

**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.

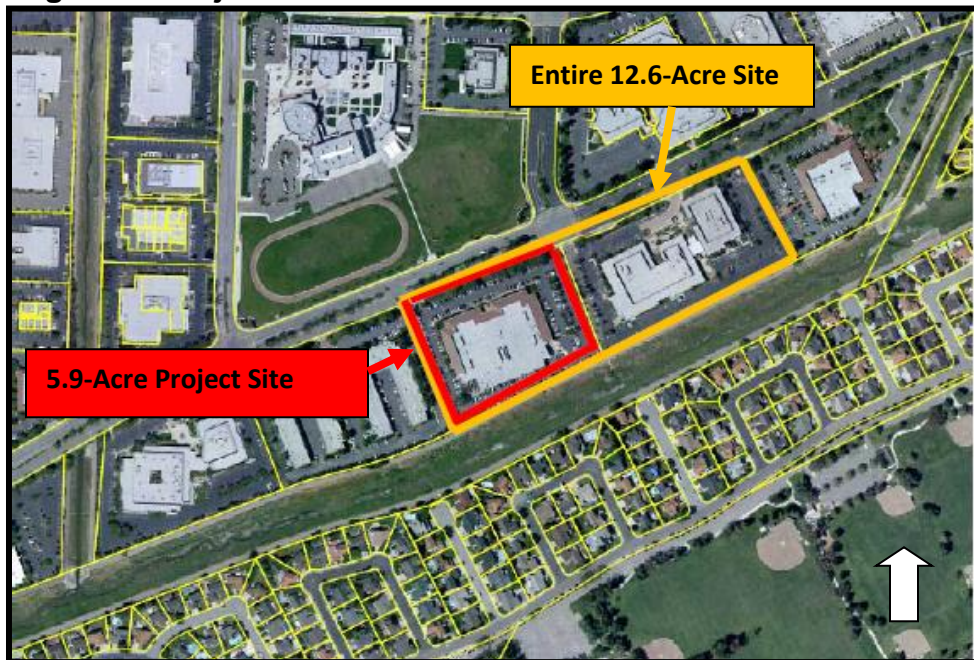
The proposed 94-unit condominium development, if approved, will replace the previously approved 177-unit apartment complex development.

**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.

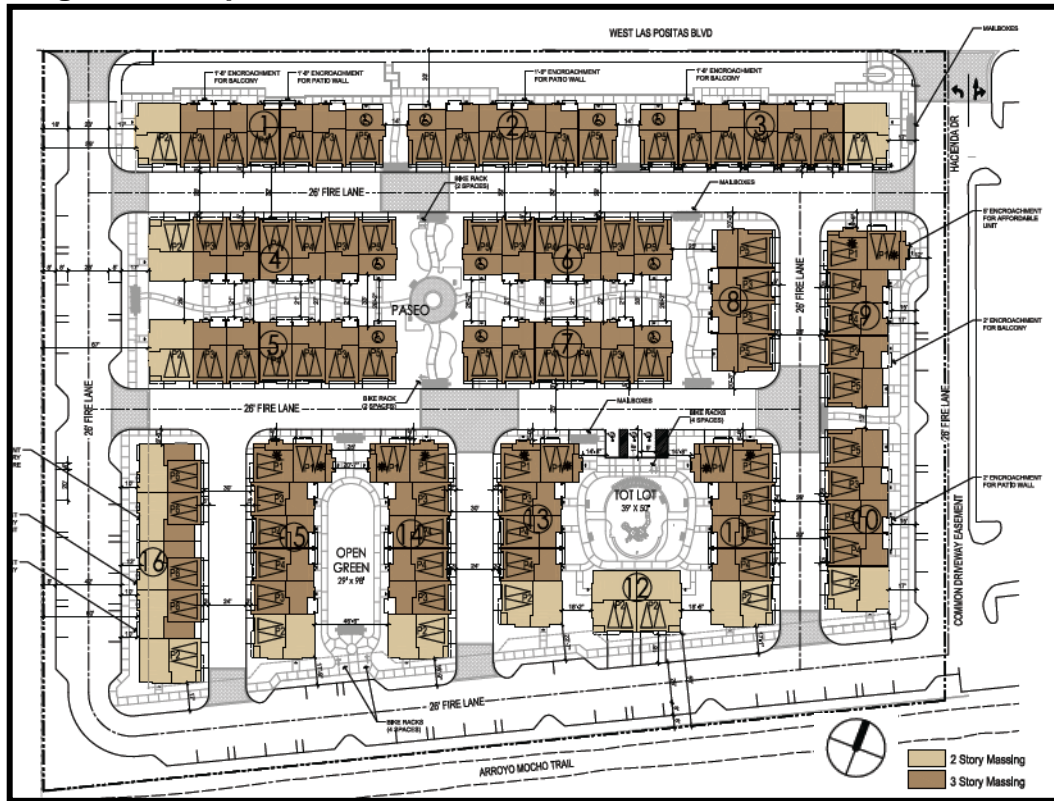
### III. PROJECT DESCRIPTION

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.

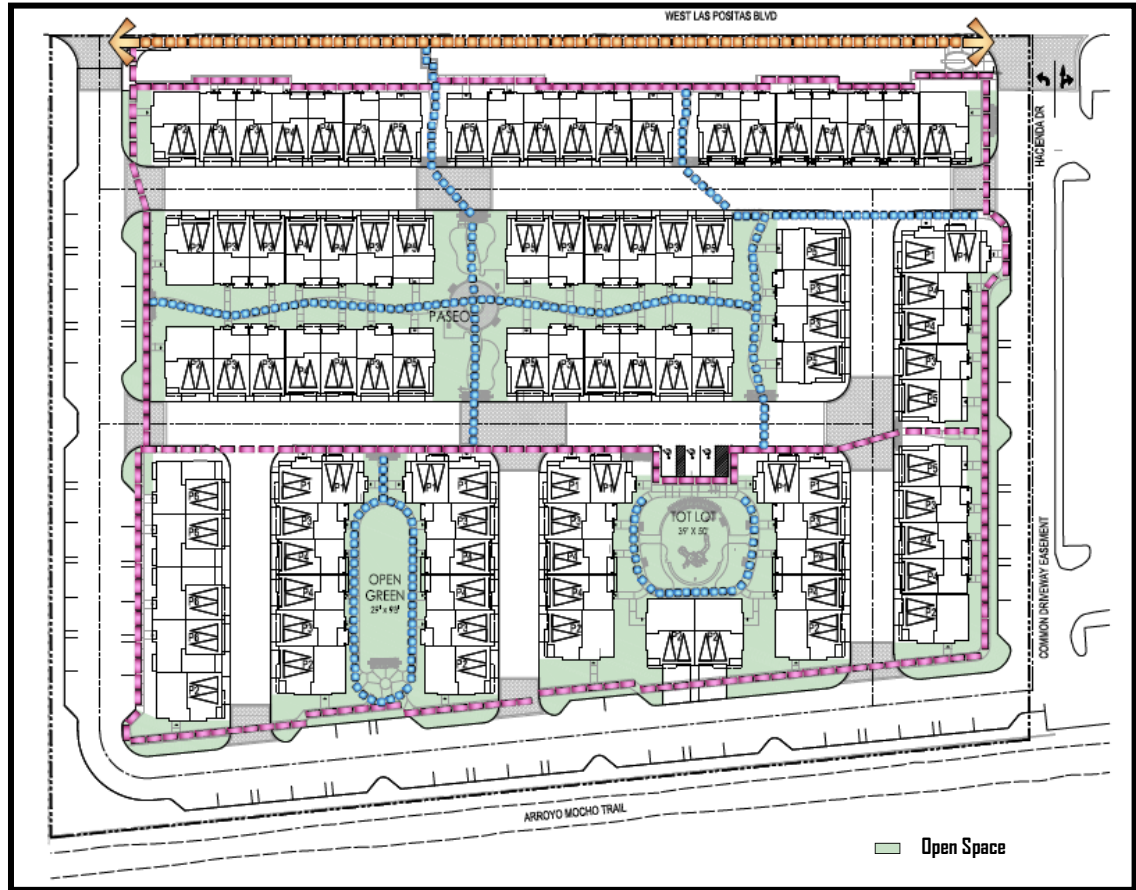
- The following table shows the unit mix in each building:

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	<b>94</b>	<b>100%</b>	
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	<b>85,531</b>	<b>33%</b>	

- 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*, *Gingko 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
<b>Estimated Capacity</b>					
○ Permitted and Approved Projects <sup>1</sup>	279		1,527	174	1,980
○ Vacant and Underutilized Land	991		-	272	1,263
<b>Total</b>	<b>1,270</b>		<b>1,527</b>	<b>446</b>	<b>3,243</b>
<b>2014-2022 RHNA</b>	<b>1,107</b>		<b>407</b>	<b>553</b>	<b>2,067</b>
<b>RHNA Surplus/Shortfall</b>	<b>+163</b>		<b>+1,120</b>	<b>-107</b>	<b>+1,176</b>

<sup>1</sup> 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) map<sup>1</sup>, 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

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<sup>1</sup> 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](mailto:jsoo@citypleasantonca.gov)