

**Planning Commission
Staff Report**

February 26, 2014
Item 6.a.

- SUBJECT:** PUD-103/P14-0086
- APPLICANTS:** SummerHill Apartment Communities
- PROPERTY OWNER:** Las Positas Property, LLC
- PURPOSE:** Applications for: 1) Planned Unit Development (PUD) development plan to demolish the existing office building and construct 177 apartment units and related site improvements on a 5.9-acre site, and 2) Development Agreement to vest the entitlements 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](#), [Climate Action Plan Checklist](#), [Air Quality and Greenhouse Gas Information](#), [Tree Report](#), [Geotechnical Feasibility Evaluation](#), [Phase I Environmental Site Assessment](#), [Environmental Noise Assessment](#), [Traffic Impact Analysis](#), [Green Point Checklist](#), and [Development Agreement](#)
 - C. [Staff Reports and Minutes of the September 11, 2013, and January 22, 2014, Planning Commission Work Session Meetings](#)
 - D. [February 20, 2014, Housing Commission Staff Report and Attachments](#)
 - E. [Addendum to the Supplemental Environmental Impact Report](#)
 - F. [Ordinance No. 2030, Rezoning the Site](#)
 - G. [Hacienda Owners Association Approval Letter](#)
 - H. [Memos from Charles M. Salter and Associates](#)
 - I. [Location and Public Noticing Maps](#)

I. BACKGROUND

In January 2012, the City Council approved rezoning of nine sites throughout the City for high-density multifamily development in order to meet the City's share of the regional housing needs (Ordinance No. 2030). One of the approved sites is the CM Capital Properties site located at 5850 and 5758 West Las Positas Boulevard. 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 West Las Positas Boulevard. These two parcels are not required to be developed together.

On September 4, 2012, the City Council adopted the Housing Site Development Standards and Design Guidelines (hereafter referred to as "Standards") to guide development on the nine sites.

SummerHill Apartment Communities have submitted a PUD development plan application for the development of a multifamily housing project on the 5.9-acre site located at 5850 West Las Positas Boulevard.

The CM Capital Properties site is identified as Site #9 in the *Design Guidelines*, and has a density requirement of 30 units per acre, which results in 378 units on the entire 12.6-acre site. The proposed project is to construct 177 residential units on an approximately 5.9-acre portion of the site, meeting the density requirement of 30 dwelling units per acre.

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) 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.

September 11, 2013 Planning Commission Work Session

The Planning Commission held a work session on September 11, 2013 to review the proposed 177 unit apartment complex project. The Planning Commission provided the following comments on the work session discussion points (additional comments made by the Commission are in the attached minutes – Exhibit D):

- A. *Would the Planning Commission support the requested exceptions if the project were to move forward as proposed?*

The Commission would support the carport setback at the western property line if an agreement with the property owner to the west is reached. The majority of the Commission would support using an alley design instead of an interior street design for the second westerly access road for the project. Two commissioners indicated their support of the alley design if constraints on the development of the property can be demonstrated.

- B. *Are the on-site circulation, parking layout, feathering of densities, stepping back stories above the second story, and positioning of the buildings acceptable?*

The Commission found the proposed on-site circulation and parking layout to be acceptable. One commissioner commented to not let vehicles' headlights entering the site impact the existing residents located on the south side of the arroyo.

Two commissioners commented on the size of the proposed tot lot area and common open space area. They felt the size of the proposed tot lot area could be reduced as they did not believe it would be used as much as the common open space area, and recommended the square footage allocated to these two areas be reevaluated so that the common open space area would be adequately sized to support the development.

Some commissioners also suggested reevaluation of the pool location so that it would be more centrally located instead of being located near the southern property line. One commissioner commented that if the relocation of the pool is not feasible, screening of the pool as well as measures to mitigate noise from the pool to the Parkside residents need to be considered.

In respect to the proposed building height and feathering of density, the majority of the Commission felt that the buildings facing the arroyo should be two-story buildings. The Commission was not excited to see the proposed four-story building height, but understood that it may be needed in order to achieve the required density. Two commissioners requested that photosimulations of the buildings be provided from the existing Parkside neighborhood.

C. Should a pedestrian access be provided from West Las Positas Boulevard to the proposed Open Space area?

The majority of the commissioners supported a pedestrian access. As the proposed common open space area within the development is for private use, some of the Commissioners did not want to create a de facto public open space. As the proposed development would also have a tot lot, some of the Commissioners did not support a public access through the development due to security concerns. The Commission stated that if pedestrian connectivity from the proposed development to West Las Positas is needed, it must be done in a way that does not make the private open space/tot lot area look like this is public open space/tot lot.

D. Are the proposed on-site recreation facilities and amenities acceptable?

The Commission found that the proposed on-site recreation facilities and amenities are acceptable. One Commissioner wanted to make sure that the applicant reevaluates the square footage allocated to the common open space area, pool, and tot lot so that they are balanced; another Commissioner wanted the applicant to include details on what the recreation facility would include.

E. Are the residential building designs, colors and materials, and heights acceptable?

The Commission, in general, found the proposed designs are acceptable. The Commission agreed with staff's recommendation that additional architectural elements, such as exposed rafter tails, window planter boxes, wrought-iron detailing, stucco finish, etc. be added. The Commission also commented that architectural details are needed around some of the garage areas and requested a color/material board.

F. What additional information do you need the applicant to come back with?

The Planning Commission requested the following items be submitted and/or addressed in the formal application:

- *A visual analysis and a color palette.*
- *More outreach with the residents to get their comments.*
- *Mature trees should be added to the visual analysis to show what it would look like fully developed. In addition, provide growth intervals of three years, five years and 10 years.*
- *If there have been any academic studies that looked at the correlation of an increase in affordable or high-density housing and an increase in crime rate.*
- *School district's projection report on number of students that may be enrolled in schools from the proposed development.*

January 22, 2014 Planning Commission Work Session

The Planning Commission reviewed the revisions from the applicant based on the comments from the previous work session. The Commission provided the following comments.

1. Is the new location of the pool and other amenities, and access from West Las Positas Boulevard acceptable?

The Commission found that the revised location of the pool and other amenities was satisfactory, and the access from West Las Positas Boulevard was acceptable.

2. Is the revised proposal for massing at the rear of the site with two- and three-story building combinations acceptable?

One commissioner thought it was a good thing that the Arroyo side has two stories; the other two commissioners commented on the volume of roof when viewing Buildings C and D from the south and across the Arroyo. These two commissioners wanted to see additional visuals of Buildings C and D when viewed from the south side including Buildings A and B in the background. The Commission would like to see some shadows and variations in the roof. The Commission agreed to let the applicant decide if they want to erect story poles.

3. Is the revised building design acceptable?

The Commission thought the revisions improved the project.

4. Is the revised site layout with living units over parking by Buildings A and B acceptable?

The Commission agreed that the project needs to meet the required 30 units per acre density requirement and found that it is acceptable to locate the units over parking.

5. Would the Planning Commission support the requested exception if the project were to move forward as proposed?

Having learned the requested setback exception would allow room to provide parallel parking along curbside and therefore to create a street coming into the project, the Commission indicated it would support the requested exception.

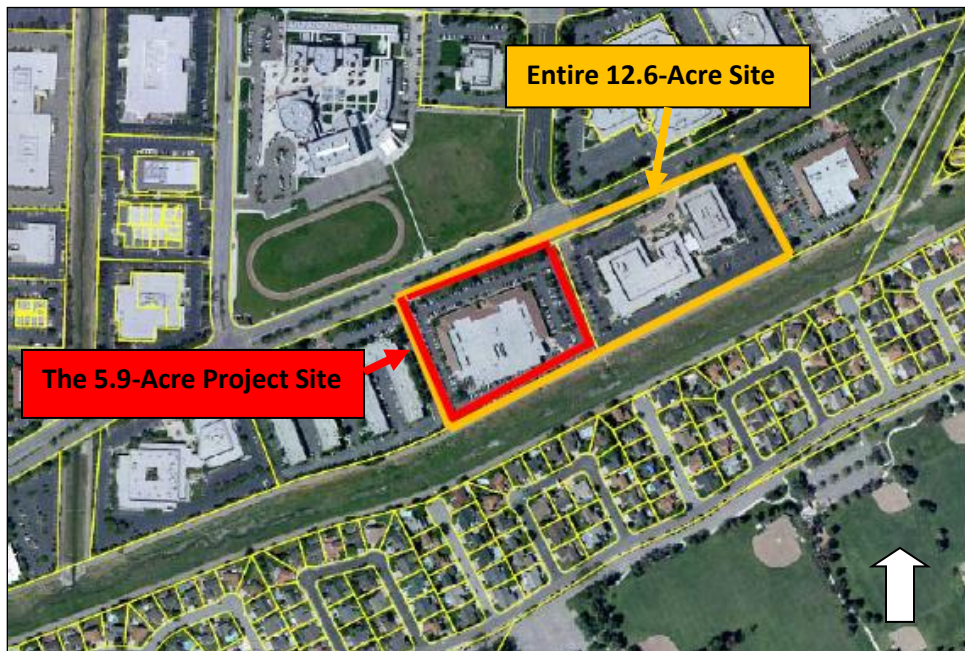
6. Is the revised landscaping in the rear acceptable?

The Commission thought the revised landscaping in the rear was acceptable. In terms of the proposed block wall on the southern property line, the Commission requested additional information from the applicant concerning how much noise would be absorbed and how much would be reflected back by the block wall.

In addition, the Commission discussed the carport structure being proposed near the westerly property line, and found opinion to be divided between providing amenities (carports) to the tenants vs. meeting the required setback.

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 Design Guidelines. Please see aerial map below.

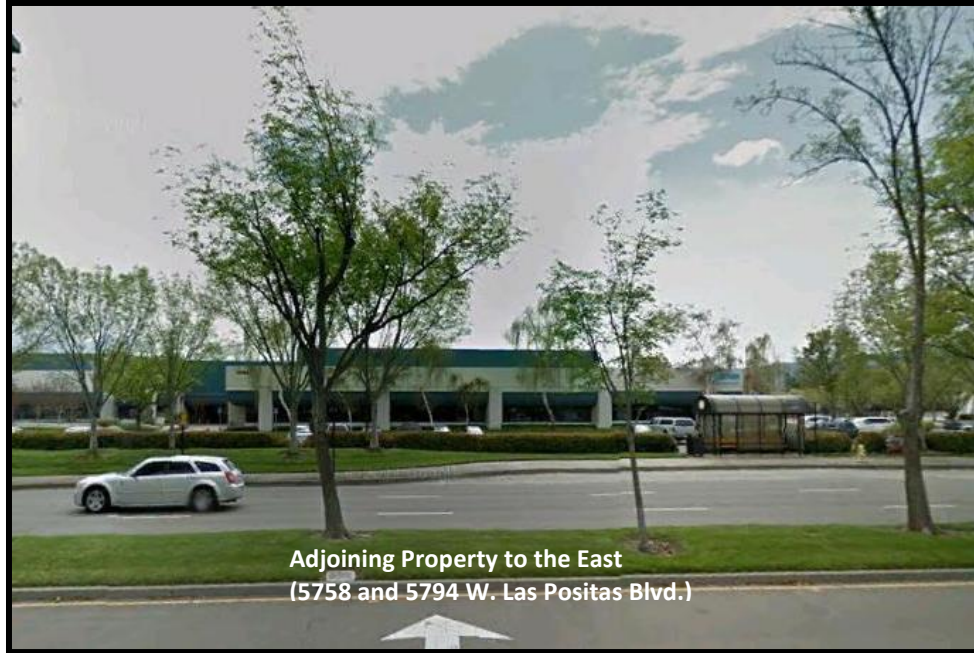


Project Location Map

The project site fronts on West Las Positas Boulevard and backs up to Arroyo Mocho (south). The site was initially developed in 1984 for AT&T and later was occupied by clinical laboratories for SmithKline Beecham. The building is a one-story building, approximately 88,512 square feet in floor area. It is currently vacant.

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

III. PROJECT DESCRIPTION

The proposed development is summarized below:

Density. The project on the 5.9-acre site would include four residential buildings housing 177 apartment units. The density of the project is 30 dwelling units per acre on the 5.9-acre project site.

Site Layout. The site layout for the apartment complex consists of: two U-shaped buildings (Building A and Building B) located in the northern portion of the site closer to West Last Positas Boulevard; each of the U-shaped buildings has two apartment units in the middle over parking; and two rectangular-shaped buildings (Building C and Building D) located in the southern portion of the site. Please refer to Figure 1 below.

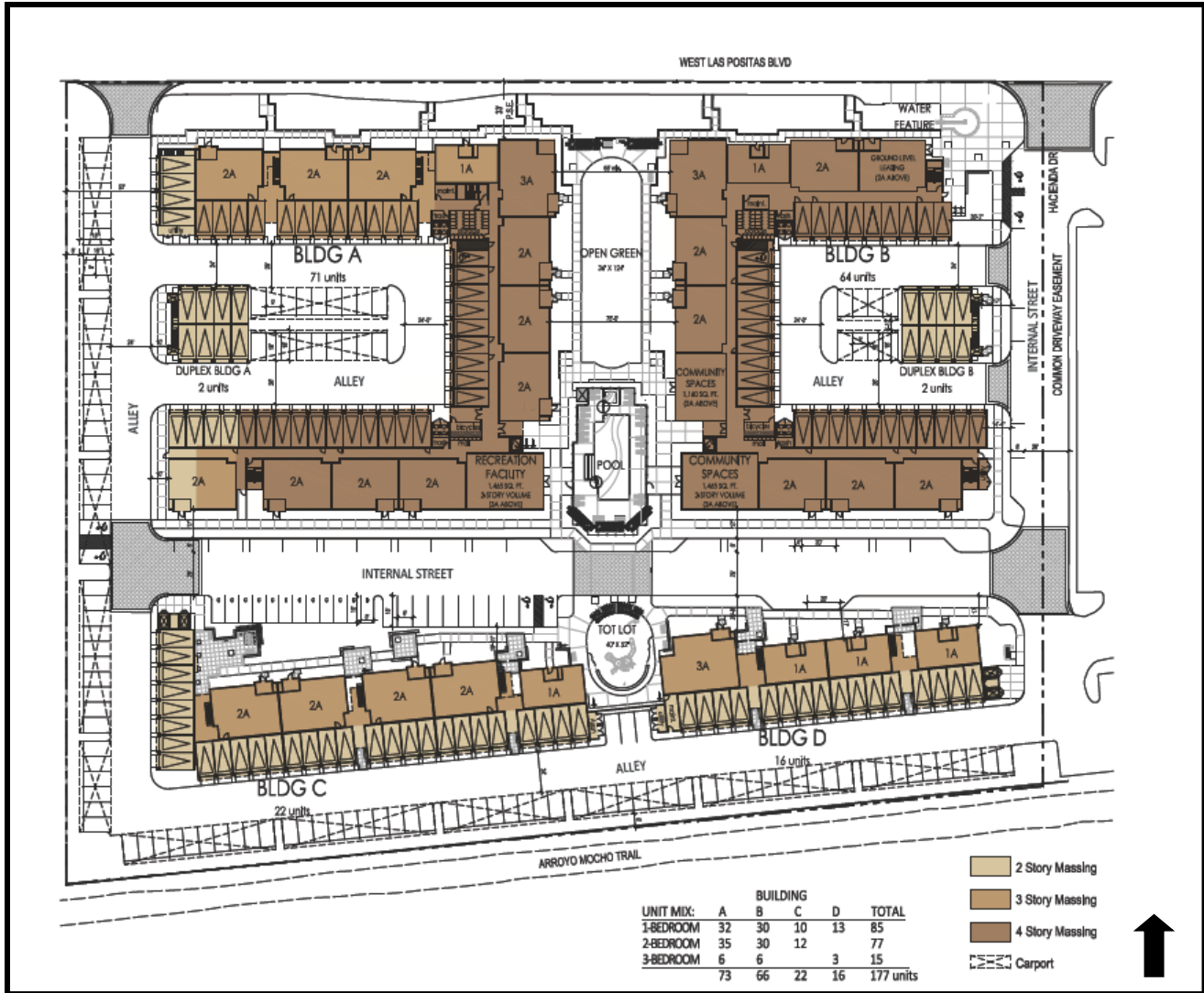


Fig. 1 -- Proposed Site Plan

Setbacks. The apartment buildings would have the following setbacks:

	Building	Carport
Front Yard (W. Las Positas Blvd.)	33 feet	33 feet
Side Yard:		
West Side:	50 feet	8 feet
East Side:	17 feet to internal street	n/a
Rear Yard (Arroyo Mocho)	52 feet	8 feet

Building Height. The following table lists the proposed building height for each building. 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	Four-story Portion of the Building
Building A	28'-8"	36'-10"	51'-11"
Building B	--	--	51'-11"
Building C	28'-8"	36'-10"	--
Building D	28'-8"	36'-10"	--
Duplex ¹ at Buildings A and B	28'-8"	--	--

¹ The proposed four duplexes above the parking spaces at Buildings A and B are one-bedroom apartment units.

Unit Sizes. The following tables show the apartment unit mix in each building and unit size breakdown:

Unit Mix per Building

	Building A	Building B	Building C	Building D	Total
1 bedroom	32	30	10	13	85
2 bedroom	35	30	12	--	77
3 bedroom	6	6	--	3	15
Total	73	66	22	16	177

Unit Size

	Floor Area
1 bedroom	702 sq.ft. – 881 sq.ft
2 bedroom	1,054 sq.ft. to 1,069 sq.ft
3 bedroom	1,298 sq.ft. – 1,309 sq.ft.

Please see the “Project Data” table on Sheet A1.4 of the proposed plans for a detailed breakdown of the unit types for each building. A washer and dryer would be provided for each unit.

Open Space and Amenities. The project includes several active and passive recreation areas and amenities. Interior recreation areas and amenities include a fitness facility located in Building A and a community lounge located in Building B. Exterior recreation and amenity areas include a pool, spa, seating areas, barbeque area, children’s play area with play equipment, and a common open green. Building B would also have a water feature along the West Las Positas Boulevard frontage. One hundred sixty eight (168) of the 177 units would have private open space areas in the form of patios or balconies. The private open space areas range from 56 sq. ft. to 143 sq.ft.in area.

Vehicular Access. Vehicular access to the apartments would be maintained from the existing West Las Positas Boulevard driveways with the right-in/right-out at the western driveway and a signalized 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. Improvements are also proposed at West Las Positas Boulevard/Stoneridge Drive: the eastbound and westbound West Las Positas Boulevard approaches would be converted to two left turn lanes, two through lanes and one right-turn lane. There are two existing Livermore Amador Valley Transit Authority (LAVTA) bus stops near the project site – one is located to the east of the project site, and the other one is located across West Las Positas Boulevard at the middle school. No additional stops are requested by LAVTA for this project.

Pedestrian Access. A pedestrian pathway would link the apartment buildings with the passive and active recreational uses on the site. Pedestrian access to the apartment units would be from internal corridors coming from common entries and/or individual garages. Most of the ground floor units would also have direct porch entrances.

Apartment Building Design. The apartment buildings present a Spanish influenced architectural style. The materials that are proposed include stucco exterior finish, stone veneer, wood-like trim for the windows, tile roof, wrought iron patio and balcony railings, and awnings. Building walls would pop-in or -out to provide variation in the wall plane and break up the building mass. The rooflines of the buildings have a 4:12 pitch with roof wells to locate HVACs and S-tile with variation in colors (adobe blend) would be the roof material. Building walls vary in materials (stucco, brick veneer, and simulated stone trim) and colors to provide variety and interest.

To break the roof volume on Building C and Building D, dormer elements have been added to the second floor roof facing the arroyo (south). To ensure the privacy of the residents across the arroyo, these dormers do not have windows, but instead “horizontal louvers.”





NORTH ELEVATION - BUILDING B



NORTH ELEVATION - BUILDING C



NORTH ELEVATION - BUILDING D



SOUTH ELEVATION - BUILDING C



Parking. A total of 304 resident and guest parking spaces would be provided, comprised of: 130 spaces in the apartment building garages, 124 carport spaces, and 50 surface parking spaces including 12 compact parking spaces. At least one covered space would be provided for, and assigned to, each apartment unit.

Tree Removal. A total of 103 existing trees were surveyed on the subject property; among them, 27 are heritage-sized trees as defined by the Municipal Code. The heritage-sized trees consist of 13 evergreen ash trees, six red ironbark trees, seven callery pear trees, and one cork oak. As proposed, all heritage-sized trees, except for two, would be preserved. Overall, the proposed development would remove 54 existing trees (two are heritage-sized trees). Preliminary landscape plans have been provided for the proposed development.

Development Agreement. The applicants have proposed a development agreement to vest the entitlements for the project. The term of the development agreement would expire in 10 years.

IV. ANALYSIS

Land Use

Conformance with the General Plan

The subject parcel has a General Plan Land Use Designation of “Mixed Use/Business Park” which permits land uses such as office, retail, hotel and other commercial uses, community facilities, research and development, and residential. The residential use is consistent with this land use designation. The Mixed Use/Business Park land use designation requires residential projects to have densities of at least 20 dwelling units per acre with higher densities (30 units per acre or more) encouraged in locations proximate to BART stations and other areas near transit¹. In addition, Program 11.1 of the Housing Element indicates that sites designated Mixed Use shall be developed at a minimum density of 30 units per acre. The proposed density of 30 dwelling units per acre is consistent with the General Plan (please see the “Housing Site Development Standards and Design Guidelines” section below for additional density discussion). Below are some of the General Plan Goals, Programs, and Policies 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 2.4: Require higher residential and commercial densities in the proximity of transportation corridors and hubs, 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

¹ The project is located two miles from the East Dublin/ Pleasanton BART station and adjacent to bus stops.

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.

Zoning and Uses

The approximately 5.9-acre southern portion of the property was rezoned in January 2012 to allow multi-family residential. Therefore, no rezoning is needed to allow the proposed multi-family residential.

Density

The proposed density of 30 dwelling units per acre conforms to the 30 dwelling units per acre density stipulated by the Standards.

Housing Site Development Standards and Design Guidelines

Exceptions Requested by Applicant

The applicant has revised the project so that it conforms to the most of the Standards. The applicant is requesting two exceptions to the Standards. For the Commission's reference, the page and section number for each item below is noted in *italics*.

Special Design Standards and Guidelines Development Standard, page 55

1. No structure (not including light fixtures) shall be located within 50 feet of the western property line - The carports would be located eight feet from the western property line.

Comments: The applicant could remove carport parking along the western property line and still conform to the requirement of providing one covered parking space per

residential unit. The applicant prefers to keep the carports as the carports have been considered as a amenity to the apartment tenants. The Planning Commission indicated that they would support this exception if the adjoining property owner to the west, Chamberlin Associates, supported the carport location. One commissioner asked about relocating some of the carport elsewhere on the project site so as to break up the carport presence along the westerly property line. Chamberlin and Associates and the applicant have reached a compromise on this item. It is agreed between them to have two small carports located along the westerly property line. The parties have also agreed that the design of the carports will match the design of the building. Staff supports this revision, provided that the carport dimensions and designs be reviewed and approved by the Director of Community Development.

Development Standards, page 13, requires a distinct hierarchy of circulation including public streets, internal streets, alleys, etc. Section A1.b states that alleys should not be used for primary circulation.

2. The existing western entrance would serve as one of the two entrances to the proposed development. It should, like the eastern entrance, be designed as an internal street. Sheet A1.2 shows it is designed as an alley.

Comments: The majority of the Commission supported using an alley design instead of an interior street design for the second westerly access road for the project. Staff found the alley is designed to facilitate internal circulation and allows more land area as open space; thus it is supportable.

Site Plan

An existing 30-foot wide easement for the purposes of providing reciprocal access, common driveway, storm drain, and public service between the subject site and the adjoining site the east lies between these properties. The 30-foot multi-purpose easement would remain. The proposed project complies with the minimum building-to-building separation requirements and the minimum setbacks (except in the area noted above). The parking has been positioned to minimize its visibility as much as possible from West Las Positas Boulevard and the adjacent properties.

For the convenience of the residents who have pets, a dog wash area is proposed on the east side of Building D near the trash enclosures. In response to comments from the residents to the south across the arroyo that noise from dog barking during wash could be disturbing, the applicant has agreed to relocate the dog wash away from the southern portion of the site to near the recreation building at Building B. Staff has included a condition to address the dog wash relocation.

Floor Area Ratio

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

Open Space/Amenities

The proposed project contains a variety of recreation areas and amenities. Recreation and community building space would include a fitness room and community lounge room. The central outdoor recreation area offers an outdoor swimming pool/spa, children's play area, open green area, and barbeque picnic area. Pedestrian paseos and pocket plazas would be provided in various locations throughout the complex. In addition, a water feature is proposed near the main entrance to the complex fronting West Las Positas Boulevard by the leasing office. In total, the project proposes 44,448 square feet of group open space on-site.

The Standards require a minimum of 300 sq. ft. of group open space per dwelling unit (177 units x 300 = 53,100 sq. ft.). Private open space is not required, but, if provided, it can be deducted from the group open space requirement at a 2:1 ratio (i.e., one sq. ft. of private open space = 2 sq. ft. of group open space). The project would provide 44,448 sq. ft. of group open space and 9,524 sq. ft. of private open space, which is equivalent to a total of 63,496 sq. ft. of group usable open space. Therefore, the project complies with the open space requirements.

Regarding private open space, the Standards do not require private open space be provided for each unit. One hundred sixty eight (168) of the 177 units would have private open space areas in the form of patios or balconies. The private open space areas range from 56 to 143 sq. ft. in area. The nine units without private open space are located on the second floors of Buildings C and D facing south (Arroyo Mocho). The applicant removed the balconies at those location in to response to the privacy concerns from a group of residents on the south side of Arroyo Mocho (Parkside neighborhood).

The areas proposed for the tot lot and common open space have been adjusted to address the comments from the Planning Commission work session on September 11, 2013 so that these two areas would be sized appropriately and adequately to serve the residents.

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

Transportation

Traffic and Circulation

The project site is currently accessed via a full access driveway on West Las Positas Boulevard and signalized intersection at West Las Positas Boulevard and Hacienda Drive.

Local roadways that serve the project site include West Las Positas Boulevard, Hopyard Road, Willow Road, Hacienda Drive, and Stoneridge Drive. The project site is located approximately two miles southeast of the East Dublin/Pleasanton Bay Area Rapid Transit (BART) station. The project site is served by the Livermore-Amador Valley Transit Authority (LAVTA) Wheels Bus Service. There are currently existing bus pullouts with shelters located in the project vicinity, one on each side of West Las Positas Boulevard. All streets in the project vicinity have sidewalks and crosswalks at signalized intersections.

Bike Lanes exist on West Las Positas Boulevard west of Hacienda Drive and on Willow Road adjacent to the Hart Middle School. According to the *Pleasanton Pedestrian and Bicycle*

Master Plan, bike lanes are planned on West Las Positas Boulevard east of Hacienda Drive and along Stoneridge Drive.

The Pleasanton General Plan requires site-specific traffic studies for all major developments which have the potential to exceed Level of Service (LOS) D at major intersections and requires developers to implement the mitigation measures identified in these studies in order to maintain LOS D or better. Exceptions are made for the Downtown and “Gateway Intersections” where the LOS D or better standard may be exceeded.

A traffic study was prepared by Whitlock & Weinberger Transportation, Inc. (W-trans), to analyze the traffic and circulation for this project. The Traffic Impact Analysis dated February 10, 2014, is attached to this report (Exhibit B). The traffic study analyzed the near-term and cumulative/long-term traffic scenarios with and without the project. The near-term scenario includes the existing traffic plus anticipated traffic from approved but not yet built projects. The cumulative/long-term (or build-out) scenario consists of development that has not received final plan approval from the City but has been identified to be completed in the long term with the build-out of the Pleasanton General Plan. Regional traffic growth is also considered in the cumulative/long-term scenario.

The study included seven study intersections. The study evaluated queuing under the Existing plus Approved Project and Cumulative a.m. and p.m. peak-hour conditions; internal circulation for the proposed development; pedestrian, bicycle and transit facilities; and safety factors.

Traffic conditions at the study intersections were analyzed for the weekday AM and PM peak hours of traffic. The AM peak hour is typically between 7:00 and 9:00 a.m. and the PM peak hour is typically between 4:00 and 6:00 p.m. It is during these periods that the most congested traffic conditions occur on an average day. The AM and PM peak hour vehicular trips for the proposed projects were developed based on trip generation rates contained in the Institute of Transportation Engineers (ITE) publication Trip Generation, 9th Edition. This is a standard reference used by jurisdictions throughout the country and is based on actual trip generation studies at numerous locations in areas of various populations.

The proposed project is anticipated to generate 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. Please see the following table from W-trans study:

Land Use	Units	Daily		AM Peak Hour			PM Peak Hour				
		Rate	Trips	Rate	Trips	In	Out	Rate	Trips	In	Out
Proposed											
Apartment	177 du	6.65	1,177	0.51	90	18	72	0.62	110	71	39
Project Trips			1,177		90	18	72		110	71	39

Note: du = dwelling unit

The traffic study also included analysis of school related traffic, evaluated Level of Service (LOS) and queuing during the school a.m. (7:00-9:00) and p.m. (2:00-4:00) peak hours, collected turn movement counts, and, analyzed traffic condition under existing conditions and existing plus project conditions. The study found that, under Existing Conditions, all of the study intersections operate at an acceptable LOS C or better during the a.m. and school p.m. peak hours and would continue operating at acceptable Levels of Service with the addition of school-related project-generated traffic.

The Traffic Engineering Division reviewed the traffic study and found it to be acceptable. The Traffic Engineering Division recommended the traffic signal system at the intersections of West Las Positas Boulevard/Hacienda Drive and West Las Positas Boulevard and Willow Road be modified to help traffic circulation at these intersections. Staff has included conditions of approval to address these items.

The Traffic Engineering Division reviewed the proposed internal circulation, and found it to be acceptable.

Transportation and traffic were also analyzed in the Supplemental Environmental Impact Report (SEIR) for the Housing Element update and Climate Action Plan General Plan Amendment and Rezonings (see Environmental Assessment section below for additional discussion). The only traffic-related mitigation measure 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. The project has been conditioned to pay the applicable City and Tri-Valley Regional traffic impact fees.

Transit

The Livermore-Amador Valley Transit Authority (LAVTA) currently provides bus service (the Wheels Bus System) to the project area. There are currently existing bus pullouts with shelters located on the both sides of West Las Positas Boulevard. The project design has incorporated a network of pathways internal to the project that allows access to the sidewalk that leads to the bus stop.

Bicycles:

The Standards for the proposed project require 0.8 secured and weather protected bicycle spaces per apartment unit (177 units x 0.8 = 142 spaces required). On-site, the project is proposing to provide a total of 150 bicycle parking spaces (130 spaces in the private parking garages, and 20 spaces in separate bike storage rooms).

The Standards also require a minimum of two public bike racks per 50 dwelling units which must be located within 100 ft. of main entries (7 racks required). The project is conditioned to provide a minimum of seven bike racks as required by the Standards.

The Pleasanton Bicycle and Pedestrian Master Plan recommends a paved trail on the south side of the Arroyo Mocho waterway. The Plan does not include a trail on the north side of the Arroyo Mocho waterway between Hopyard Road and Santa Rita Road. As such, no gate providing direct access from the proposed development to the north side Arroyo Mocho is proposed.

Staff believes that proposed project is appropriately designed and promotes the City's Pedestrian and Bicycle Master Plan.

Parking

The Standards 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 Code requires the following parking ratio for dwelling units based on the number of bedrooms:

- a. For apartments with two bedrooms or less, a minimum of two spaces shall be required for each of the first four units; one and one-half spaces for each additional unit.
- b. For apartments with three or more bedrooms a minimum of two spaces per unit shall be required. Parking requirements for units having less than three bedrooms shall be computed separately from the requirements for units having three bedrooms or more and then added together.

The Code also requires the project to provide visitor parking, in a ratio of one parking space for each seven (1:7) units.

The proposed project contains a total of 162 dwelling units that have two or few bedrooms, and a total of 15 dwelling units that have three bedrooms. As such, a total of 300 parking spaces would be required for the proposed development, among which 275 parking spaces would be for the residents and 25 parking spaces would be for visitors. As proposed, the project would have a total of 304 parking spaces, exceeding the requirements by four extra parking spaces.

A total of 304 parking spaces are proposed on-site, exceeding the requirement by providing four additional parking spaces. A combination of 130 garages and 124 carports, provide for 254 covered spaces. The remaining 50 are uncovered surface stalls. The proposed project meets and exceeds the number of parking spaces required by the municipal code for multiple family residential district.

The Standards established requirements for parking location and treatment. One of the requirements (A7.1) specifies that if the parking cannot be located behind buildings or below grade, that it should be screened by low walls and landscaping. The applicant proposed a block wall along the southern property line and a fence along the western property line to separate the subject site from the adjoining properties. In addition to the existing trees along the property lines, tree and shrubs are proposed to be planted along the proposed wall and fence to help screen the views of the parking areas. The proposed design provides screening that meets the standards.

Noise

External noise sources that could affect the site include traffic noise from adjacent City streets, and adjacent land uses. For multi-family housing projects, the City's General Plan requires that outdoor recreation areas not exceed 65 dB Ldn and that indoor noise levels not exceed 45 dB Ldn (day/night average sound level). Staff notes that the outdoor noise standard applies to the common outdoor recreation areas such as pools, spas, play areas, seating areas, etc., but not to the private balconies, patios, or porches. A noise study (Exhibit B) was prepared to ensure that the project will meet General Plan noise standards. The noise study indicates 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.

As recommended by the Noise Study, the project needs to incorporate sound rated windows and doors to reduce vehicle traffic noise to DNL (day/night average sound level) 45 dBA or less indoors. The study recommends incorporating windows and doors with sound insulation rating of STC (Sound Transmission Class) of 30 in units that would be located in Building A and Building B along West Las Positas Boulevard. The report also recommends incorporating windows and doors with a STC rating of 28 in other locations. The study further requires the final design and sound insulation ratings be reviewed by an acoustical consultant prior to construction. Staff has included a condition to address this item.

The Noise Study also included analysis of mechanical equipment noise associated with the project such as rooftop HVAC units. The study recommends that an acoustical consultant review manufacturer's specification data for the equipment to determine noise reduction measures, if any. Staff has included a condition to address this item.

Noise Impacts on Adjacent Properties

The proposed development would generate added urban noise, such as traffic, loading and unloading of delivery trucks, children playing, etc. However, given the existing noise levels produced by nearby street traffic, and the existing school's field, and City's Sports Park in the area, noise levels would not change substantially from what is currently experienced in the area.

At the Planning Commission work session on January 22, 2014, the applicant proposed a six-foot high block wall with stucco finish to buffer the proposed development from Arroyo Mocho and the existing Parkside neighborhood located on the south side of the arroyo. In response to a request from the residents, Charles Salter & Associates, the acoustic consultant who prepared the noise study for proposed development, addressed acoustic concerns regarding the potential for noise generated from roadways and activities at the sports park to be reflected from the proposed wall back to the residents in Parkside neighbors (Exhibit H). The study indicated the proposed wall and the fields at the sports park are separated by one to five rows of homes, Arroyo Mocho, and a wall on the south side of the arroyo. Noise from the sports park would be shielded by the homes and the existing wall along the south side of the arroyo and attenuated by the distance before it reaches the proposed wall. As such, the potential increase in noise, as a result of wall reflection, would be two decibels or less, which would not be noticeable. As the proposal includes planting vines on the north side of the wall and along

the wall, it would help to reduce focused reflections to the existing residences. The study pointed out that if the wall height is increased from the proposed six feet to eight feet, it would help reduce vehicle noise generated by the tenants/visitors of the apartment complex by 1-2 decibels.

In a meeting with Parkside neighborhood group on February 11, 2014, the neighbors commented on the wall surface so that noise from sports park would not be reflected directly back toward the existing residential area. The project noise consultant, Charles Salter & Associates reevaluated the wall design and stated the following in a memo dated February 20, 2014:

Barrier Reflections: You have asked if noise from the roadways and sports fields south of existing residences (across the canal) will be reflected back to those residences. The noise barrier will be precast concrete with a textured "grapestake" surface. Planted vines will be added on-site, and will grow to the canal side of the wall. These features will help reduce reflectivity of the barrier. In addition, shielding from the intervening houses (generally one to five rows) and distance attenuation from the reflected path-of-travel across the canal will help limit reflected noise. The noise barrier is estimated to increase average noise levels from vehicles on these roadways, and occupants moving around the sports fields, by 2 decibels or less, which would not be distinguishable at the existing residences.

Staff has added a condition requiring the design of the wall be reviewed and approved by the Director of Community Development during plan review stage. In addition, the resident group prefers an eight-foot high wall to a six-foot high wall. Staff is supporting either a six foot or an eight foot wall. A copy of the memo is attached (Exhibit H).

The Parkside residents commented on the trash enclosure location at Building D, and would like it to be relocated to reduce the noise of garbage trucks coming down the alley. The applicant revised the trash enclosure area by adding a wall so that garbage trucks would not need to use the alley. They would use the internal streets to access to the trash enclosure area by Building D and then continue their route out. Staff has added a condition requiring the applicant/the apartment complex management office to use their best effort to work with Pleasanton Garbage Service to not use alley during pickup.

Road Noise

A mitigation measure of the SEIR required that the future projects analyze whether they would add off-site traffic noise in excess of 55 dBA as described in the SEIR and, if they did, the applicant would need to contribute its fair share to mitigate the noise impact. The noise study determined that the estimated noise from vehicles associated with the project will not increase DNL at off-site receivers along West Las Positas Boulevard. Therefore, the applicant is not required to provide mitigation to address this issue.

Construction Noise

Short-term construction noise would also be generated during construction. The SEIR included construction related 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 a landscaped drainage basin that would filter contaminants before entering the arroyos and, ultimately, the bay. It is estimated that an approximately 8,000 cubic yards of dirt would be excavated. 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 are “four-sided” with no side minimized with respect to articulation or detailing. Portions of the building walls would pop-in or -out 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.

In response to the comments from the Planning Commission work sessions, additional architectural elements, such as rafter tails, canvas awnings, horizontal bands, sconces, wrought iron railings, wooden gates, etc. were added to the buildings. In addition, a lowered wall and columns have been added to the otherwise plain wall on the northwest elevation of Building A near the garage. Staff believes that proposed design has responded to and addressed the Commission’s comments.

In response to Commission’s comments concerning the roof design on the south elevation of Building C and Building D, the applicant added dormer features to break the massing of the roof. Staff found this approach improves the southern elevation of these two buildings and is acceptable. The applicant has also provided line-of-sight drawings (cross sections) of the proposed buildings when viewed from the south side of Arroyo Mocho. Staff has shared the revised roof elevations and the line-of-sight (cross sections) with a group of Parkside residents. They found both are acceptable.

The proposed building colors have been modified to provide more contrast and variation. The roof colors have been modified as well to achieve the same effect. Staff finds the proposed colors, the window design and treatment, the building materials, and the overall massing and treatment of all the proposed buildings to be acceptable. The plans do not include the carport designs; therefore, the project has been conditioned to require the proposed carport design to be submitted for review and approval by the Director of Community Development.

Signage

Conceptual blade signage identifying the complex address has been shown on the building elevations, but no sign details have been provided at this time. A condition has been included that requires the applicant to submit a comprehensive sign program for the project prior to installation of any signs.

Universal Design

Universal Design is a design principle that addresses the needs of people with reduced mobility, agility, and/or strength such as the elderly and persons with disabilities. It is usually applied to residential development types not normally covered by the ADA requirements of the California Building Code (CBC) such as single-family homes.

Although the City does not have an ordinance mandating Universal Design, the Housing Element contains a program (Program 41.8), which states:

Require some units to include Universal Design and visitability features for all new residential projects receiving governmental assistance, including tax credits, land grants, fee waivers, or other financial assistance. Consider requiring some units to include Universal Design and visitability features in all other new residential projects to improve the safety and utility of housing for all people, including home accessibility for people aging in place and for people with disabilities.

Recently approved apartment projects (St. Anton and California Center, both located in Hacienda Business Park) were conditioned to provide Universal Design features for all of the required adaptable dwelling units. Staff has included the same condition for this project.

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 130 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 Quality Management District and was deemed a "Qualified Greenhouse Gas Reduction Strategy" in accordance with the District's 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 AB 32 California’s Global Warming Solutions Act. In advance of full implementation of the City’s CAP, staff had requested that the applicant prepare a checklist indicating specific items it would implement to support the CAP (Exhibit B).

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.

The CAP checklist from the applicant indicated that the proposed development would incorporate distributed generation, especially PV, solar thermal, solar hot water, and solar cooling, and/or provide bloom box or other fuel cell technologies (ER2-3). Staff has included a condition requiring conformance to this item be reflected on the plans submitted for plan review prior to the issuance of building permit and is subject to review and approval by the Director of Community Development.

School Impacts

The Fall 2011/2012 Demographer’s Report prepared by Davis Demographics & Planning, Inc., dated June 2012, for the Pleasanton Unified School District (PUSD), included Student Yield Factors (SYFs) for a 10 year projection. The SYFs, when applied to planned residential development units, would determine the number of students from a particular development who may be enrolled into PUSD schools. Different SYFs are used for different grade levels. Please refer to the following table showing the number of students that would be expected for the proposed 177 residential units to be enrolled in PUSD schools in various grade levels.

Grade Level	SYFs for Apartment Units	No. of Expected Students
K-5	0.128 (x 177 units)	23
6-8	0.081(x 177 units)	14
9-12	0.110 (x 177 units)	19
K-12	0.319 (x 177 units)	56

A copy of the report is available through the following web link:
<http://206.110.20.201/downloads/businessservices/FY12StudentPopulationProjectionsDemRpt.pdf>

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

Preliminary landscape plans have been provided for the site, including enlargements of common open space/recreation areas, and additional planting and stucco wall 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. A condition of approval requires that detailed landscape and irrigation plans be provided at the building permit stage subject to the review and approval by the Director of Community Development.

Some of the residents in Parkside neighborhood have requested that the south side of the proposed stucco wall be screened sufficiently by landscaping. The applicant is exploring an option, in addition to providing vines, to plant vine/shrubs along the south side of the wall. As the southern property line of the project site abuts the maintenance road along Arroyo Mocho which is owned by Zone 7, permission from Zone 7 would be needed. In addition, the applicant is exploring the feasibility of landscape maintenance as there would not be a direct access from the project site to the arroyo. Staff will report the outcome of providing landscaping on the south side of the block wall at the hearing.

At the Planning Commission Work Session on January 22, 2014, the adjoining property owner to the west, Chamberlin and Associates, requested to have less landscaping along the westerly property line. To ensure appropriate landscaping would be planted along the westerly property line, staff has included a condition requiring final landscape be reviewed and approved by the Director of Community Development prior to issuance of building permit.

Tree Removal

A tree report has been prepared by HortScience (Exhibit B) that specifies the species, size, health, and value of the existing trees on the site that exceed six-inches in diameter. According to the tree report, the project site contains 103 trees, of which 27 are considered "heritage-sized" trees (i.e., a tree which measures 35 feet or greater in height or which measures 55 inches or greater in circumference) under Chapter 17.16 of the Pleasanton Municipal Code.

Staff notes that the tree report indicates that a total of 46 trees would be saved (including 27 heritage-sized trees). These trees are located along the western property line (tree nos. 2-16), southern property line (tree nos. 17-34), and along West Las Positas Boulevard (tree nos. 89-102). A total of 57 trees are proposed for removal (two are heritage trees). These 57 trees are currently located around the existing building and in the parking lots, consist of Callery pear, Crape myrtle, European white birch, and African sumac. None of the existing trees is native to California.

Program 2.1 of the General Plan Conservation and Open Space Element indicates that where preservation of heritage trees is not feasible, the City will require tree replacement or a contribution to the Urban Forestry Fund. The applicant is able to preserve 25 of the existing 27 heritage-sized trees, and plant a number of additional trees, shrubs and groundcover to buffer

and help screen the proposed development from the adjoining commercial property to the west and the existing residential neighborhood to the south a cross the arroyo. Staff finds the proposed planting to be acceptable mitigation.

Affordable Housing Agreement and Housing Commission Recommendation

The Housing Commission, at its February 20, 2014, meeting, reviewed Affordable Housing options to define an Affordable Housing Agreement (AHA) for the project. The Housing Commission unanimously recommended the approval of the AHA to the City Council.

The proposed AHA includes 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).

The following table shows the proposed affordability level and unit mix. It meets the City’s IZO goal of 15% affordable units.

Unit Type	Affordability Levels			
	50% AMI ¹	80% AMI	100% AMI	Total
One-bedroom	3	7	5	15 (55%)
Two-bedroom	2	4	3	9 (34%)
Three-bedroom	1	1	1	3 (11%)
Total	6	12	9	27 (100%)

¹Annual Median Income for Alameda County

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

Development Agreement

State law authorizes cities and counties to enter into binding development agreements with any person having a legal or equitable interest in real property for the development of the property. 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. Therefore, future land use decisions regarding such a development project will not be based on then current planning and zoning law, but rather they will be based on the laws that were in existence at the time the development agreement was executed. The developer gains certainty, through the

development agreement, of the continuity of regulations that were in force at the time of entering into the development agreement and prior to a commitment of a substantial investment for project improvements. In exchange, the City gets certain benefits and concessions that it might not be able to require through conditions of approval.

The applicant has proposed a 10-year term for the development agreement. The developer would be 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 draft development agreement is attached as Exhibit B.

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.

Growth Management

The City's Growth Management Ordinance (GMO) regulates the number of residential building permits that can be issued each year in order to assure a predictable growth rate while providing housing to meet the needs of all economic segments of the community, regional housing needs, and employment growth. On November 20, 2012, the City Council adopted revisions to the City's Growth Management Ordinance in order to ensure the City could meet its current and future Regional Housing Needs Allocations (RHNA) by the Association of Bay Area Governments (ABAG). One of these revisions eliminated the annual 350 building permit limit which could be issued for residential units. For the current RHNA cycle (the fifth cycle, ending June 30, 2014), the GMO states that the annual unit allocation shall be equal to the number of units required to meet the City's RHNA for the fifth cycle.

The applicant is requesting that building permits for all 177 units be issued in 2014. As the applicant's units would be used to meet the RHNA for the current cycle, the applicant's growth management request should be approved as it is consistent with the GMO. Any growth management allocations approved for the project will be included in the proposed development agreement and extended into the future for the term of the development agreement. The applicant's Growth Management request does not need to be acted upon by the Planning Commission as it requires City Council decision only.

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 support 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 affordable rental housing 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. The proposed density of 30 dwelling residential units per acre is consistent with the General Plan. 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 project has been designed to incorporate comments from the Parkside residents in terms of open space locations, building height, landscaping, privacy, etc. 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) map², 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.

² Flood Insurance Rate Map 06001C0317G

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 property owners has been sought and obtained through Planning Commission work sessions; further opportunity for public comment will occur at the Planning Commission, Housing 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. At the time this report was written, staff had not received any comments from the surrounding property owners. Staff will forward to the Commission any public comments as they are received.

During Planning Commission Work Sessions, a number of Parkside residents spoke, expressing their concerns. In addition, the representative from Chamberlin and Associates, the adjoining property owner to the west, also spoke, expressing concerns. Please refer to the work sessions minutes for their comments.

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 E) 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. Therefore, the previously prepared SEIR and Addendum to the SEIR, taken together, are determined to be adequate to serve as the environmental documentation for this project and satisfy all the requirements of CEQA.

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, etc). 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.

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 rental housing 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, and the Addendum to the SEIR are adequate to serve as the environmental documentation for this project and satisfy all the requirements of CEQA;
2. Find that the proposed PUD development plan and Development Agreement are consistent with the General Plan;
3. Make the PUD findings for the proposed development plan as listed in the staff report;
4. Find that the exceptions to the Housing Site Development Standards and Design Guidelines as listed in the staff report are appropriate; and,

5. Adopt a resolutions recommending: 1) approval of Case PUD-103, PUD development plan, subject to the conditions of approval listed in Exhibit A, and 2) Case P14-0086, a development agreement for the project, and forward the applications to the City Council for public hearing and review.

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