



Planning Commission Staff Report

November 10, 2010
Item 5.b.

- SUBJECT:** PRZ-58, City of Pleasanton, Hacienda Business Park Rezoning
- APPLICANT:** City of Pleasanton
- PURPOSE:** Application to rezone three sites in Hacienda Business Park to require residential development plans meet certain core standards related to density, affordability and unit mix, consistent with the settlement agreement approved by the City Council on August 17, 2010 in the case of *Urban Habitat v. City of Pleasanton*.
- GENERAL PLAN:** Mixed Use/Business Park
- ZONING:** PUD-MU
- LOCATION:** Site 1: Southeast corner of Willow Road and Owens Drive (APN 941-2778-013 and a portion of APN 941-2778-012)
Site 2: North of Gibraltar Drive and Hacienda Drive (APN 941-2778-011)
Site 3: Southeast corner of Gibraltar Drive and Willow Road (a portion of APN 941-2761-003)
- EXHIBITS:**
- A. Location of sites to be rezoned
 - B. Draft Sections of Ordinance
 - C. Ordinance No. 1998
 - D. Ordinance No. 2012
 - E. Negative Declaration, previously approved by the City Council on October 20, 2009
 - F. Final Settlement Agreement Concerning *Urban Habitat v. City of Pleasanton* Litigation

BACKGROUND

The three subject sites are vacant properties in Hacienda Business Park, all within one-half mile of the Dublin/Pleasanton BART station (see Exhibit A). The three parcels are currently

the focus of a Hacienda Transit Oriented Development planning effort that is being guided by the Hacienda Task Force.

Consistent with a provision in the 2003 Housing Element to rezone land sufficient to accommodate the City's share of the regional housing need, on November 3, 2009 the City Council approved Ordinance No. 1998 (Exhibit C). That ordinance rezoned the three subject sites to allow Mixed Use development and required a minimum density of 30 units per acre for any residential development. On October 19, 2010, the City Council approved Ordinance No. 2012 (Exhibit D) that eliminated Section 5 of Ordinance No. 1998 which stated that any subsequent development plan for mixed use or residential development could not be approved until the completion of the PUD Major Modification. This action was taken in accordance with a Settlement Agreement approved by the City Council in the matter of *Urban Habitat v. City of Pleasanton*. (See Exhibit F)

Also included in the Settlement Agreement is a requirement that the City adopt Core Development Standards (see Section 7.3.1. of Exhibit F) for the three vacant parcels near the BART station in Hacienda, and that the standards are adopted no later than January 4, 2011.

PROJECT DESCRIPTION

The Core Development Standards required by the Settlement Agreement are as follows:

- (1) Density: Minimum of 30 units per acre
- (2) Affordability: The greater of (a) 15 percent of all units, or (b) 130 units, will be made available exclusively to very-low income (50% of AMI) households. Through the affordable housing agreements entered into between the City and each developer, these affordable units will be deed-restricted in perpetuity. The affordable housing agreements will be recorded and will run with the land.
- (3) Section 8 Rental Assistance Vouchers: Through the affordable housing agreements entered into between the City and each developer, the developments will be required to accept HUD Section 8 Rental Vouchers as a means of assisting qualified applicants.
- (4) Bedroom Mix of Affordable Units: A minimum of 10 percent of the total affordable units will be three-bedroom units; a minimum of 35 percent of the total affordable units will be two-bedroom units; and the remaining affordable units will be one bedroom units.
- (5) Location of Affordable Units: Affordable units will be dispersed throughout the development.

The attached draft sections (Exhibit B) incorporates the above core standards.

The Planning Commission is being asked to make a positive recommendation to the City Council regarding the adoption of this draft Ordinance.

DISCUSSION

The adoption of Core Development Standards for the three Hacienda sites is one of a series of actions described in the Settlement Agreement. All residential development applications for these sites will be subject to these Core Development Standards. At the same time, the

Hacienda Task Force, which has been meeting since March, 2010, has been drafting Non-Core Development Standards and Design Guidelines governing building mass and height, setbacks, architectural features, parking, access and street character. These will be discussed with the Planning Commission at a workshop on December 9, 2010, and the Planning Commission will take a formal action on this proposal in January 2011.

ENVIRONMENTAL REVIEW

On October 20, 2009, at the time the City Council was considering the original rezoning for the three Hacienda sites, it also approved a Negative Declaration dated August 31, 2009, which determined that the project impacts, as they were known at that time, were less than significant (see Exhibit D). Because the environmental setting has not changed since August 2009, and the core development standards would not substantially change the nature of the anticipated development, staff believes no additional environmental analysis is required for this project.

PUBLIC NOTICE

Public Hearing notices were sent to 2,506 property owners and tenants within the Hacienda Business Park, and published in The Valley Times.

STAFF RECOMMENDATION

Staff recommends that the Commission take the following actions:

1. Receive public input on the Core Development Standards and then close the public hearing; and,
2. Recommend the City Council adopt an ordinance including the Core Development Standards for the three subject properties

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