhouse gas emissions; hazards and hazardous materials; hydrology and water quality; land use, plans, and policies; noise; public services; and traffic and circulation. Impacts, their significance, and the feasible measures necessary to mitigate each significant impact to a less-than-significant level are identified. The Revised DEIR includes an analysis of alternatives, including the environmentally preferred alternative, no-project alternative, and eight access alternatives; and impacts found not to be significant; significant but unavoidable impacts; growth inducing impacts; and cumulative impacts.

The analysis in the Final EIR indicates that the project would not result in any significant unavoidable environmental impacts, meaning that all impacts would be reduced to a less-than-significant level with implementation of the mitigation measures in the Final EIR. Significant but mitigable impacts would occur in the following areas:

- Biological Resources. The project would result in the loss of oak/woodland savanna habitat and a fraction of an acre of drainages and wetlands, trees, and habitat and nesting sites for protected animal species. These impacts would be mitigated primarily through the preparation and implementation of an Oak Woodland Restoration and Management Plan, standard tree protection and

replacement measures, species identification and protection measures, and habitat enhancement activities.

- *Geology and Soils/Hydrology and Water Quality*. Impacts would include those associated with steep/unstable slopes, earthquakes, soils, and contamination of surface water. Mitigation measures would include the implementation of best engineering practices on the site as detailed in a project geotechnical report, and implementation of a water protection program geared towards homeowners.
- *Traffic and Circulation*. The project would make a significant contribution to traffic levels at the I-680/Sunol Boulevard interchange, which would be mitigated through signalization of the Northbound and Southbound ramp intersections.
- *Noise, Air Quality, and Energy Conservation*. The project would generate temporarily increased levels of noise and air pollution during the construction period, operational vehicle traffic would increase noise levels on a segment of Lund Ranch Road, and project construction and operation activities would result in energy use. Mitigation would include compliance with construction-period noise and air pollution control measures, the identification of truck routes to minimize disturbance to nearby residents, the implementation of noise control measures on Lund Ranch Road, and the incorporation of energy conservation features into proposed buildings.
- *Cultural Resources*. Significant cultural resources impacts would include effects to previously-unidentified archaeological resources on the site and removal of the existing ranch complex and its associated landscape. These impacts would be mitigated with the implementation of standard archaeological resources evaluation and protection measures, and documentation of the existing ranch complex.
- *Hazards and Hazardous Materials*. Soil disturbance, demolition of structures at the site, and use of commercially-available household materials could result in the release of hazardous materials, and the project could increase fire risks at the site. These impacts would be mitigated through measures such as the implementation of a contingency plan for unidentified hazardous materials and a Fire Prevention Plan.

The CEQA Findings required to be made prior to project approval and the Mitigation Monitoring and Reporting Program (MMRP), which is intended to ensure implementation of the Mitigation Measures in the Revised Draft EIR, are included as Exhibit F.

V. OTHER PROJECT APPROVALS

The City Council will also be asked to consider approval of a Development Agreement, a Growth Management Agreement, and an Affordable Housing Agreement. A brief description of these three Agreements is provided below for the Commission's information. Of these additional approvals, the Planning Commission must make a recommendation on the Development Agreement only.

Development Agreement

City staff and the applicant have negotiated a proposed Development Agreement between the parties. Major substantive provisions of the Agreement are as follows: The applicant would receive the right to develop the project as approved for up to ten years and will be subject to the fees in effect at the time of approval. The City would receive the ability to use required parkland fees in locations that may be outside the immediate area of the project and would also receive assurance that if the project is challenged successfully in court or by a referendum, the Development Agreement is null and void. The agreement also summarizes the proposed Growth Management allocation, the dedication of approximately 161 acres that is part of the PUD and the terms of the Affordable Housing Agreement.

Growth Management Allocation

The project would require a Growth Management allocation for 50 units in the July 2015-July 2016 allocation year. All 235 units available for this year are yet to be allocated.

Affordable Housing Agreement

Due to the nature of the proposed development, it was considered to be impractical and an inefficient use of resources to require affordable housing units to be constructed within the project. The proposed Affordable Housing Agreement requires the developer to pay the City's Lower-Income Housing Fee in the amount of \$11, 228.00 for each housing unit included in the project. If all 50 units are approved, this payment would generate \$561,400 for the Lower-Income Housing Fund. The developer would also be required to pay an additional in lieu-affordable housing payment of \$23,101 for each unit, to be used by the City at its discretion. If all 50 units were approved, this payment would generate an additional \$1,155,050. The two fees combined total \$34,329 per unit approved, which equals the amount supported by the Nexus Based Affordable Housing Fee Analysis prepared for the City by Economic Planning Systems in 2013. On May 21, 2015, the Housing Commission voted 3-0 to recommend approval of this Agreement to the City Council.

VI. KEY PROJECT ISSUES

Measure PP Questions

Measure PP

In November 2008, Pleasanton voters passed Measure PP and Measure QQ. The introduction to Measure PP states: “The purpose of this Initiative is to protect our city from uncontrolled growth and the impact it has on ridgelines and hillsides, traffic, schools, water supply, and our overall quality of life.” Measure PP states in part that: “No grading to construct residential or commercial structures shall occur on hillside slopes 25 percent or greater, or within 100 vertical feet of a ridgeline.” Measure QQ reaffirmed the policies of Measure PP with policies involving the re-adoption of the policies and programs of the 1996 Pleasanton General Plan to: (1) preserve hillside and ridge views of the Pleasanton, Main, and Southeast Hills; (2) study the feasibility of preserving large open-space areas in the Southeast Hills; and, (3) protect large contiguous areas of open space.

Applying Measure PP to the Lund Ranch II Development

The interpretation and application of Measure PP to the Lund Ranch II development requires interpretation by the City of Pleasanton, since Measure PP lacks definitions of key terms used in the preparation and review of hillside developments and is subject to a variety of possible interpretations.

Figure 3, below, is the Slope Map from Exhibit D (Sheet 4 of 6) that shows the slope grades and ridgelines for the Lund Ranch II property with the Measure PP Development Limit line.

Figure 3: Slope/Ridgeline Map with the Measure PP Development Limit Line



While staff is confident that it has made an objective interpretation and application of Measure PP to the Lund Ranch II property, the ultimate discretionary authority to interpret Measure PP lies with the City Council. There are four primary areas pertaining to the interpretation of Measure PP:

1. Measuring slope
2. Identifying ridges and their end-points
3. Implementing the 100-vertical-foot restriction from ridgelines
4. Defining roads as/as not structures
5. Including or excluding artificial slopes graded prior to Measure PP from the 25-percent slope calculation

The interpretation of these areas relative to the Lund Ranch II property would affect its site design, number of lots, and potential street connections to Lund Ranch Road, Sunset Creek Lane, and Middleton Place.

1. Measuring Slope

Staff defined slope as the ratio of rise (height) over run (distance). A 25-percent slope¹ is the ratio of 1 unit of height over 4 units of distance, i.e., 25 percent. Staff also defines the 25-percent slope as a nominal value and not as an average value, since an average value would enable development to be located on hillsides greater than a 25-percent slope.

2. Identifying Ridges and Their End-Points

Identifying what constitutes a ridge is an important part of interpreting Measure PP. While the Municipal Code provides a broad definition², that definition is subject to different interpretations and does not distinguish between other landforms such as hills, knolls, bluffs, etc. that we find in Pleasanton's landscape. The definition also does not distinguish between major or minor ridges or small ridge-like landforms that are inconsequential relative to the stated purposes of Measure PP. Staff has identified the ridges on and surrounding the Lund Ranch property, as shown on the Slope Map prepared by RJA Engineers Planners Surveyors, dated September 15, 2011, in Exhibit D, using our best judgment applying the definition in the Municipal Code while considering the purposes of Measure PP. Also important to the application of Measure PP is determining where a ridgeline ends. This is important if you have identified a ridgeline that runs perpendicular to a proposed development area as opposed to parallel to the area. If the end of the ridgelines are not determined, then the ridge

¹ A 25- percent slope is equal to a 14-degree angle.

² A "ridge" and "ridgeline" are the topographic high points of property connected by a continuous line flanked on both sides by relatively steep slopes. For the purpose of applying Measure PP to hillside properties, staff ended the ridgeline at the peaks and similar highpoints on the Lund Ranch II property.

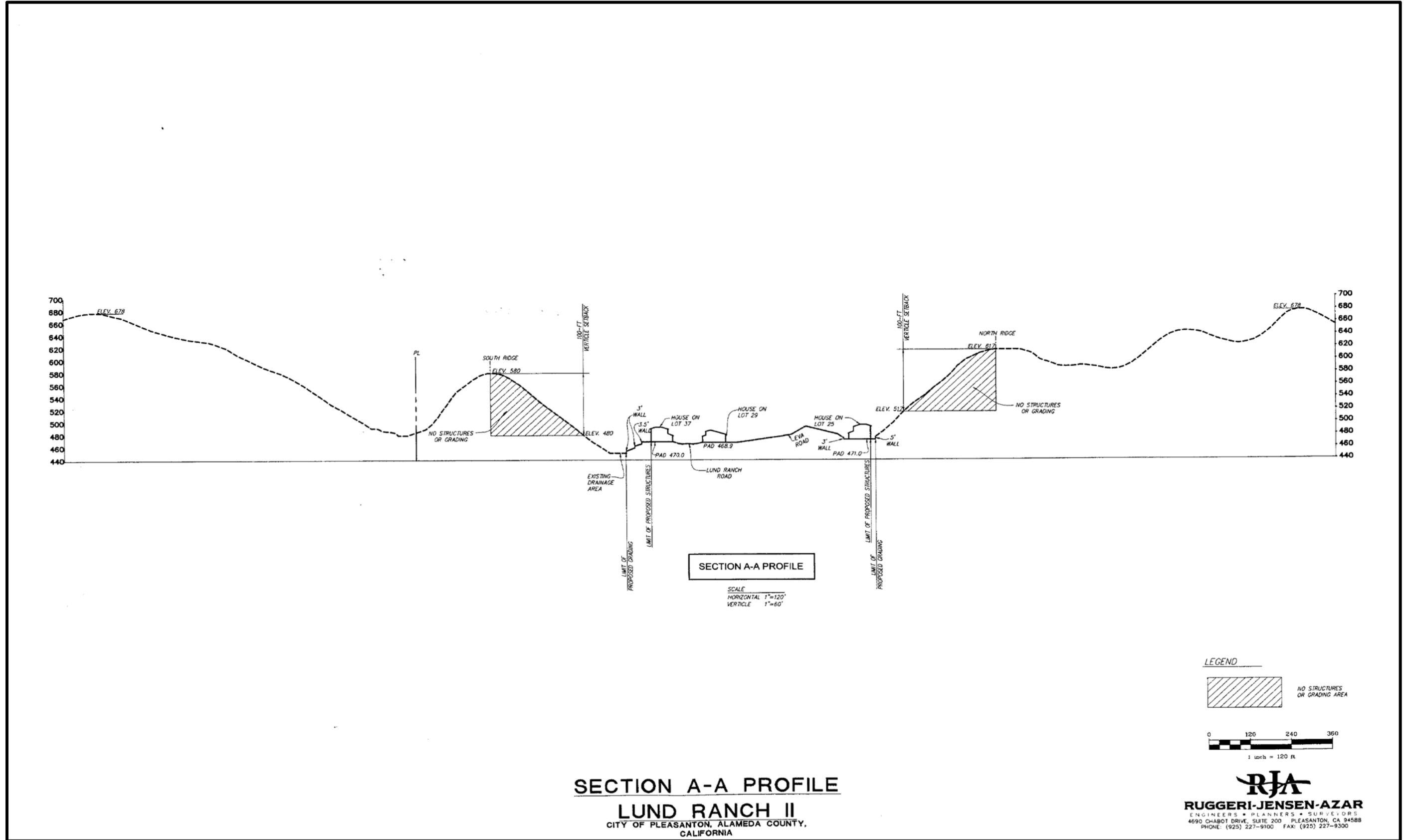
continues all the way to the flat land, and because of the 100-foot vertical setback requirement, nothing could be developed on any property containing or near a ridge. Staff has settled on a definition of the end of the ridgeline at “the point where the ridgeline no longer rises in elevation” as a reasonable definition for the Lund Ranch project.

The only other definition for the end of a ridgeline that has been suggested throughout the City’s long discussion of Measure PP, is the point at which the ridge elevation drops to within 100 vertical feet of adjacent flat land. Use of this definition would not substantially affect project compliance with Measure PP.

3. Vertical Setback from the Ridgeline

Following the most recent Work Session at the Planning Commission, staff reconsidered its proposed methodology for implementing the required restriction on development 100 vertical feet from the ridgeline. The previous methodology was unsatisfactory because it inherently penalized homes that were proposed adjacent to, but not on, very small ridges. The lower the ridge, the more restrictive the methodology, which seemed inconsistent with the purposes of Measure PP and common sense. The methodology was also difficult to implement because it was not clear which point on the ridgeline a proposed homesite was intended to be measured from as the elevation of the ridgeline varies from point to point. In reconsidering the methodology, staff created a setback line that extends 100 vertical feet downward from the identified ridgeline. The placement of residential or commercial structures would be prohibited on the hillsides above this setback line. This methodology protects the ridgelines and the hillsides of the ridgelines from development but does not penalize proposed homes on low flat lands that would be near small ridges that have low or no visibility from surrounding areas. This methodology also avoids the debate about measuring distance from the ridgeline to a pad or to the top of a residential structure. Figure 4, on the following page, graphically demonstrates this concept.

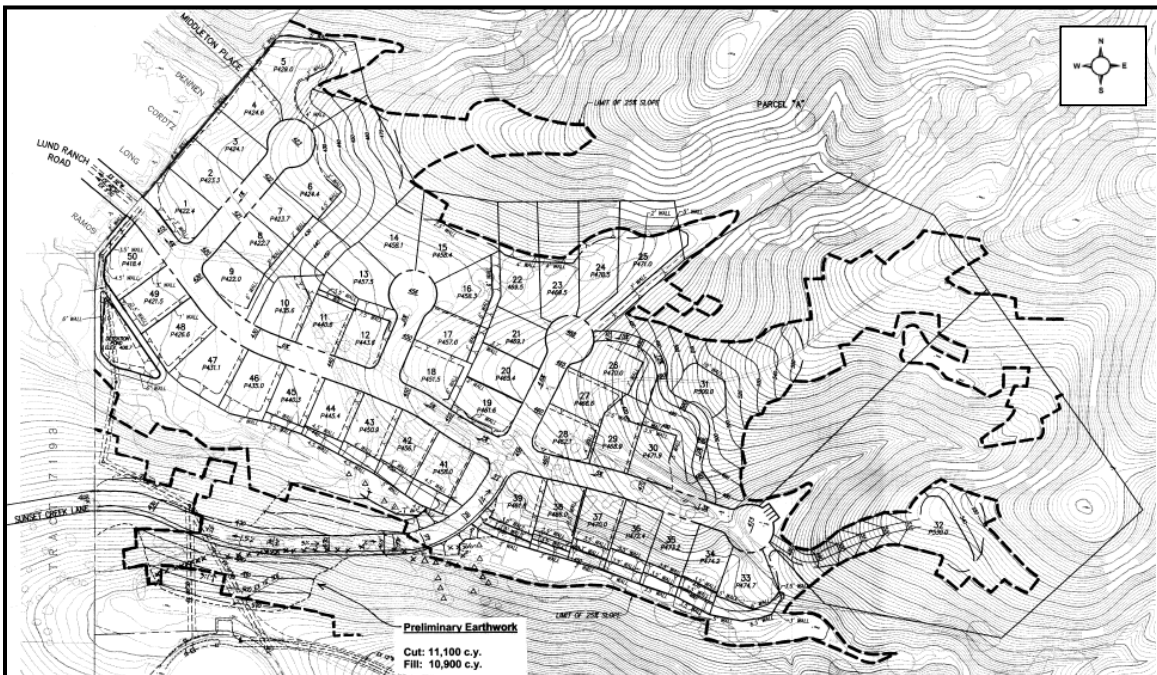
Figure 4: Proposed Methodology for Ridgeline Setback



4. Roads are Structures/Roads are not Structures

Measure PP is not clear as to whether a street is considered a residential or commercial structure and, therefore, if the grading and construction for a street or road is subject to the slope and ridgeline standards of Measure PP. This decision by the Planning Commission and the City Council would affect the ability to approve a street/road connection from the Lund Ranch II property to Sunset Creek Lane that would be required to cross areas of 25-percent slopes. Figure 5, below, is a preliminary design of the street connection to Sunset Creek Lane³.

Figure 5: Street Connection from Lund Ranch II to Sunset Creek Lane



Streets or roads on hillsides involve visible cut and fill slopes that may not match natural terrain, and may require the installation of surface “V”-ditches and the construction of retaining walls, etc., which could also be determined to be a structure.

The Planning and City Council may want to consider the following options:

- Option One:
If the Planning Commission and City Council decide that roads are not structures, then the road connection from the project to Sunset Creek Lane (Alternative Access Scenarios 3 through 8 in the Revised DEIR) can be constructed in compliance with Measure PP’s language. The Planning Commission and the City Council, however, would still have to address such

³ Revised Draft EIR, Figures 5.1 and 5.4.

issues as tree preservation, grading and re-contouring of graded slopes, drainage, traffic noise, and comments from the community, and could withhold approval of this connection based on one or more of these considerations. Additional discussion of these issues is provided later in this report.

A sub-issue related to the definition of structure is whether a retaining wall is considered a structure. This is important as any road connection to Sunset Creek Lane will require significant grading that could be substantially reduced with the use of retaining walls. Alternately, the Planning Commission and City Council could determine that retaining walls associated with road construction are not residential structures. Finally, the Planning Commission and City Council could determine that retaining walls of a certain size are structures. A possible threshold for such a determination would be retaining walls where the top of the wall to the bottom of the footing exceeds four feet as that is the threshold at which an engineered retaining wall is required.

- Option Two:

If the Planning Commission and City Council decide that roads are structures, then any road connection from the project to Sunset Creek Lane cannot be constructed without grading areas of 25-percent slope, which would arguably not comply with Measure PP. All project traffic from the 50 lots of the Lund Ranch II development would then have to use Lund Ranch Road.

5. Including/Excluding Artificial Slopes Over 25 Percent

Measure PP is clear that there shall be no grading to construct residential or commercial structures on 25-percent slopes or greater. It is not clear, however, if this prohibition includes artificial or manufactured slopes created before Measure PP. The interpretation of Measure PP in this area is important due to the proposed location of Lots 28 through 30 and 33 through 39, a total of 10 lots, and a portion of the project's public street and terminus cul-de-sac, all proposed on land that appears to have been previously graded to exceed a 25-percent slope. Figure 6, on the following page, illustrates portions of the site with artificial slopes over 25 percent.

Figure 6: Proposed Lots and Streets on Artificial Slopes 25-Percent

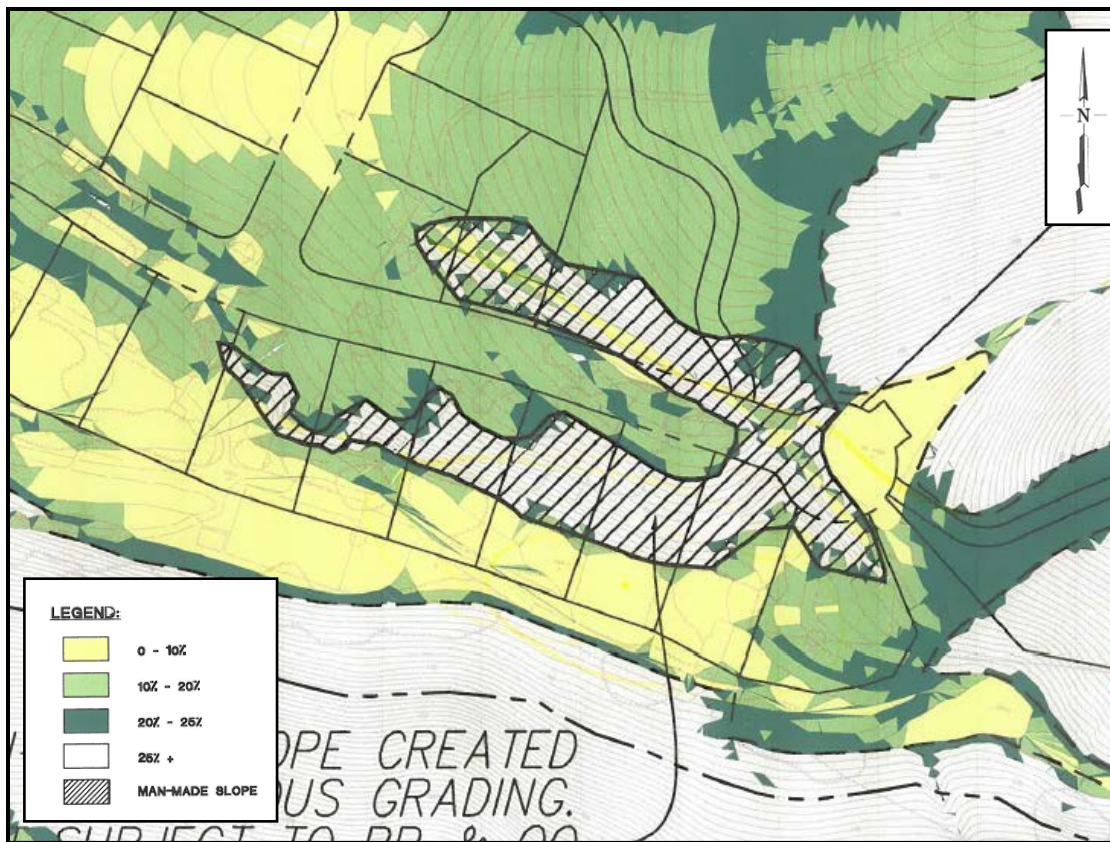


Figure 7, below, and Figure 8, on the following page, are photographs of the access road and road “cut” through the existing slope with the approximate profile of the slope indicated by the red line.

Figure 7: Existing Cut

1



Figure 8: Existing Cut and Slope



Figure 9, below, and Figure 10, on the following page, are photographs of the barn and the “cut” into the existing slope with the approximate profile of the slope indicated by the red line.

Figure 9: Existing Barn



Figure 10: Existing Barn



Staff has concluded from review of the slope map (Figure 6) that these areas of the Lund Ranch II property were originally natural slopes with grades less than 25 percent, and that the slopes over a 25-percent slope grade were likely the result of the grading done by the Lund family long before the approval of Measure PP. Staff considers these graded slopes to be artificial and not covered by Measure PP even though they exceed the 25-percent slope grade. ⁴

The Planning Commission and City Council may want to consider the following options:

- Option One:
If the Planning Commission and City Council decide that artificial slopes over a 25-percent grade are excluded from Measure PP provided that they were graded before Measure PP and on slopes having a natural grade less than 25 percent, Lots 28 through 30 and 33 through 39 would then be retained in the development.
- Option Two:
If the Planning Commission and City Council decide that artificial slopes over a 25-percent grade are covered by Measure PP regardless of the natural grade of the property before it was graded, Lots 28 through 30 and 33 through 39 would then have to be removed from the development.

⁴ With the development application of the Hana Japan site (southwest corner of Dublin Canyon Road and Foothill Road), the City determined that the slope bank along the Dublin Canyon Road and Foothill Road sides of the project site was a manufactured slope that resulted from the road widening and, therefore, was not subject to the requirements of Measure PP.

Ventana Hills Agreements

Letter of Understanding

A copy of the Letter of Understanding between the Ventana Hills Steering Committee and Shapell Industries of Northern California, dated April 19, 1991 (Exhibit N), stated that: "Permanent routing for access to and from 'G' Court (Livingston Way in the Bonde development) is intended to connect through proposed development on Lund Ranch (PUD-25), to the East-West Collector Road (Sunset Creek Lane) shown in the North Sycamore Specific Plan without any direct connection to Ventana Hills."

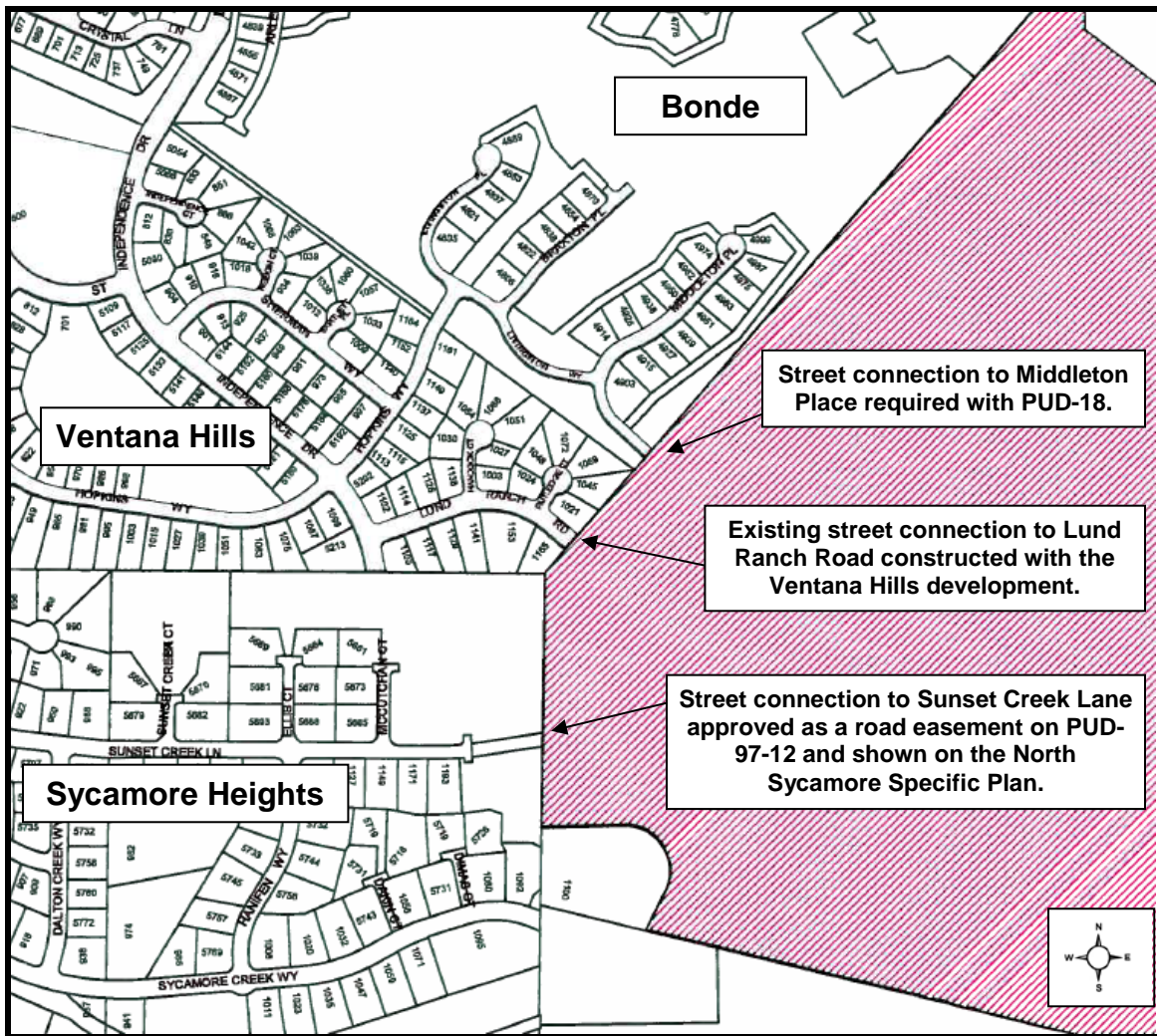
Condition 2.c.13 and Condition 30 of Ordinance 1509 for PUD-90-18 required Shapell Industries to abide by this Letter of Understanding. The North Sycamore Specific Plan states: "The proposed Plan includes construction of a new east-west collector street connecting the North Sycamore area and the adjacent proposed Lund II development to the east with Sunol Boulevard to the west."

Regarding the Letter of Understanding and successive City approvals on PUD Development Plans and a Specific Plan, the City Attorney has opined that these approvals and the Letter of Understanding are not legally enforceable against the property owner and applicant of the Lund Ranch II property. The Planning Commission and the City Council can factor this issue into its deliberation on the road connection, along with the traffic and environmental issues of extending this street connection to Sunset Creek Lane.

Street Connections

A-section of the agreement with the Ventana Hills Steering Committee addressed two street connections from the Lund Ranch II property to Sunset Creek Lane in the Sycamore Heights and Bridle Creek developments that would reduce the amount of Lund Ranch II traffic going through the Ventana Hills neighborhoods, and from Middleton Place in Bonde Ranch to Lund Ranch II to reduce the amount of Bonde Ranch traffic using Livingston Way to Hopkins Way to Independence Drive. Residents of Ventana Hills, including members of the Ventana Hills Steering Committee, believe that these previous requirements for street connections must be provided by the proposed Lund Ranch II development. Figure 11, on the following page, shows the Lund Ranch II property with notes pertaining to streets/access points that have been approved/ conditioned on adjacent properties.

Figure 11: Lund Ranch II Property with Adjacent Streets and Access Points.



1. Connection to Lund Ranch Road

With its approval of PUD-84-15 (Ventana Hills, 127 units), the City Council approved Lund Ranch Road ending at the northwest side of the Lund Ranch II property to provide access to the Lund Ranch II property. Reflecting its standard practice at the time, the City Council did not state with its approval whether Lund Ranch Road was to provide access to a future development on the Lund Ranch II property, nor did the City Council require any signage at the end of Lund Ranch Road stating that Lund Ranch Road would be extended into the Lund Ranch II site. The Ventana Hills Steering Committee opposes this connection to Lund Ranch Road. The applicant and the Sycamore Heights/ Bridal Creek neighborhoods prefer this connection.

2. Connection to Middleton Place

PUD-90-18⁵ (Bonde) required the section of Livingston Way between Braxton Place and Middleton Place to be converted from an existing 28-foot wide public street to a gated emergency vehicle access (EVA), with Middleton Place⁶ then connected to the Lund Ranch II development. Implementing this requirement would mean that Middleton Place owners would no longer be able to use Livingston Way to access Hopkins Way and Independence Drive as they have been doing for over the past 15 to 20 years, but would have to use the public streets on the Lund Ranch II, Sycamore Heights, and Bridal Creek developments.

The proposed project does not include a street connection to Middleton Place. The Middleton Place connection, if it were developed, would be located on the project site below the 25-percent limit line and ridgeline setback lines of Measure PP. Several Middleton Place owners, however, want to maintain Livingston Way as a through street to Hopkins Way and Independence Drive and have submitted PUD-90-18-07M, the PUD Minor Modification that, if approved, would retain Livingston Way as a public through street. No City action has been taken on the proposed modification, and the City's position is pending the City Council's action on PUD-25.

3. Connection to Sunset Creek Lane

The street connection from Lund Ranch II to the Sycamore Heights development is opposed by the residents of the Sycamore Heights/Bridle Creek developments. PUD-97-12 (Sycamore Heights) dedicated the entire public right-of-way for Sunset Creek Lane to the west boundary of the Lund Ranch II property; a portion of Sunset Creek Lane was constructed in the right-of-way, and the remaining right-of-way is covered by a public road easement.

As required by PUD-97-12, Sunset Creek Lane may only be extended to provide the connection to the Lund Ranch II property. Signs have been installed at the end of Sunset Creek Lane stating: "Future Extension of Sunset Creek Way." Construction of the street connection from the Lund Ranch II development to Sunset Creek Lane is not required to reduce traffic congestion or to provide a second street access for emergency vehicles. The street connection to Sunset Creek Lane would cross a jurisdictional stream and would cross the 25-percent slopes covered by Measure PP. The residents of the Ventana Hills neighborhood and those living on Junipero Street support this connection as they feel the City should honor its previous commitments and reduce traffic on Junipero Street, particularly to protect pedestrian safety.

⁵ Exhibit O: Ordinance 1509, PUD-90-18, Condition 2.b.13, p. 5 of Exhibit B, Conditions of Approval.

⁶ Middleton Place ends opposite the Lund Ranch II property's northwest property line in the approximate area between the proposed development's Lot 4 and Lot 5.

Revisions to Traffic Volumes Tables

A revision to the Lund Ranch Final EIR has been prepared to address minor technical changes to Chapter 5 (Alternatives) and Appendix C (Transportation Assessment). This revised table is provided in this report as Figure 12, on the following pages. These changes are within a single table that is provided in these two sections of the EIR. The table identifies potential changes in daily traffic volumes on roadways near the proposed project. The data table contains 14 entries that are incorrect. The table was updated to the correct values in the February 20, 2013 Transportation Assessment completed by Fehr and Peers Transportation Consultants. The previously published Final EIR contains an older version of the table from the August 3, 2012 draft Transportation Assessment. The revised table is the only difference between the August 3, 2012 draft and February 20, 2013 final version of the Transportation Assessment.

The table identifies daily changes to traffic volumes on various roadways for each of the eight scenarios studied. The data contained within this table is not used for Level of Service Calculations for the proposed project or the project alternatives. The data's inclusion in the Transportation Assessment is for informational purposes to provide the reader with a better understanding of roadway segment volume changes within and around the project area given the various scenarios that were analyzed. These revisions do not change the traffic-related impact conclusions of the Final EIR.

Figure 12: Roadway Segment Analysis Results Summary

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TABLE 3
ROADWAY SEGMENT ANALYSIS RESULTS SUMMARY

Roadway Segment	Extents	Roadway Type	Existing Average Weekday Traffic	Daily Change in Trips ¹								With Golf Course Connection ³
				Scenario 1 (With Project) ²	Scenario 2	Scenario 3	Scenario 4	Scenario 5	Scenario 6	Scenario 7	Scenario 8	
Lund Ranch Road	Independence to Project Site	Local	210	550	690	220	140 280	140 280	0	0	0	400 ²
Independence Drive	Hopkins Way to End	Local	340	550	690	220	140 280	140 280	0	0	0	400
Independence Drive	North of Hopkins	Residential Collector	630	490	490	20 200	100 120	100 120	-130	-130	-130	400
Independence Drive	South of Bernal	Residential Collector	1,760	180	180	70	50	50	-40	-40	-40	400
Livingston / Middleton	East of Hopkins	Local	140	0	-140	0	-140	-140	-140	-140	-140	400 ⁴
Hopkins Way	East of Independence	Local	290	0	-140	0	-140	-140	-140	-140	-140	400 ⁴
Hopkins Way	West of Independence	Local	200	60	60	20	20	20	-10	-10	-10	--
Junipero Street	East of Sunol	Residential Collector	2,880	260	260	110	60	60	-80	-80	-80	--

Figure 12: Roadway Segment Analysis Results Summary, cont'd

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TABLE 3
ROADWAY SEGMENT ANALYSIS RESULTS SUMMARY

Roadway Segment	Extents	Roadway Type	Existing Average Weekday Traffic	Daily Change in Trips ¹								With Golf Course Connection ³
				Scenario 1 (With Project) ²	Scenario 2	Scenario 3	Scenario 4	Scenario 5	Scenario 6	Scenario 7	Scenario 8	
Junipero Street	Between Sonoma and San Antonio	Residential Collector	2,240	260	260	110	60	60	-80	-80	-80	--
Junipero Street	West of Mission	Residential Collector	1,500	260	260	110	60	60	-80	-80	-80	--
Mission Drive	East of Sonoma	Local	1,010	110	110	40	30	30	-20	-20	-20	--
Sunset Creek Lane	East of Hanifen	Local	100	0	0	0 330	-80 410	-210 120	690	0	210	400
Hanifen Way	North of Sycamore Creek	Local	130	0	0	320 200	380 260	190 70	-750 420	0	140	400
Dalton Creek Way	North of Sycamore Creek	Local	180	0	0	100	120	40	200	0	50	--
Summit Creek Lane	East of Sycamore Creek	Local	580	0	0	30	30	10	70	0	20	--

Issues Raised Following the February 25, 2015 Planning Commission Work Session

Parks

One Commissioner felt that the project should include a park. The proposed site is located less than 2,000 (roadway) feet from Mission Hills Park. The General Plan calls for the City to locate parks within one-half mile (2,640 feet) of the neighborhoods they serve. Staff is unable to justify a requirement that a park be constructed within the development as it is within the desired distance radius of an existing park, the project will provide substantial open space for passive recreation, and the area suitable for parkland is limited on the site due to the presence of steep slopes.

Tree Removal

The project would result in the removal of approximately 146 of the 220 trees in the general area of proposed development. Eighty of the trees to be removed in this area are Heritage size trees. Twenty-six of the trees to be removed are Valley Oaks. The EIR identifies the removal of the Valley Oaks as a significant impact and calls for mitigation through tree replacement at ratios designated in an Oak Woodland Restoration and Management Plan. The likely ratio for oak replacement in this plan will be 3:1.

Per the City's Tree Preservation Ordinance, the value of trees to be lost has been determined to be approximately \$295,000. The City may accept this amount and put it into the Urban Forest fund, or require the trees be replaced at a suitable ratio. Staff has recommended a condition of approval that requires all heritage trees be replaced at a ratio of 3:1, and all non-heritage trees to be replaced at a ratio of 1:1 as adequate mitigation for tree loss on the site.

Visual Impacts of Potential Sunset Creek Lane Extension

Figures 14a and 14b and Figures 15a and 15b, on the following pages, are visual simulations of the potential Sunset Creek Lane extension as seen from two public viewpoints: (a) the public trail in Bonde Ranch Open Space, south of Roselma Place and adjacent to the water tank; and (b) just east of the water tank near the terminus of Sycamore Creek Way. These viewpoints are shown in Figure 13, on the following page. Public views of the potential connector road are limited due to the bowl-shaped topography of the Lund site. The visual simulations are conceptual and do not incorporate retaining walls, but the extension of Sunset Creek Lane would result in visual effects related to tree removal, grading, and the crossing of a creek at the foot of the slope (not visible in the simulations).

Figure 13: Views from Public Trail and Water Tank



TRAIL LEGEND

- PROPOSED CLASS B TRAIL (GRADED EARTH)
- PROPOSED CLASS B TRAIL (USE EXISTING PAVED EVA)
- CLASS C TRAIL PER CITY MASTER PLAN (BY OTHERS)

NOTE:
1. APPROVED BY TRAILS COMMITTEE OCTOBER 23, 2006.

Figure 14a: View from Public Trail (Existing)



Figure 14b: View from Public Trail (Proposed)



Figure 15a: View from Water Tank (Existing)



Figure 15b: View from Water Tank (Proposed)



Water

As with other development projects in the City, concerns have been expressed regarding the availability of an adequate water supply to serve the project and existing development. Exhibit I provides supplemental information about drought and development considerations.

Ridgeline Setback: Building Pad vs. Roofline

Previous discussions about implementation of the vertical setback of the provision of Measure PP would require deliberation on whether the setback should be measured to the building pad or to the roof. Utilization of staff's new methodology for applying the vertical setback would negate the need for this discussion.

As illustrated in Exhibit H, measuring the 100-foot ridgeline setback to the roofline as opposed to the building pad would require approximately 19 residential units to be eliminated or partially submerged below grade such that the rooflines of these residences would exceed the 100-foot setback. In general the visual effects of the project would be reduced slightly by measuring the ridgeline setback to the roofline, although utilizing this methodology would result in increased grading and related impacts.

Hillside Analysis Methodologies

Staff surveyed hillside ordinances and related zoning regulations in Danville, Dublin, Orinda, Livermore, Moraga, San Ramon, Walnut Creek, and Alameda County to determine whether "benchmarks" exist for evaluating the various components of slope that are undefined by Measures PP/QQ, including: the definition of "structure"; measurement of slope, including appropriate contour interval; and identifying ridge setbacks. Staff also contacted private engineers to ascertain the existence of slope measurement standards. Please refer to Exhibit G, Hillside Ordinances and Related Definitions, for additional detail.

1. Definition of Structure. Generally, the hillside regulations surveyed appear to indicate that a road is not a structure, primarily because "structure" and "street" are defined independently by at least five of the surveyed jurisdictions (suggesting that the terms are different): Dublin, Orinda, San Ramon, Walnut Creek, and Alameda County.
2. Measurement of Slope. Of the seven surveyed jurisdictions that identify a recommended or required contour interval to be used to calculate average slope, the vast majority use a 2- to 5-foot interval. An engineer at Wilsey Ham, a well-regarded engineering firm based in San Mateo, indicated that there is no professional engineering standard for contour intervals in measuring slope, but that a larger interval may be useful to eliminate some of the variation found in natural hillsides.

3. Identifying Ridge Setbacks. Most of the surveyed ordinances that identify a ridgeline setback do not explicitly specify whether they apply to the building footprint, lot, or building area itself, and use maps to identify where the regulations apply. The wording of three of the ordinances (Danville, Walnut Creek, and Moraga) suggests that encroachment of the building area itself (i.e., grading for the pad) would be subject to the hillside regulations.

Concerns Over Lot 32

Lot 32 is a proposed custom lot of approximately 7.4 acres that extends upward from the valley floor at the eastern end of the project. Over half of the lot is on land that exceeds a 25-percent slope. While no specific home site is proposed on the lot, the most likely location for a home is atop a knoll that overlooks the project at an elevation of between 530 and 540 feet above sea level. (The lots on the valley floor have pad elevations generally between 420 and 470 feet above sea level. The Commission may want to consider whether a house on this location is consistent with Policy 21 of the General Plan Land Use Element which states "Preserve scenic hillside and ridge views of the Pleasanton, Main, and Southeast Hill ridges.")

VII. PLANNING COMMISSION OPTIONS

As was discussed at the Planning Commission Work Session on February 26, 2015, the Planning Commission and the City Council have several options if they decide to approve the Lund Ranch application. The project EIR analyzes eight different alternatives, each of which could be considered.

Some of these alternatives were determined to be infeasible in the EIR, in particular any options which included a connection to Sycamore Creek Way. These particular options would require even more extensive grading of the hillside and ultimately could not be completed without crossing land owned by the Spotorno family and not the project applicant. While options that include a connection to Middleton Place are feasible, they are opposed by the residents of Middleton Place and do not accomplish the desired goal of reducing traffic in Ventana Hills and Mission Hills unless they exclude connections to Lund Ranch Road.

However there are three basic options which appear to be the most feasible and realistically implementable. The Commission could:

1. Approve the project with the circulation system as proposed by the applicant. This would include access from Lund Ranch Road only, without connections to Middleton Place or Sunset Creek Lane.

This option would not honor the principles that were discussed by the City Council in 1992 at the time of the approval of the Bonde Ranch project, i.e., that the connections from future development of Lund Ranch Road (and from

Middleton Place) would be to the East West Connector identified in the North Sycamore Specific Plan (i.e., Sunset Creek Lane or Sycamore Creek Way).

This option would also avoid the need to cross the ephemeral creek along the southern portion of the site or traverse the hillside to the south of and above the creek to connect to Sunset Creek Lane, therefore avoiding the potential biological and grading impacts of such a connection. It would also avoid the issue of whether a connector road that traverses the hillside on slopes over 25 percent would violate the provisions of Measure PP. It is likely to be supported by residents of Middleton Place (their current access would remain the same) and Sycamore Heights and Bridle Creek (they would receive no project traffic), and be opposed by residents of Ventana Hills and Mission Hills (whose neighborhoods would receive all of the project traffic).

2. Require the project to be redesigned to access only to Sunset Creek Lane. This option would honor the principles that were discussed by the City Council in 1992 at the time of the approval of the Bonde Ranch project, i.e, that the connections from future development of Lund Ranch Road (and from Middleton Place) would be to the East West Connector identified in the North Sycamore Specific Plan (i.e., Sunset Creek Lane or Sycamore Creek Way).

This option would create the need to cross the ephemeral creek along the southern portion of the site or traverse the hillside to the south of and above the creek to connect to Sunset Creek Lane,-resulting in potential biological and grading impacts.

It would also raise the issue of whether a roadway that traverses the hillside on slopes over 25 percent would violate the provisions of Measure PP. It would require that the City conclude that Measure PP does not prohibit the construction of roads on such slopes either because it does not consider roads to be structures or because the area of 25-percent slope that would be traversed is considered minimal and not inconsistent with the intent of Measure PP.

It is likely to be supported by residents of Middleton Place (their current access would remain the same, and Ventana Hills and Mission Hills (they would receive no project traffic), and be opposed by residents of Sycamore Heights and Bridle Creek (whose neighborhoods would receive all of the project traffic).

3. Approve a revised project that divides the project into two separate areas, each accessed through a different neighborhood. This option would again leave Middleton Place as currently configured. It would create a cul-de-sac of homes off of Lund Ranch Road containing approximately ten homes. The remainder of the homes would be accessed off of the same additional connection to Sunset Creek Lane described above in Option 2. The cul-de-sac off of Lund Ranch Road and the remainder of the project would be connected by an emergency vehicle access and pedestrian and bicycle access.

This option would partially honor the principles that were discussed by the City Council in 1992 at the time of the approval of the Bonde Ranch project, i.e., that the connections from future development of Lund Ranch (and from Middleton Place) would be to the East West Connector identified in the North Sycamore Specific Plan (i.e., Sunset Creek Lane or Sycamore Creek Way), as the number of new homes adding traffic to the Ventana Hills and Mission Hills neighborhoods would be limited to ten. In addition, these neighborhoods would retain the traffic from Middleton Place. In total, these neighborhoods would receive traffic from 25 more homes than would have been allowed under the previous agreements.

This option would also create the need to cross the ephemeral creek along the southern portion of the site or traverse the hillside to the south of and above the creek to connect to Sunset Creek Lane, therefore resulting in potential biological and grading impacts.

It would also raise the issue of whether a roadway that traverses the hillside on slopes over 25 percent violates the provisions of Measure PP. It would require that the City conclude that Measure PP does not prohibit the construction of roads on such slopes either because it does not consider roads to be structures or because the area of 25 percent slope that would be traversed is considered minimal and not inconsistent with the intent of Measure PP.

It is likely to be supported by residents of Middleton Place (their current access would remain the same). It is likely to be supported by Ventana Hills and Mission Hills (they would receive no project traffic), and be opposed by residents of Sycamore Heights and Bridle Creek (whose neighborhoods would receive the traffic from all but ten of the project homes).

The Planning Commission can modify any one of the above described options, e.g., determine the number of lots accessing each neighborhood, reduce the number of units, eliminate and/or shorten streets, change building designs, etc., with its recommendation. The Planning Commission can also recommend approval of any of the eight project scenarios listed in the Final EIR.

VIII. PUD FINDINGS

If the Planning Commission concludes that the proposed Planned Unit Development (PUD) Development Plan conforms to the purposes of the PUD District, it must make the following findings.

1. Whether the proposed Development Plan is in the best interests of the public health, safety, and general welfare:

- The proposed project as designed and conditioned meets all applicable City standards concerning public health, safety, and welfare, including vehicle

access, geologic hazards (new development is not within a special studies zone), and flood hazards.

- Public streets and water, storm, and sanitary sewer lines are present to serve the proposed development.
- Stormwater runoff will be pretreated in on-site bio-retention swales and ponds before being discharged to the City's storm lines.
- Sensitive habitat areas will be preserved in conformance with federal and State standards.
- A wildland fire buffer area will surround the lots and streets of this development to protect the homes and residents from fire hazards.
- A 161-acre public open space area will be dedicated to the City of Pleasanton as permanent open space in perpetuity with the first final subdivision map. The open space area will include: a system of public trails developed by the project sponsor; tree reforestation; and fire break areas and detention/settlement ponds serving the proposed development.
- Public trails will be constructed in the open space before occupancy of the residential units.

Staff, therefore, believes that this finding can be made.

2. Whether the proposed Development Plan is consistent with the City's General Plan and any applicable Specific Plan:

- The site is designated for Low Density Residential, Medium Density Residential, Open Space –Public Health and Safety, and Rural Density Residential land uses in the General Plan, allowing for a maximum density of approximately 140 residential units and a total midpoint density of approximately 82 units. The proposed 50 residential units would be well below the midpoint density of the site and far below the maximum density of the site.
- The proposed Development Plan would cluster residential units away from steep hillsides and waterways, allowing for approximately 161 acres of the site to be preserved as open space, consistent with General Plan policies that promote open space protection.
- The proposed Development Plan would feature architecture that is compatible with that in surrounding neighborhoods and that would further several General Plan policies including those related to the enhancement of character of existing neighborhoods, development in areas adjacent to existing residential neighborhoods, and the provision of flexibility in residential design to achieve objectives related to community character.
- The proposed residential and open space uses occur within the boundary of lands designated for urban development by the General Plan.

Staff, therefore, believes that this finding can be made.

3. Whether the proposed Development Plan is compatible with previously developed properties located in the vicinity of the plan and the natural topographic features of the site:

- The proposed Development Plan incorporates numerous provisions – limitations on building heights, setbacks, etc. – to integrate the design of the planned buildings on these lots with the nearby single-family homes and surrounding area.
- The proposed public streets are located in a manner which is consistent with City standards, and which provides adequate development access and emergency vehicle access.
- Except as proposed along the western edge of the site, the proposed development is separated and buffered from adjoining neighborhoods by large setbacks, natural terrain, and existing and new tree planting. Large open space areas adjoin the property to the east and south. Trees would be planted in select portions of the open space area to screen development from the view of off-site properties and to mitigate the loss of trees due to grading.
- All house construction activities are limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. All construction equipment will meet Department of Motor Vehicles (DMV) noise standards and will be equipped with muffling devices. A construction management plan will be prepared before construction begins, ensuring that surrounding neighborhoods are not adversely affected by construction activities on the site.
- The proposed Development Plan is designed to reflect the site's existing topographic condition, to minimize impacts on adjoining properties, to be consistent with the requirements and geotechnical report recommendations that have been prepared for the proposed project, and to minimize grading.
- The location and configuration of the proposed lots and public streets generally follow natural contours.
- Most private lots will be designed to drain to bio-retention areas designed to pretreat stormwater runoff before entering the City's storm drain system.

Staff, therefore, believes that this finding can be made.

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

- Requirements of the Uniform Building Code – implemented by the City at the Building Permit review stage – would ensure that building foundations and private street/on-site parking/driveway areas are constructed on satisfactorily compacted fill.

- Erosion control and dust suppression measures will be documented in the final subdivision map and will be confirmed by the City's Community Development Department.
- With few exceptions, the lots will be designed to drain to the retention basins shown on the site plan to pretreat the runoff before its entry into the City's storm drain system. In addition to the retention basins, additional stormwater runoff treatment will be provided by the private drainage systems of the individual lots.

Staff, therefore, believes that this finding can be made.

5. Whether streets, buildings, and other manmade structures have been designed and located in such a manner to complement the natural terrain and landscape:

- Streets and buildings are clustered away from steeply sloping grasslands and oak woodlands, maintaining the habitat values associated with these lands.
- The Development Plan is designed to confine residential uses to lower elevations of the site on natural slopes of less than 25 percent.
- Approximately 161 acres of the site would be preserved as natural terrain designated as open space, allowing for permanent protection of the natural terrain and landscape that is an important aesthetic and environmental feature of the southeast hills.

Staff, therefore, believes that this finding can be made.

6. Whether adequate public safety measures have been incorporated into the design of the proposed Development Plan:

- All construction will be designed to meet the requirements of the Uniform Building Code, other applicable City codes, and State of California mandated noise, energy, and accessibility requirements.
- All public and private streets and driveways are designed and/or conditioned to meet City engineering standards and are adequate to handle the anticipated traffic volumes.
- As proposed and conditioned, adequate access is provided to all structures for police, fire, and other emergency vehicles.
- All residential structures, detached garages, cabanas, secondary dwelling units, etc., shall be equipped with automatic fire sprinkler protection. A minimum fire flow of 2,000 gallons per minute at 20 pounds per square inch is required to be provided to each residential lot.
- An Urban/Wildland Interface Fire Management Plan (UWIFMP), including a wildland/urban interface risk assessment, will be prepared by a licensed consultant covering the private lot landscape and building designs and open space area.

Staff, therefore, believes that this finding can be made.

7. Whether the proposed Development Plan conforms to the purposes of the PUD District:

- The proposed PUD Development Plan implements the purposes of the City's PUD Ordinance by providing a combined development consisting of 50 single-family homes, the transfer of approximately 161 acres of open space land to the City (or other public entity), the installation of public trails and the protection of sensitive habitat areas.
- The proposed PUD Development Plan sets forth the parameters for the development of the subject property in a manner consistent with the Pleasanton General Plan, the Final EIR, and the surrounding area.
- The proposed lot development – building, site, and landscape design and maintenance – will reflect and conform to the existing topography and site context.

Through the proposed design, and augmented by the recommended conditions applied to the proposed PUD Development Plan, the project will substantially conform to the requirements for development specified in the Pleasanton General Plan. Staff, therefore, believes that this finding can be made.

IX. PUBLIC NOTICE AND COMMENT

Exhibit S is the map of the location and public notification area for the Planning Commission public hearing. Based on the communications received by staff, the proposed project is controversial to surrounding neighbors and homeowners associations.

Public comments received by staff since the revised project was submitted relate to traffic and circulation, available City and regional parks to serve the residents of the proposed project, available school capacity, impacts to the quality of life of existing neighborhoods, loss of existing trees, loss of open space, impacts to the off-site views of the site, the single public street connection to Lund Ranch Road, the previous agreements and the absence of the second or alternate public street connection to Sunset Creek Lane and the absence of the public street connection to Livingston Way (Middleton Place), the proposed density, etc.

X. STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend Option 3 as described above to the City Council, as it is the option that best balances the previous commitments made by the City, plans previously adopted by the City, and the concerns of affected neighborhoods.

Staff recommends that the Planning Commission take the following actions:

1. Find that the Final Environmental Impact Report (EIR) conforms to the California Environmental Quality Act (CEQA);
2. Find that the proposed PUD Rezoning and Development Plan, and the Development Agreement are consistent with the General Plan;
3. Make the PUD findings for the proposed Development Plan as listed in the staff report; and
4. Adopt resolutions recommending that the City Council: (1) certify the Final EIR as complete and adequate; (2) approve the CEQA Findings and the Mitigation Monitoring and Reporting Program; (3) approve Case PUD-25, the PUD Rezoning and Development Plan, subject to the Conditions of Approval listed in Exhibit A; and (4) approve the Development Agreement, as shown in Exhibit B, to vest entitlements for the project; and forward the applications to the City Council for public hearing and review.

Contact: *Brian Dolan, Assistant City Manager, bdolan@cityofpleasantonca.gov*