

Planning Commission Staff Report

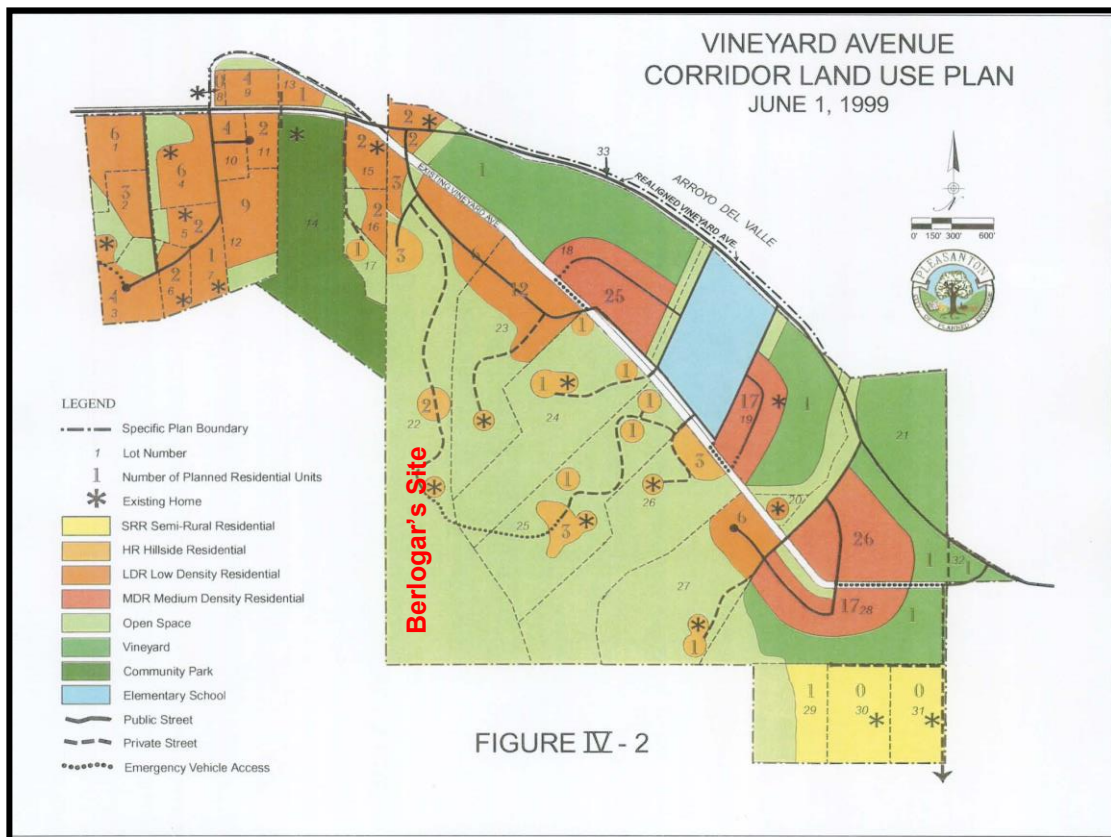
February 12, 2014
Item 6.b.

- SUBJECT:** PUD-84
- APPLICANTS/
PROPERTY OWNERS:** Frank and Barbara Berlogar
- PURPOSE:** Application for Planned Unit Development (PUD) Development Plan approval to subdivide an approximately 37.4-acre site located at 88 Silver Oaks Court into three single-family residential lots: two lots measuring approximately 1.2 acres and 1.9 acres for custom homes; and one lot measuring approximately 34.3 acres for the existing dwelling and accessory structures.
- LOCATION:** 88 Silver Oaks Court
- GENERAL PLAN:** Residential – Low Density (less than 2 dwelling units per gross acres) and Open Space – Public Health and Safety
- SPECIFIC PLAN:** Vineyard Avenue Corridor Specific Plan
- ZONING:** PUD-HR/OS (Planned Unit Development – Hillside Residential/Open Space) District.
- EXHIBITS:**
- A. [Draft Conditions of Approval](#)
 - B. [Proposed Site Plan, Preliminary Grading Plan, Design Guidelines, Photosimulations, Tree Assessment Report, Geotechnical Investigation Report, and Landfill Gas Assessment Report](#)
 - C. [Memos to Planning Commission Dated October 3, 2005, and October 23, 2006](#)
 - D. [Staff Report for July 24, 2013, Planning Commission Work Session \(without attachments\)](#)
 - E. [July 24, 2013, Planning Commission Meeting Minutes \(Excerpt\)](#)
 - F. [Ordinance 1832, Approving PUD-5](#)
 - G. [Vineyard Avenue Specific Plan Land Use Plan](#)
 - H. [Public Comments](#)
 - I. [Project Location/Notification Maps](#)

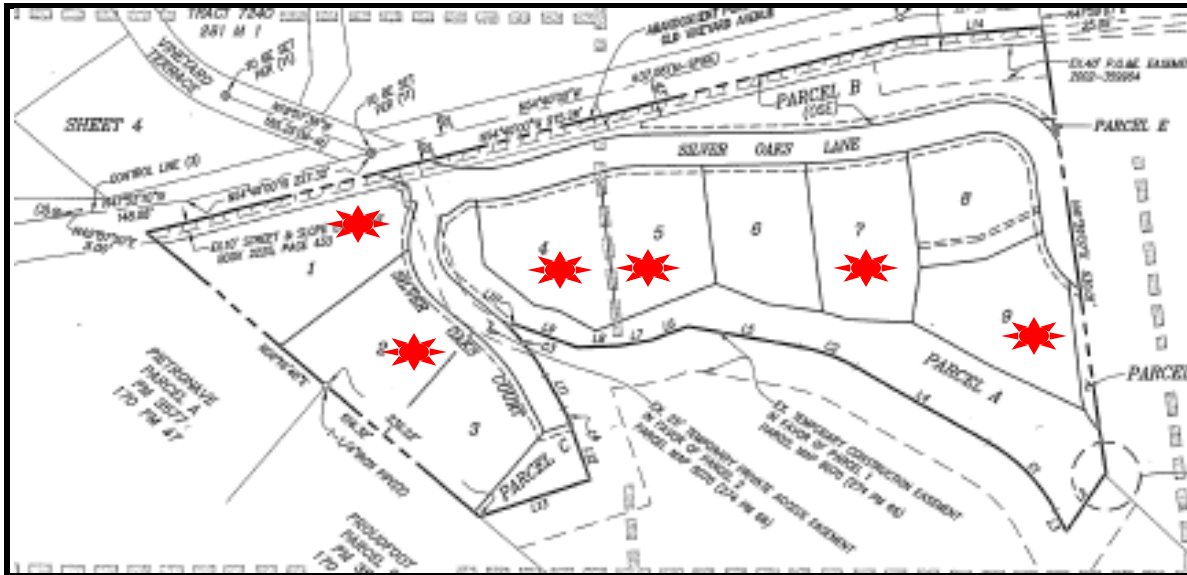
BACKGROUND

The Vineyard Avenue Corridor Specific Plan (VACSP) and Planned Unit Development (PUD) rezoning for a 384 acre area in southeast Pleasanton were adopted by the City Council in June 1999. The VACSP Financing Program was subsequently adopted in March 2000. Over the past decade, individual projects within the Specific Plan have been approved, consistent with the provisions of the Specific Plan.

Frank and Barbara Berlogar are the owners of Lot 22 in Subarea 3 of the Vineyard Avenue Corridor Specific Plan (VACSP). The Berlogar's original lot was approximately 50.13-acres in size and was occupied by an existing single family home, a trailer home, and several accessory buildings. The lot has three Specific Plan land use designations: Low Density Residential (LDR), Hillside Residential (HR), and Open Space (OS). The VACSP allotted a total of 14 new residential units to be located on Lot 22 in addition to the existing home: nine new dwellings located in two LDR areas and five new dwellings in two HR areas. The HR areas were located in two separate areas of the site: the northern HR area is allocated for three homes and the southern HR area is allowed for two new homes. The VACSP also allowed the construction of a second unit to replace the existing trailer home. Please see the Vineyard Avenue Corridor Land Use Plan below and attached as Exhibit G.



In June 2001, the City Council approved PUD-05 (Ordinance 1832, attached as Exhibit F). It allowed the construction of 9 single family homes on the LDR portions of the property. In September 2006, the City Council approved Vesting Tentative Map 7399 to allow the creation of these nine new lots. To date, six of the nine homes have been constructed on the streets now known as Silver Oaks Lane and Silver Oaks Court.



★ = home constructed

Frank and Barbara Berlogar have submitted a PUD development plan application for two new residential lots in the northern HR area where three new lots are allowed by the Specific Plan.

SITE DESCRIPTION

The subject property is located on the south side of Old Vineyard Avenue, now Vineyard Avenue Trail. It contains the Berlogars' residence, a caretaker's residence (second unit), a barn/workshop building, and a hay barn. The site is characterized by a steeply incised northerly-flowing intermittent creek running through the center of the long, narrow lot. A single driveway provides access to the Berlogar residence. The site has been used for cattle grazing and horseback stabling/riding. There is also a small vineyard. The intermittent creek's habitat has been compromised by many years of intensive cattle grazing, and its lower end has been filled. Steeper areas contain blue oak woodland habitat. The elevations of the subject site range from 423 feet at the northern corner of the site near Old Vineyard Avenue to 695 feet at the top of the ridge near the southern property line. The Berlogar residence is served by its private well and a septic tank/leach field system. Please see the aerial of the subject site on the following page.



Site Aerial

The property is bordered on the east and north by single family residential properties, on the west by single family residential properties and the old Pleasanton Garbage Service landfill, and the south by the Lin property with a PUD-RDR/OS (Planned Unit Development – Rural Density Residential/Open Space) zoning designation.

PROJECT DESCRIPTION

The proposed project would be located on the northern portion of the site, in one of the Hillside Residential (HR) areas where three new home sites are allotted by the VACSP. The applicants believe that a two lot proposal would be most suitable for the area considering its hillside setting, and as such, proposed a PUD to create two new home lots instead of the three new home lots allowed by the VACSP. Custom homes would be constructed on both lots. The proposed project is summarized below:

- Lot Sizes: Lot 1 (new) – 1.2 acres
 Lot 2 (new) – 1.9 acres
 Lot 3 (remainder/existing home lot) – 34.3 acres

- Building Envelopes – Building envelopes have been created for the proposed new lots, Lot 1 and Lot 2. They would be located at a minimum of 30 feet from the westerly property line. All structures (i.e., the main dwelling and all accessory structures, including "agricultural" accessory structures) would be required to be located within the envelopes. The building envelope for Lot 1 is approximately 21,202 square feet, and the building envelope for Lot 2 is approximately 22,725 square feet.
- The custom home sites would be graded with a stepping/split pad for Lot 1 and a flat pad for Lot 2 created by a cut-fill pattern.
- Architectural design guidelines and site development standards have been created for the custom homes. It includes design criteria for homes, landscaping requirements, and review process. A copy of the proposed design guidelines is attached as Exhibit B.
- Access to the proposed lots would be from a 16-foot wide private roadway at the end of the existing Silver Oaks Court. This private roadway would then continue southerly and meander between the tree driplines providing access to both lots. This private roadway would terminate on Lot 2 with a hammerhead design as it would also serve as an emergency vehicle access road. The existing slopes on both sides of the roadway would re-graded; as a result, a four to nine-foot high retaining wall would be constructed on portions of the east side of the road and a four-foot high retaining wall would be constructed on portions of the west side of the road. The slope of the road varies from 3.1% to 15%. It should be noted that the VACSP shows the connection from Silver Oaks Court as a local street with a width of 32 feet. In order to preserve trees and minimize grading, staff is willing to support a narrower private street.
- An arborist report was submitted assessing the existing trees on the subject site. The report surveyed a total of 25 trees near the proposed development area. None of the trees would be removed. The report is attached as Exhibit B.
- Visual Analysis/Photosimulations of potential prototypical future homes were prepared by Gorney & Associates. Photos were taken from various locations, both near and far from the proposed home sites. The photosimulations are included in Exhibit B.
- A geotechnical report was prepared by Berlogar-Stevens Geotechnical Consultants, attached as Exhibit B. The City Engineer has reviewed the report and found it is acceptable. Thus, no peer review was required.
- A Landfill Gas Assessment Report by EBA Engineering was prepared. It is attached as Exhibit B.

PLANNING COMMISSION WORKSHOP

On July 24, 2013, the Planning Commission held a workshop to review the applicants' plans to subdivide the existing lot and to create two new hillside home sites with a 16-foot wide private access road. The applicants also presented three alternatives for site layout, including an alternative with three new home sites.

The Commission reviewed the information and provided the following comments:

Site Layout. After review of the alternate site layouts, the Commission, in general, supported the site layout proposed by the applicants as the Commission felt that the proposed site layout would have the least disturbance to the surrounding area and would leave the existing hillside the most natural looking without removal any of the heritage-sized oak trees. Two of the Commissioners felt that the proposed lots could be designed closer to each other to minimize the visual impacts of the upper lot. They felt that the building pad for Lot 2 could be lowered so that the home on Lot 2 would not be at the top of the hill.

The Commission also discussed the future home site “blobs” as shown in the land use map of the VACSP. The consensus from the Commission was that there is some flexibility with the “blobs” and that they were conceptual rather than specific. The Commission wanted to make sure potential visual impacts would be mitigated through design. As such, the Commission requested the applicants to explore options to lower the proposed upper building pad.

Road Alignment. The majority of the Commission supported the proposal road alignment as they felt that it is sensitive to the existing hillside and would give some separation between homes. One Commissioner would like see the road coming around the west side of the existing site. The Commission did not have any objection to the proposed road being a private road.

Building Height. The proposed design guidelines include stepping/split-level design for the future hillside home on Lot 1. As such, the maximum vertical height for a stepped-design home from the grade to the peak of the roof would be 40 feet. The maximum vertical height for a non-stepped design home would be 30 feet. The Commission supported the step design as it is more environmentally sensitive. One commissioner commented that the stepping design could give the houses a taller appearance; however, the visual impact could be mitigated, and stepping design would require less grading to the hillside.

Maximum Floor Area. The Commissioners did not have concerns regarding the proposed maximum of 8,500 square feet of habitable/living space and a maximum of 10,000 square feet of total building area (including the home, garage, and all accessory structures on the subject envelope). The Commission found the proposed total square footage was acceptable considering the sizes of the lots and when compared to the square footage and Floor Area Ratio of the existing homes on Silver Oaks Lane.

Photosimulation. The Commission felt that the photosimulations prepared by the project architect were good. One Commissioner thought additional viewpoints may be helpful; but was not specific in terms of the locations of additional viewpoints. Another Commissioner wished to see a couple of viewpoints taken from the rear yard of the homes on Silver Oaks if the upper building pad is lowered.

Public Comments at Workshop. Gevan Reeves, a resident on Silver Oaks Lane, spoke on behalf of the homeowners on Silver Oaks Lane and the Silver Oaks Homeowners Association. Mr. Reeves referenced a letter that he sent to the Planning Commission and pointed out that one of the proposed homes would be located outside the development area as shown on the VACSP land use map. Mr. Reeves commented that the designated development area in the VACSP is precise, not general or conceptual. Mr. Reeves questioned the accuracy of the photosimulations and expressed concerns about the visual impact of the homes.

Colin Proudfoot, a resident on the adjoining lot to the west of the subject site, commented that the proposal is better than the alternatives as the alternatives would destroy the heritage trees. He noted his objection to any site layout that would have the road run directly along his property line. Mr. Proudfoot further objected to having homes located within 30 feet of his property in order to pacify the residents on Silver Oaks Lane. Mr. Proudfoot believed that there should be a solution that would lower the heights of the building pads without major grading or taking out any of the trees, and that would meet everyone's concerns.

Terry Kingsfather, a resident on Silver Oaks Lane, stated that he did not have anything to add to the comments that have been made.

DISCUSSION

Uses

The proposed uses for the Hillside Residential and Open Space areas would follow the uses listed in the PUD-5 approval. No changes are proposed. Please see Condition No. 8 for permitted and conditionally permitted uses.

Site Plan

Access Road. A 16-foot wide private roadway is proposed at the end of the existing Silver Oaks Court. This private roadway would then continue southerly and meander between the tree driplines providing access to both lots. This private roadway would terminate on Lot 2 with a hammerhead design as it would also serve as an emergency vehicle access road. The elevation of the road starts at 430 feet and ends at 500 feet at the hammerhead.

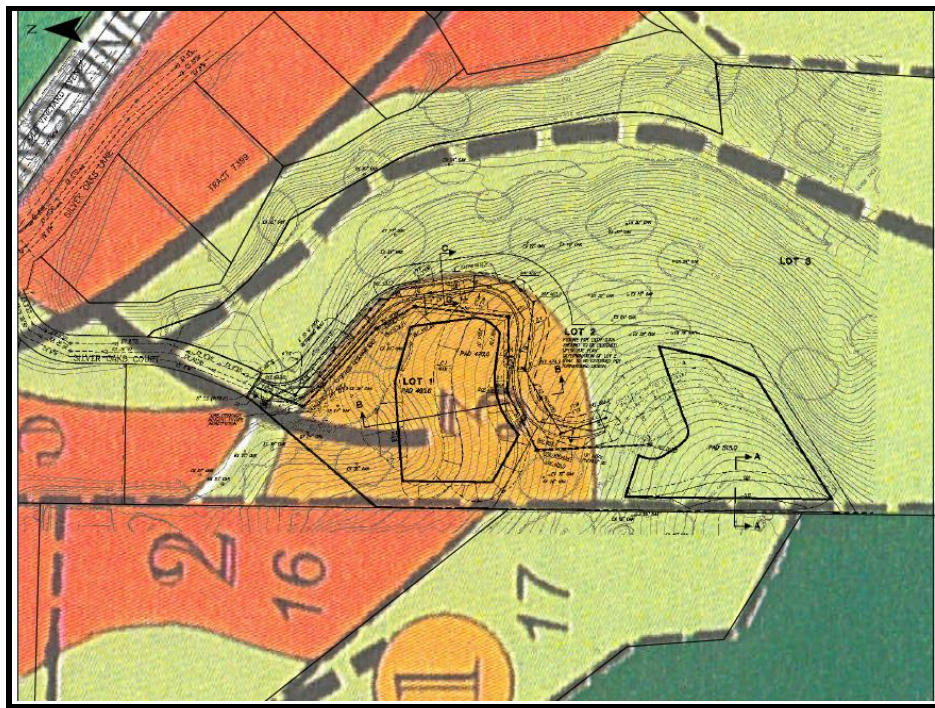
The VACSP Land Use Plan denoted that the street to the proposed site would be a public street. The applicants propose a private road, which is designed per the requirements specified in the specific plan for private hillside streets. If it were designed as a public street, it would need to be wider. In order to preserve trees and minimize grading, staff recommended

at the work session and the Commission supported at the work session that a private street is acceptable to provide access to the two new home sites.

Retaining Wall. A four- to nine-foot high retaining wall would be constructed on portions of the east side of the road and a four-foot high retaining wall would be constructed on portions of the west side of the road. To mitigate the visibility of the east retaining wall, the height of the retaining walls could be reduced by breaking the wall into two or more parallel/terraced walls. However, this option would result in removal of some of the existing heritage-sized trees, which the applicants are trying to preserve. Therefore, instead of terracing the retaining walls, staff recommends using landscaping to screen the wall. A condition of approval has been included to address this item.

The exterior color of the retaining wall would be earth tone to blend into the hillside and landscaping would be installed to screen the retaining wall. The applicants have not specified the material for the retaining wall. A condition has been added requiring the material of the retaining wall be specified on the improvement plan and is subject to review and approval by the Director of Community Development.

Home Site Locations. The VACSP allows three new residential home sites in the northern HR portion of the existing site. The VACSP Land Use Plan shows an irregular “blob” shape (mustard colored area shown in the figure below) indicating the approximate location of the three new home sites. Instead of three new residential lots, the applicants propose two new lots. Please see the diagram below showing the proposed two new lots superimposed onto the VACSP land use plan.



As shown in the figure, the proposed Lot 1 and a portion of the proposed Lot 2 would be located within the mustard-colored-area identified in the VACSP Land Use Plan for hillside residential development.

The VACSP indicates that all hillside home sites must be located within the designated development areas as generally depicted on the land use plan, the mustard-colored-area. Staff notes that the land use plans are not usually meant to be precise, but can be flexible.

Previous Hillside Residential Developments. Prior to the proposed hillside residential development, there were two hillside residential developments approved in the VACSP on Lot 25 (PUD-54/Reznick) and Lot 27 (PUD-32/Sarich). During PUD development plan reviews of these projects, there was also discussion concerning the “blob” locations versus the proposed home sites. In the October 3, 2005, memo to the Planning Commission during the review of PUD-32, it stated:

The dots show the number of planned residential units with an asterisk for an existing home. Where more than one unit is planned, the dots take on an irregular shape presumably signifying the general location for the units. These “dots” or “blobs,” as the case may be, do not appear to be randomly placed. However, Figure IV-2 does not have the precision of topographic contours or other descriptive features that would specify an exact location. Again, as noted on page 23 of the Specific Plan, there was some flexibility built into the Specific Plan to allow specific site development standards to be looked at through the City’s PUD process and varied “for unusual site conditions as long as any new standards are consistent with the intent of the Specific Plan.”

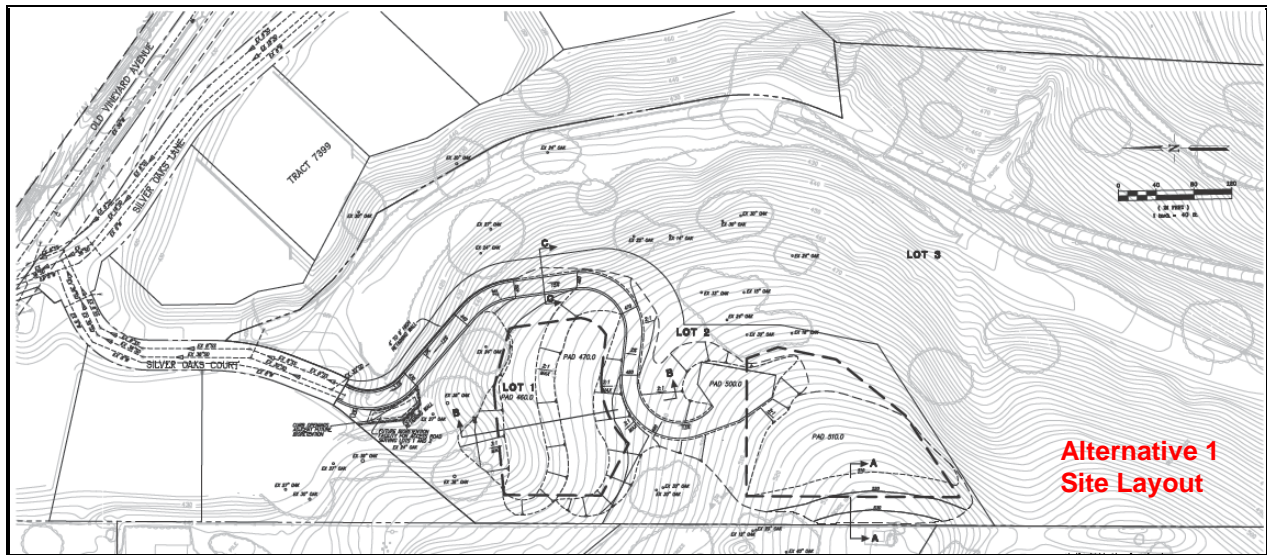
In a follow-up memo to the Planning Commission, staff stated that “... typically these types of dots shown on specific plans are somewhat general in terms of location, and that specific plans allow for some degree of flexibility as to the precise building or road locations shown on specific plan land use maps.” To further explain the “blob,” staff consulted the project planner for the Specific Plan, and was informed that he believed that the house locations were meant to be fairly precise as represented by the “blobs.” The Planning Commission and the City Council approved house locations which varied from the locations represented by the “blobs” on the Specific Plan Land Use map by finding that the new locations “would result in an environmentally superior plan.” The Planning Commission reached consensus that there could be flexibility considered in the siting of future lots; that future homes did not need to be located precisely in the “blob” shown on the land use map; and, that the location of the lots was consistent with the intent of the VACSP. In addition, no direction was provided to amend the VACSP. The City Council concurred with the Commission’s discussion. To that end, the Sarich and Reznick developments both had some flexibility in the location of the homes in relation to the illustrative “blobs”. Both memos are attached as Exhibit C.

The Proposed Hillside Residential Development. The Planning Commission again discussed the “blob” when the proposed development was heard at the work session on July 24, 2013, and the consensus from the Commission was that the location of the “blob” was not precise but flexible and conceptual. The Commission also reviewed and discussed alternatives presented at the workshop as a comparison to the proposed layout. The proposed layout presented a plan that would be able to preserve all existing trees located near and within the

proposed development area and would have less grading while the alternatives showed that some of the heritage-size oak trees would need to be removed, more grading would be needed to create building pads, and that the proposed road would be located much closer to residential properties to the immediate west. The Commission found that the proposed site layout, shown below, is sensitive to its hillside surroundings, would have less environmental impacts than the alternatives, and is better than the alternatives. The Commission supported the proposed home sites.

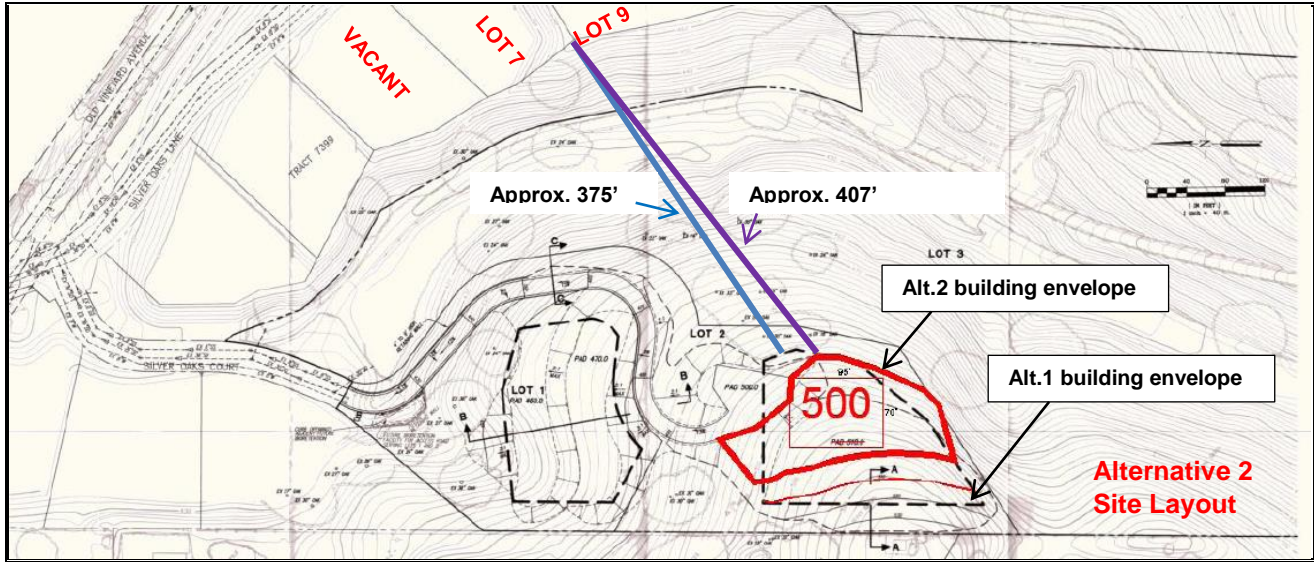


In response to Commission’s comment at the work session, the applicants explored the possibility to lower the building pad on Lot 2 and proposed a revised site plan, referred as Alternative 1, shown on the following page. Alternative 1 would move the building envelope of Lot 2 away from the westerly property line, thereby lowering the building pad from the previously proposed elevation of 515 feet to an elevation of 510 feet. The proposed roadway configuration and hammerhead design would differ slightly from the original layout; however, they have been reviewed and accepted by the Fire Department. The existing trees located near and within the development area would not be impacted by this revised layout.



Alternative 1 site layout was sent to the Commission for review. To conform to the State's Brown Act (Government Code at § 54950 *et seq.*), commissioners were invited to a site visit either individually or in a group of two without forming a meeting quorum. During a site visit, two commissioners asked the possibility of shortening the length of the proposed road and sliding the building pad on Lot 2 further down slope so that no portion of the future home on Lot 2 would be higher than the elevation level at the western property line, blocking a portion of the sky for the homes located below the proposed site.

Staff reviewed and discussed the possibility of shortening the road and shifting Lot 2 further downslope towards Silver Oaks Lane with the Engineering Division. The City Engineer pointed out that if the proposed road were be shortened and designed to meet the requirements of the Livermore-Pleasanton Fire Department, given the existing topography of the site, additional retaining walls would be required in order to support a driveway from the end of the hammerhead to the proposed building pad on Lot 2. The City Engineer does not believe this solution would be superior to either the proposed site layout or Alternative 1 site layout. The Engineering Division did not support modification of the roadway configuration and hammerhead design as shown on Alternative 1 site plan, but did suggest lowering the building envelope from the proposed elevation of 510 feet to the same elevation as the hammerhead (at 500 feet) to avoid additional retaining walls. Based on the preliminary grading plan, this design, referred as Alternative 2 (see figure on the following page), would result in a building pad being located at a maximum of 30 feet lower than the grades along the westerly property line. It would also prevent a future home from partially blocking portions of the sky, responding to the comments from both commissioners.



Comparison of Alternatives for Lot 2. The table below lists the amount of grading that would be needed for the proposed development on Lot 2 and distance between the proposed building envelope on Lot 2 to the rear property corner of Lots 7 and 9 of Silver Oaks Lane for each site layout. It also compares the alternative site layouts to the proposed site layout on Lot 2.

Lot 2	Proposal	Alternative 1	Alternative 2
Pad Elevation Above Sea Level for Lot 2	515 feet	510 feet	500 feet
Grading (amount of soil to be off-hauled)	6,100 cubic yards (430 [±] truckloads)	8,600 cubic yards (618 [±] truckloads)	12,600 cubic yards (903 [±] truckloads)
Distance from the Lot 2 envelope to the Rear Property Corner of Lots 7 and 9 on Silver Oaks Lane	463 [±] feet	375 [±] feet	407 [±] feet
Comparison of the Alternative Site Layouts to the Proposed Site Layout			
	Proposal	Alternative 1	Alternative 2
Pad Elevation	--	5 feet lower	15 feet lower
Grading	--	2,500 additional cu.yd.	6,500 additional cu.yd.
Distance from the Lot 2 envelope to the rear property corner of Lots 7 and 9 on Silver Oaks Lane	--	88 feet closer	56 feet closer

Each site layout has its “pros” and “cons.” The proposed site layout would require the least amount grading; but the future home would likely be more visible off site as the building pad elevation would be located higher than the alternative site layouts. On the other hand, the future home of Alternative 2 site layout may be the least visible from off-site because of its pad elevation; but it would need a significant amount of grading, which would significantly disturb the existing hillside. Staff finds that the proposed Alternative 1 site layout would provide a compromise between the proposed site layout and the Alternative 2 site layout in the following areas:

- **Amount of Grading.** Alternative 1 site layout would require significantly less grading, approximately 4,000 cubic yards less of earth off haul, when compared to Alternative 2. This alternative site layout is more sensitive to the hillside terrain than the proposed Alternative 2 site layout.
- **Visibility from Off Site.** The building pad elevation of the Alternative 1 site layout would be located five feet lower than the pad elevation shown on the proposed site layout. As such, the future home would be less visible from off-site and have less visual impacts to the surrounding residential properties.
- **Distance to Existing Homes.** The future home on the Alternative 1 site layout would be approximately 375 feet away from the rear corner of Lots 7 and 9 on Silver Oaks Lane. This distance is an adequate buffer between homes.

As such, staff recommends the Commission select Alternative 1 and the applicant agreed with staff’s recommendation.

Building Envelopes. The applicants propose building envelopes for both lots. The proposed home and all structures include pool/spa would need to be located within the defined building envelope on each lot.

The Specific Plan requires the following setbacks for hillside lots as measured from property lines:

Front: 35 feet
Side: 20 feet
Rear: 40 feet

As the less-steep areas are limited, the applicants have proposed a building envelope area on each lot to regulate the location of all structures. As proposed, building envelopes would be located further away from the property lines than the required setbacks. The proposed Alternative 1 site layout would also provide adequate distance between the building envelope and the property lines. Staff finds that using the defined building envelope area each lot to define development area instead of setbacks is acceptable. As the specific home design would be proposed by future homeowners, orientation of the each custom home would be determined when the design is proposed.

Grading Plan. A 20-foot wide access easement and utility easement would be created on the eastern edge of the development. This 20-foot wide easement includes a 16-foot asphalt concrete pavement serving as the private road as well as the access for emergency vehicles. The proposed road would start at an elevation of 426 feet climbing up the slope from a 3% incline to a 15% incline until it reaches the hammerhead end at an elevation of 500 feet. Retaining walls would be constructed on both sides the road. The proposed retaining wall height would vary from four to nine feet on the east side and is four feet on the west side.

The existing grade at the proposed Lot 1 varies from an elevation of 450 feet at the northeastern portion of the lot to an elevation of 480 feet at the southwestern-most portion of the lot. The lot slopes up naturally southwesterly. As shown on the slope map in Exhibit B, the slope gets gentler in the southern portion of the lot than the northern portion of the lot. As such, a building envelope is proposed in the less steep portion of the lot for all structures to be constructed for Lot 1. In order to create the building pad, the grading plan shows a 2:1 cut design to remove approximately 2,400 cubic yards of dirt for a split-pad design. The building pads would be located at elevations of 460 feet and 470 feet.

The proposed Lot 2 would be located to the south of the proposed Lot 1. The grade on Lot 2 varies from an elevation of 500 feet near the end of the private road to an elevation of 530 feet at the western property line. The proposed building pad would be located at an elevation of 515 feet. Due to the existing topography of the site and non-split-pad design, grading on Lot 2 would be comparably more than grading on Lot 1.

Both Alternative 1 and Alternative 2 site layouts for Lot 2 would have an elevation variation of 480 feet near the end of the private road to an elevation of 530 feet at the western property line. Both alternative site layouts would need more grading as the proposed building pads would be located at an elevation of 510 feet for Alternative 1 and at 500 feet for Alternative 2.

Staff believes that the proposed grading would afford a building area that is adequate in size to accommodate future buildings for both lots. However, should future homeowners request to modify the building pad elevation(s), a modification to the PUD development plan may be required as determined by the Director of Community Development. Staff has added a condition of approval to address this item.

Overall, staff finds the grading plan to be acceptable.

Utility Plan. The applicants submitted a preliminary utility plan for Commission's review. The preliminary utility plan shows an 18-inch storm drain would be proposed following the alignment of the private roadway. This storm drain line is sized adequately to carry the additional stormwater runoff from the future homes on both lots. Water and sanitary sewer lines would be extended from the existing City lines in Silver Oaks Court up the private road to serve the future homes. All new on-site utilities required to serve the proposed development will be installed underground in a joint utility trench. In addition, a bio-retention facility is proposed near the northern end of the private road. Two fire hydrants are proposed; one

would be located at the beginning of the private road and the other one would be located near the hammerhead. Staff finds the preliminary utility plan to be acceptable.

Proposed Design Guidelines

The VACSP states the following that would apply to the proposed development:

Residential Development Standards (page 25)

- Maximum Building Height in the HR District is 30 feet.
- Building height is measured vertically from the lowest elevation of the building to the highest elevation of the building, excluding chimneys. Primary buildings shall be limited to two stories in height, and accessory buildings shall be limited to 25 feet and one story in height.

General Residential Design Guidelines (pages 30 and 31)

- Buildings should be designed to minimize visual height and bulk. Building height, bulk, and floor area should respond to lot size, natural site terrain, and other site conditions. Wall recesses and projections, roof overhangs, decks, porches, bay windows, dormer windows, and other architectural features are encouraged to reduce visual bulk and create interest.
- Building feature proportions (i.e., doors, windows, entries, roof forms, wall massings, etc.) should be carefully balanced. One-story entries are strongly encouraged while entries exceeding one-and-one-half stories should be prohibited.
- In sloping terrain, building form should conform to site topography by stepping buildings up or down hillsides instead of designing flatland homes for hillside settings.
- Substantial graded areas of uniform slope in hillside areas should be avoided. Cut and fill slopes should generally undulate and vary in slope gradient.

Specific Hillside Residential District Design Guidelines (page 35)

- House designs should be limited to traditional architectural styles and forms adjusted to conform to the natural character of the site.
- Architectural design should emphasize the blending of buildings into the natural surroundings and minimizing building visibility from off-site areas.
- Medium to dark earth-tone building colors shall be used to complement the surrounding natural setting. Darker colors will generally be less conspicuous when viewed from a distance. White, tan, light gray, blue, and yellow are inappropriate building base colors.

Building Height. The Specific Plan allows primary buildings in the HR District to be 30 feet in height and two stories below elevations of 540 feet. Above that elevation, buildings are limited to 25 feet in height and one story. The proposed building envelope areas for both lots would be located below an elevation of 540 feet and, therefore, future homes could be two stories and up to 30 feet in height. The applicants are proposing a stepped building pad on Lot 1 which would have a 10 foot difference between the upper building pad and the lower building pad. As such, the building would be taller when measured from the “down slope” side than measured from the “upper slope” side.

Page 23 of VACSP states site development standards such as building height may vary for unusual site conditions as long as any new standards are consistent with the intent of the Specific Plan. Page 24 states minor variations in lot, building setbacks, and building height may be permitted subject to the PUD development plan approval process where necessary due to physical site conditions. Considering the hillside terrain, the proposed design guidelines allow a maximum building height of 40 feet as measured from the “down slope” side. Staff has been included a condition clarifying that this building height would apply to the Lot 1 as it has a stepped building pad. As Lot 2 would not have stepped building pads, the maximum building height would be 30 feet. Staff finds that it is reasonable and, therefore, supports the proposed height.

The proposed design guidelines state that the building height would be measured from the existing grade underneath the home before construction. Staff recommends the proposed design guidelines utilize the building height measurement as stated in the VASCP, i.e. building height is measured vertically from the lowest elevation of the building to the highest elevation of the building, excluding chimneys. Staff notes that the “lowest elevation of the building” is the lowest finished grade adjacent to an exterior wall of the main house.

Architecture Styles. Instead of defining specific architectural styles for the future homes, the proposed design guidelines, similar to the design guidelines for Silver Oaks Estates, provide design criteria for each building component such as roofs, windows, doors, etc. Staff finds that the proposed design guidelines are appropriate for the hillside development.

Maximum Building Square Footage. The proposed design guidelines limit Lot 1 and Lot 2 to a maximum of 8,500 square feet of habitable/living space and a maximum of 10,000 square feet of total building area (including the home, garage, and all accessory structures on the subject site). This item was reviewed and discussed at the Planning Commission work session on July 24, 2013, and the Commission found it is acceptable. Staff supports it as well.

Geotechnical Report

As required by General Plan policies and the Specific Plan, a geotechnical investigation report was prepared for the subject site by Berlogar Stevens & Associates. The geotechnical report was peer reviewed by the City Engineer and was found acceptable.

From a geotechnical engineering standpoint, the report states that the proposed development can be constructed as planned, provided that the conclusions and recommendations contained in the report are incorporated into the project design and grading. The report further recommends that “Fill slopes should be keyed and benched into the hillside and should include a subdrain.” The report also recommends supplemental investigations be performed for each proposed residence when specific house plans become available. A condition of approval has been included that requires the applicants to comply with the recommendations listed in the geotechnical report. A copy of the report is attached as Exhibit B.

Photosimulations

The Specific Plan requires that a visual analysis be created with the development plan review. Photomontages of the proposed project have been prepared by the project architect, Gorney & Associates. As the homes would be designed based on the design criteria specified in the proposed design guidelines, it is hard to predict the exact details of a future home. To prepare the visual analysis, Gorney & Associates used building shells as sample homes. A stepped, two-story house of approximately 7,588 square feet in size was used for Lot 1 and a two-story house of approximately 6,734 square feet in size was used for Lot 2. The building shell used for Lot 1 had a building height of approximately 24 feet at the “upper slope” side, and a building height of approximately 34 feet at the “down slope” side. The building shell used for Lot 2 had a building height of approximately 30 feet.

Viewpoints of the sample homes were taken from various locations as shown in the aerial on the following page. In response to the comments from the Planning Commission workshop, an additional photosimulation of the proposed development was taken from the residence at 750 Pietronave Lane (Proudfoot’s site). As it was not made clear at the work session in terms of what additional viewpoints are needed from Silver Oaks Lane, staff consulted with the Commission Chair and was instructed that, since design specific photosimulations would be required as part of the future home design review process, no additional viewpoints would be needed from Silver Oaks Lane at this time.



The visual simulations show that the conceptual homes would be partially visible from all viewpoints; at some locations both homes would be visible while at other locations only one home would be visible. Staff finds that the photosimulations prepared by the project architect are acceptable as they show how the future homes may be viewed from nearby residential streets and from locations in a distance, such as from Vineyard Avenue. The photosimulations also show the proposed retaining walls. Staff has included a condition requiring plants be installed to help screen the retaining walls from Silver Oaks Lane and Silver Oaks Court and that a landscape plan be included with the subdivision improvement plans and be subject to the review and approval by the Director of Community Development. Landscaping to help screen the future homes would be required as part of the future home's design review process.

Arborist Report

An arborist tree assessment report was prepared by Ralph Osterling Consultants, attached as Exhibit B. The report surveyed a total of 25 trees near and within the proposed development area. The survey trees are composed of three tree species: 23 blue oaks, one black oak, and one valley oak. Among them, ten are heritage-sized trees. The report also identified that two blue oaks (one is heritage-size, one is not) have suffered major limb failures. Nevertheless, all assessed trees are suitable for preservation, with 19 trees assessed high in suitability for preservation and the remaining six were determined to be moderate in suitability for preservation. The applicants are proposing to retain all 25 trees. The report pointed out that the two blue oaks that have suffered major limb failures would require pruning to balance or

reduce their foliar canopies to increase their aerodynamic properties. The report also recommends proper installation of suitable hardware in order to increase structural integrity of these two trees. Staff has incorporated conditions requiring the applicants to comply with the recommendations specified in the arborist report.

Staff would like to point out, as shown on the site layout and preliminary grading plans prepared by the project engineer, no grading would occur within the tree driplines. Additionally, as shown on both alternative site layouts, no grading would occur within the tree driplines.

Landfill Gas Assessment Report

The southernmost approximately 60 feet of the proposed Lot 2 abuts the former landfill site to the west. The proposed building pads for new homes would be located approximately 250 to 400 feet east of the landfill's waste footprint. At staff's request, EBA Engineering prepared a Landfill Gas Assessment Report, attached as Exhibit B, for the proposed development to determine if landfill gas (LFG) is present on the project site.

Two temporary LFG monitoring points were installed, one on each lot. Drilling was performed and soil samples were collected during the course of drilling. In addition, the boreholes were monitored for methane at five-foot intervals.

The findings from the monitoring activities performed during the course of drilling and one week afterwards showed no indications of methane being present on the project site in the areas where the building pads would be located. The EBA report stated that since the landfill has existed for over 60 years, there may be concerns that LFG migrate into the area. However, the absence of methane negates this concern. The EBA report further stated that further assessment of potential LFG migration issues associated with the proposed development is not considered warranted.

The City Engineer has reviewed the report and found it is acceptable.

To ensure the future homeowners are aware of the landfill gas situation, a condition has been included requiring the future homeowners be provided a copy of the EBA report.

PUBLIC NOTICE

Notices regarding the proposed Planned Unit Development application and related public hearing were mailed to the surrounding property owners within a 1,000-foot radius of project site. A map showing the noticing area is attached to this report. The public notice was also published in *The Valley Times*. At the time this staff report is prepared, no comments from the public were received.

Letters from the neighbors and Silver Oaks Homeowners Association for the Planning Commission work session on July 24, 2013, are included as Exhibit H.

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 the city systems in order to serve the two new lots. The project will not generate volumes of traffic that cannot be accommodated by existing City streets and intersections in the area. The future homes would be designed to meet the design guidelines and the requirements of Building and Fire Codes, and other applicable City codes. The proposed development is compatible with the adjacent uses and would be consistent with the existing character of the area. The closest portion of the building area on Lot 1 would be at approximately 180 feet to the building pad area on the currently vacant lot known as 31 Silver Oaks Court, approximately 300 feet from the existing home to the west located at 750 Pietronave Lane, and the closest corner of the building area on Lot 2 would be located at an additional 280 feet away. The shortest distance between the proposed building area on Lot 1 and the rear property line of the homes on Silver Oaks Lane would be approximately 220 feet, and that of Lot 2 would be approximately 335 feet. As such, adequate setbacks would be provided between the proposed building envelopes and the existing homes on the adjacent properties.

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

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

The Vineyard Avenue Corridor Specific Plan (VACSP) was developed to implement the City's General Plan for the Vineyard Avenue Corridor area and has been found by the City Council to be consistent with General Plan policies including densities consistent with surrounding properties, preservation of open space, protection of wildlife habitat, and mitigation of drainage impacts. The proposed PUD development plan has been designed or conditioned to meet the applicable VACSP policies for the Hillside Residential and Open Space land use designations. The project site was allocated three Hillside Residential lots by the VACSP; however, the applicants propose just two new Hillside Residential lots. Staff believes that the proposed PUD development plan is consistent with

the VACSP, as conditioned. By conforming to the VACSP, the proposed project also conforms to the General Plan. Thus, staff concludes that the proposed development plan is consistent with the City's General Plan and VACSP, 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.

Surrounding properties include single-family residential homes, open space properties, and the former landfill site for Pleasanton Garbage Service. As conditioned, staff believes that the proposed residential lots and the design guidelines specifying design criteria would be compatible with the surrounding uses. The proposed building envelopes will minimize the future structures' impacts on neighboring properties. As specified in the proposed Design Guidelines, future structures over 10-feet in height will also be subject to the City's design review process to ensure compatibility with adjacent uses. Therefore, staff feels that the PUD development plan is compatible with the previously developed properties and the natural, topographic features of the site, and 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.

Graded areas have been minimized to the extent feasible to preserve the natural topography of the site and prevent tree removal. Erosion control and dust suppression measures will be documented in the improvement plans and will be administered by the City's Building and Safety Division. According to the United States Federal Emergency Management Agency Flood Hazard maps, no portion of the site is located in a flood hazard zone. Therefore, staff believes that this finding can be made.

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

A new private road would meander between the tree driplines to provide access from the existing street to the new home sites. Cut and fill would be performed to create the road with retaining walls on the both sides of the road.

All existing trees would be retained and provide a natural screening to reduce the visibility of the private road and retaining walls when viewed from the rear yards of the homes on Silver Oaks Lane. As conditioned, shrubs, vine and/or a combination of both would be planted along the east side of the retaining wall to further reduce the wall's visibility.

The design guidelines include design criteria for a stepped home if the lot has stepped building pads to minimize visual impacts from off-site views. The home design on Lot 1 would be required to have a stepped design as the lot has stepped building pads. The building pad of Lot 2, as recommended by staff, would be graded to an elevation 510 feet,

a maximum of 20 feet below the proposed elevation of 530 feet along the western property line. As such, the future home would be constructed with the uphill hillside as the background. In addition, the design guidelines require the selection of colors and materials for future homes and planting materials that would be compatible with the hillside setting. Therefore, staff feels that this PUD finding can be made as conditioned.

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

Several public safety measures have been incorporated into the design of the proposed development plan. The Fire Department has found that the curve radii, width, and slopes of the proposed private road are satisfactory and that the road can be negotiated by fire and emergency vehicles. All new homes are required to be equipped with automatic residential fire sprinklers. Therefore, staff believes that this finding can be made.

7. Whether the plan conforms to the purposes of the PUD District.

The PUD district allows flexibility in creating development plans and standards for unique situations. In this case, the staff-recommended Alternative 1 site layout would lower the upper building pad therefore minimizing visual impacts. The design guidelines were created to provide design criteria that would ensure future homes would be designed to not only be compatible in architectural styles of the surrounding homes, but also consider the unique situations presented by hillside terrain. Staff feels that the proposed development plan takes into account the City's desire to preserve open space and significant vegetation, to reduce grading on hillsides, and to minimize visibility of development from off-site views. Staff feels that through the PUD process the proposed project has provided the applicants and the City with a development plan that optimizes the use of this hillside site in a sensitive manner. Therefore, staff believes that this finding can be made.

ENVIRONMENTAL ASSESSMENT

Environmental review for the proposed project was undertaken with the Final Environmental Impact Report (EIR) approved by the City Council for the VACSP in conformance with the standards of the California Environmental Quality Act (CEQA). CEQA specifies that residential development projects that are prepared pursuant to the requirements of an adopted specific plan for which an EIR has been prepared and certified are exempt from additional environmental review provided: 1) there are no substantial changes to the project or to the circumstances under which the project is being undertaken that involve new significant environmental effects or that substantially increase the severity of previously identified effects; or 2) that new information of substantial importance which was not known at the time the previous EIR was certified shows the project will have one or more significant effects not discussed in the EIR. Staff does not believe that there are any changes in the project, circumstances, or new information causing new significant environmental effects. Thus, staff recommends this project be reviewed without any additional CEQA review or process.

CONCLUSION

Staff believes that the proposed Alternative 1 site layout is a better plan than the proposed site layout plan and the Alternative 2 site layout plan for the reasons given in the staff report. Staff finds that proposed site layout is appropriate in the number of Hillside Residential lots and pad locations for the new homes, addresses the issues and concerns that staff normally has regarding hillside development, and conforms to the intent of the Vineyard Avenue Corridor Specific Plan. Staff believes the design guidelines take into consideration of the site's sensitivities and the site constraints. Therefore, staff is requesting that the Commission recommend approval of the proposed development plan.

STAFF RECOMMENDATION

Staff recommends that the Commission take the following actions:

1. Find that there are no new or changed circumstances or information which require additional CEQA review of the project;
2. Find that the proposed PUD development plan is consistent with the General Plan and Vineyard Avenue Corridor Specific Plan;
3. Find that the location of the proposed homesites result in an environmentally superior plan.
4. Make the PUD findings as listed in this staff report; and
5. Adopt a resolution recommending approval of PUD-84, subject to the Conditions of Approval listed on Exhibit A and forward the PUD development plan to the City Council for public hearing and review.

Project Planner: Jenny Soo (925) 931-5615; email: jsoo@cityofpleasantonca.gov