

Planning Commission Staff Report

November 5, 2009
Item 6.a.

- SUBJECT:** PUD-70/PCUP-234
- APPLICANT:** San Jose Arena Management
- PROPERTY OWNERS:** Alameda County Surplus Property Authority (ACSPA)
- PURPOSE:** Application for Planned Unit Development approval to establish allowed uses and the construction of community-park-related improvements including an approximately 141,679-square-foot two-story ice-skating center with a pro shop, restaurant with a bar, and related site improvements on 17 acres; and Conditional Use Permit approval to allow a bar in a proposed restaurant (in the proposed ice-skating center) located at the southwest intersection of I-580 and El Charro Road (Staples Ranch).
- The Environmental Impact Report (EIR) for the Stoneridge Drive Specific Plan Amendment/Staples Ranch project evaluated the impacts of the proposed Ice Center at approximately 138,500 square feet in size. The Ice Center is currently proposed to be approximately 141,679 square feet in size due to a design modification. Based on a review of the potential environmental impacts of the increased size of the Ice Center, the Director of Community Development has directed that an EIR Addendum be prepared. It is also anticipated that when the City Council considers this application, Council will have considered an Environmental Impact Report Supplement, a draft of which has been released. Nothing in that draft Supplement directly bears on this application.
- GENERAL PLAN:** *Alameda County General Plan – Mixed-Use/Business Park*
- City of Pleasanton General Plan – Medium Density Residential (two to eight dwelling units per gross acre) and High Density Residential (greater than eight dwelling units per gross acre); Parks and Recreation; and Retail/Highway/Service Commercial, Business and Professional Offices*

SPECIFIC PLAN: Stoneridge Drive Specific Plan, as amended

ZONING: *Alameda County – Agriculture*

City of Pleasanton – Pre-zoning for the property is PUD-P (Planned Unit Development – Park)

The project site is currently located in unincorporated Alameda County.

LOCATION: Southwest of the intersection of I-580 and El Charro Road (Staples Ranch)

- ATTACHMENTS:**
1. Exhibit A-1, Recommended PUD Conditions of Approval
 2. Exhibit A-2, Recommended CUP Conditions of Approval for the Sports Bar at the Ice Center
 3. Exhibit B, Development Plans and Color and Material Board dated “Received May 29, 2009,” Signage Plans, Green Point Checklist, Bay-Friendly Scorecard, Project Narrative, Preliminary Fixture Schedule and Cut Sheet, Summary of Environmental Impacts and Mitigation Measures, Forage and Shelter Plant List dated “Received February 3, 2009,” and the Staples Ranch Community Park Waste Diversion Plan dated “Received October 20, 2009”
 4. Exhibit C, Alternative Colors
 5. Exhibit D, Environmental Impact Report Addendum
 6. Exhibit E, Staples Ranch Park Master Plan dated “May 2008”
 7. Exhibit F, City Council Agenda Report and Meeting Minutes dated June 10, 2008
 8. Exhibit G, Stoneridge Drive Specific Plan Amendment/ Staples Ranch (available at www.staplesranch.org)
 9. Exhibit H, Stoneridge Drive Specific Plan Amendment/ Staples Ranch Environmental Impact Report (available at www.staplesranch.org)
 10. Exhibit I, Previous Ice Center Design dated August 22, 2008
 11. Exhibit J, Correspondence

BACKGROUND

In November 2007, the City Council directed staff to initiate a master plan process for the proposed 17-acre Staples Ranch Community Park, consistent with a Joint Policy Statement developed by Friends of Pleasanton and Pleasanton First, two local advocacy groups. The process contemplated a number of public workshops designed to solicit broad community input concerning the overall appearance and suggested amenities for the park. Three workshops were conducted, and a master plan for the

park was approved by the Parks and Recreation Commission in April 2008. The Staples Ranch Park Master Plan was approved by the City Council on June 10, 2008. The Staples Ranch Park Master Plan, the City Council Agenda Report of June 10, 2008, and the City Council June 10, 2008 meeting minutes related to this item are in Exhibits E and F.

Approximately 8± of the 17-acre Staples Ranch Community Park is proposed to be ground-leased to the San Jose Arena Management (SJAM) to construct and operate an approximately 141,679- square-foot two-story ice-skating center open to the general public. The remaining portion of the Park will be used as a general City-operated park with unique amenities benefiting from the location of the site. Staff is currently finalizing financial details related to the ground lease which are anticipated to include SJAM constructing the entire 17-acre Park which, as mentioned above, has been designed as part of a public process. Further, staff anticipates close cooperation between SJAM and the City to assure that park construction is consistent the City's vision and specifications for the Park. While the City will retain ownership of the entire park site throughout the life of the ice-skating center, this PUD is drafted from the perspective that SJAM is the applicant/developer. However, in reality, from its start, the project has been approached as a joint/cooperative effort between both the City and SJAM as an opportunity to provide a unique recreational amenity for the general public. While staff could have assumed that the City was the applicant, SJAM has been identified as the applicant/developer to reflect the scope of proposed ice-skating center and its role in constructing the Park. Staff anticipates the City Council will make a decision on the ground lease as part of its review of this PUD application.

Stoneridge Drive Specific Plan Amendment/Staples Ranch EIR

On February 24, 2009, the City Council certified the Final Environmental Impact Report for the Staples Ranch Project.

Stoneridge Drive Specific Plan Amendment/Staples Ranch

On February 24, 2009, the City Council approved a Stoneridge Drive Specific Plan Amendment (Specific Plan Amendment) for the Staples Ranch project. The Specific Plan Amendment includes an extension of Stoneridge Drive to El Charro Road contingent upon the adoption of a regional traffic policy statement. The City Council also adopted the Ice Center Alternative, including the four-rink ice-skating center as part of the Staples Ranch Community Park.

Staples Ranch Rezoning and Prezoning

On March 3, 2009, the City Council adopted the rezoning and pre-zoning for the Staples Ranch project, including the PUD-P (Planned Unit Development – Park) pre-zoning for the Staples Ranch Community Park Site.

Legal Challenge to Project Approvals

On March 27, 2009, a petition and complaint was filed in state court by Safe Streets Pleasanton, Center for Biological Diversity, Alameda Creek Alliance, Mark Emerson, and Matt Morrison challenging the adequacy of the EIR, namely, (1) the review process

for the Stoneridge Drive extension; and (2) the disclosure/analysis/mitigation of the following:

- cumulative noise impacts,
- impacts to sensitive species,
- impacts on climate change, and
- dust and traffic impacts associated with nearby surface mining operations.

The petition and complaint also sought to set aside all of the relevant project approvals; nevertheless, the lawsuit did not prohibit the Planning Commission's review of the Staples Ranch Planned Unit Developments (PUDs).

This lawsuit was recently settled. The settlement agreement allows the Planning Commission to continue to review PUD development plans for the site.

Supplemental Environmental Impact Report

Recently, the City Council authorized preparation of an Environmental Impact Report Supplement (SEIR) to consider the environmental impacts, if any, of a two-lane Stoneridge Drive extension as compared to the four-lane roadway extension included in the Specific Plan Amendment and of the following: (1) Updated biological surveys; (2) Updated analysis of potential impacts to the environment resulting from the production of greenhouse gas emissions; and (3) The Proposed Project's contribution to cumulative biological resources impacts, cumulative noise impacts, and cumulative impacts in conjunction with nearby quarry operations.

The Draft SEIR has been released. It will have a 45-day public review period. A Planning Commission hearing to hear comments on the Draft SEIR has been tentatively scheduled for December 9, 2009.

Staff does not believe the SEIR will change the mitigations related to the Community Park and hence believes the Commission has sufficient and adequate environmental information to make a recommendation on this PUD development plan and Conditional Use Permit (CUP) to the City Council.

Environmental Impact Report Addendum

The Project EIR evaluated the impacts of the proposed Ice Center at approximately 138,500 square feet in size. The Ice Center is currently proposed to be approximately 141,679 square feet in size due to a design modification to the entry portion of the building. In response to a City-initiated architectural peer review, the applicant modified the entry element of the building in an effort to improve the design, aesthetics, and overall appearance. Thus, the additional 3,000 square feet is attributed to an increase in the main entry/lobby and foyer area by approximately 1,500 square feet for the first and second floors.

An EIR addendum has been prepared in accordance with the CEQA Guidelines Section 15164 and amends the Stoneridge Drive Specific Plan Amendment/Staples

Ranch EIR (and presumably the SEIR). The evaluation determines that the proposed project does not contain changes and/or additional details that warrant a Subsequent or Supplemental EIR as described in Sections 15162 and 15163 of the CEQA Guidelines. The draft addendum to the EIR is attached in Exhibit D.

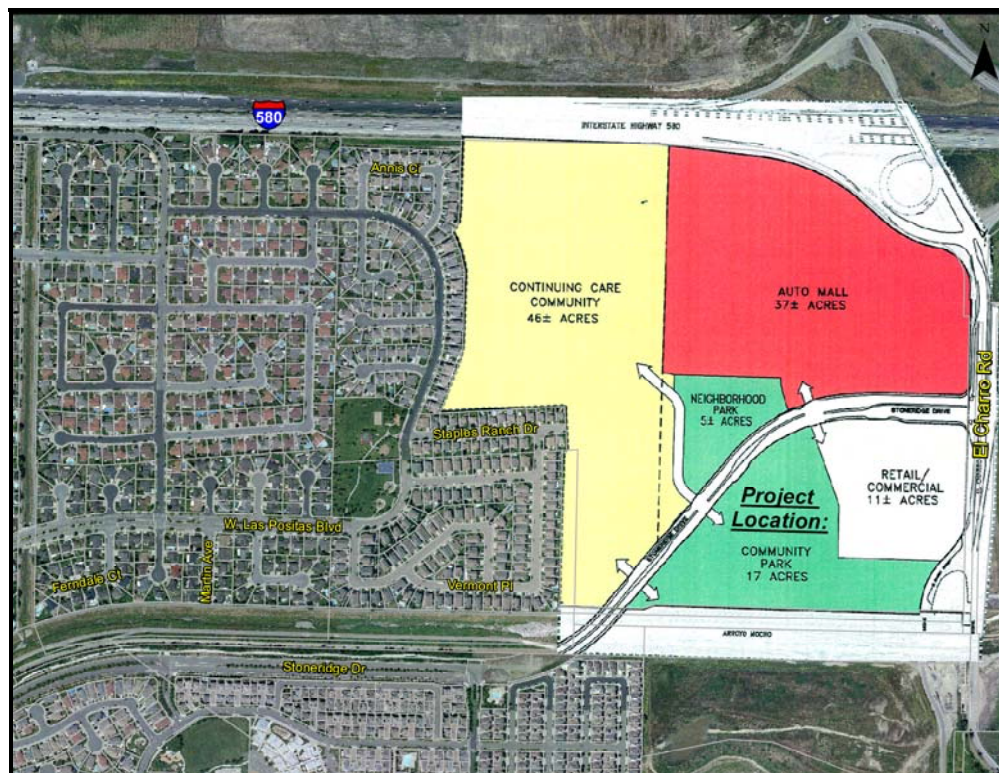
Architectural Peer Review

In September of 2008, the plans for the Ice Center were peer-reviewed by Dahlin Group, at the request of City staff. San Jose Arena Management incorporated several of the changes recommended by the Dahlin Group including a modified entry design and roof pitch. Staff believes the modified design provides a more cohesive, contemporary design. The previous design is shown in Exhibit I.

SITE DESCRIPTION

The project site is vacant and is within Pleasanton's Sphere of Influence and Urban Growth Boundary. The development site is bounded on the north by vacant land planned to be a neighborhood park with a stormwater flow control basin, to the west and northwest by vacant land planned to be a senior continuing care community by Continuing Life Communities (CLC), to the north by vacant land planned to be an auto mall by Hendrick Automotive Group, on the east by vacant land pre-zoned for retail/office development, and on the south by the Arroyo Mocho. Figure 1 (below) shows the project location.

FIGURE 1
Project Location



PROJECT DESCRIPTION

The PUD development plan, in conjunction with the conditions of approval, will establish the allowed uses, structures, and site improvements for the project site. The entitlements required for this project include a development agreement, tentative subdivision map approval, final map approval, and building permits. As stated above, an EIR Addendum has been prepared, as the Ice Center is currently proposed to be approximately 3,000 square feet greater in size than anticipated in the EIR due to a design modification to the entry portion of the building.

The project site will need to be annexed into Pleasanton.

FIGURE 2
Community Park Site Plan



Project features include the following:

- A floor area ratio of approximately 19 percent
- An approximately 141,679-square-foot ice center with four ice-skating rinks, a restaurant, meeting/banquet rooms, workout/fitness center, snack shops, vending/video games, proshop/retail, and social events, a sports bar, and approximately six special events a year

- Seating inside the Ice Center for a maximum of 1,400 spectators
- 398 parking spaces total, approximately 14 of which will be for carpool parking, approximately 4 will have electric vehicle charging stations, and 129 of which will be grass overflow parking
- Universal parking stall sizes of 8'-6" x 16' (plus 2' of overhang), similar to the universal parking stall sizes in Hacienda Business Park and Bernal Corporate Park
- Bicycle parking in front of the Ice Center
- The following exterior building materials for the Ice Center: aluminum, glass, and cultured stone
- A grand entry staircase, an elevator, and glass entrance lobby at the front of the Ice Center
- A water fountain at the front entrance of the Ice Center
- Numerous new trees (approximately 400)—there are no existing trees on site
- A multi-use lawn area, including trails, a public restroom, a play area, picnic areas, and seating
- An open meadow area with a trail
- Pathway connections to the retail/office site to the east, and to El Charro Road
- A public connection to Zone 7's Arroyo Mocho maintenance road (which may be a regional trail in the future)
- Views of the Arroyo Mocho
- Landscaping species which will provide food and shelter for wildlife (see list in Forage, Shelter, and Plant List for Wildlife, Exhibit B)
- The southern building elevation of the Ice Center shall be completely screened with landscaping which will grow up to eight feet in height to deter graffiti tagging
- A separated sidewalk and double row of street trees by Stoneridge Drive
- Landscaped entrance medians
- A bus stop and bus shelter with seating, lighting, and wheelchair access
- Signage, including two standard park entrance monument signs, an illuminated Ice Center entry monument sign (proposed in a water reflection pool) approximately 5'-3" in height, an illuminated channel letter sign on the front of the Ice Center, signage on banner poles in front of the Ice Center (the mural shown on the plans is not proposed)
- Unused waste heat generated by the refrigeration system will be used to heat domestic water, HVAC units and possibly dehumidify units, and/or to heat snow melt coils in the room(s) where the ice resurface machine(s) are stored
- Approximately 35 roof-mounted photovoltaic panels will be installed which are anticipated to power/help power the electric vehicle charging stations, the scoreboards, and the water fountain by the playground

The recommended conditions of approval will allow the following as a permitted use:

- Ice skating center including restaurant, meeting/banquet rooms, workout/fitness center, snack shops, vending/video games, proshop/retail, and social events, and not including the sports bar
- Parks, playgrounds, open space, and related uses
- All permitted uses of the Public and Institutional district of the Pleasanton Municipal Code
- Dry land hay farming on any of the site until the first occupancy of any building

The recommended conditions of approval will allow the following subject to the approval of a use permit:

- Bar, including sports bar (case PCUP-234 is for a proposed sports bar in the Ice Center)

The recommended conditions of approval require the following:

- Bay-Friendly landscaping which is less water and maintenance needy
- A water trough for wildlife
- Disabled access to the Zone 7 maintenance road
- The anticipated emergency generator(s) to be located inside or adjacent to the Ice Center, unless otherwise determined by the Director of Parks and Community Services
- The restroom doors, for the restroom by the playground, to face east
- The women's and men's restrooms to each have more than one stall
- Sidewalks adjacent to parking spaces to be widened to seven feet to ensure adequate space for disabled access and for automobile overhang
- Signage on the banner poles to have an ice skating and/or holiday theme, and which will not include commercial names or business logos
- Overflow parking arrangements to be subject to the review and approval of the Director of Parks and Community Services
- The City of Pleasanton may consider working with Zone 7 to replace the existing chain link fence with a low decorative mesh fence or other decorative barrier/fence which will enhance views of the Arroyo Mocho from the site, yet continue to limit amphibian species in/near the Arroyo Mocho onto the site
- All lighting on the site to be downward facing and shielded
- The lighting by Stoneridge Drive to be reduced, yet still be at least one foot-candle (one foot-candle is typically required in parking lots for security reasons)
- The pedestrian path lights to be spaced farther apart to reduce lighting levels, consistent with what is provided in other City parks
- Items related to the Ice Center, such as the Ice Center monument sign, and Ice Center delivery area to be relocated into the lease area or the lease area to be modified to capture such project features

Table 1 below shows additional details about the Ice Center.

**TABLE 1
Ice Center**

Structure	Square Footage	Height ¹	Minimum Setback ²	Spectator Seating
Ice Center	141,679	39'	50'	1,400

Notes: ¹ Height is measured from grade to the peak of the structure. The height of the Ice Center may be increased during the final design phase. The EIR allows a maximum height of 45 feet.

² The approximate minimum setback is measured from the closest property line (which is the southern property line).

Parking

Peak parking demand for normal operations at the Ice Center has been estimated through parking demand surveys conducted at the San Jose Shark's ice center in San Jose and reviewed for comparison purposes by the City Traffic Engineer. Peak parking demand typically occurs on Saturdays. Surveys have been conducted, and peak parking demand resulted in a need for approximately 326 vehicles (maximum) in San Jose. 360 spaces are proposed to help optimize efficiency in the lot. This does not include the 38 parking spaces proposed east of the Ice Center. It is anticipated that special events will create a greater parking demand than normal operations during about six weekends per year. Overflow parking for these events will be required and will be subject to the review and approval of the Director of Parks and Community Services.

Sports Bar

The proposed CUP will establish minimum operational requirements for the proposed sports bar at the Ice Center. The Commission's recommendations regarding the sports bar will be forwarded to the City Council.

Recommended conditions of approval have been added to the sports bar CUP which require the bar/ bar employees to:

- Not serve alcohol between between 1:00 a.m. and 6:00 a.m., unless otherwise allowed in the Community Park Lease between the City of Pleasanton and San Jose Arena Management
- Obtain all necessary approvals from the Department of Alcoholic Beverage Control (ABC) prior to occupancy
- A full food service menu shall be available for patrons when alcohol is served
- Undergo a training program such as TIPS (Training for Intervention Procedures) that is designed to prevent intoxication, underage drinking, and drunk driving

- Not have special promotions or advertising for alcohol outside of the restaurant and sports bar area, unless otherwise allowed in the Community Park Lease between the City of Pleasanton and San Jose Arena Management

If complaints are received regarding the sports bar, a condition of approval has been added which allows for subsequent review and possible modification or revocation of the CUP by the Planning Commission.

Colors

The applicants submitted two different color palettes for the exterior walls of the Ice Center. The first color palette is comprised of primarily beiges, with a reddish-brown accent color (see the elevation drawing in Exhibit B), and the second color palette is comprised of primarily beiges, with a green accent color (see Exhibit C). The applicants prefer the color palette in Exhibit B, and staff believes this is acceptable.

Storm Drainage and Utilities

Stormwater treatment on the site will be provided via a series of bioswales. Treated stormwater will be transported from the site to the stormwater flow control basin proposed in the adjacent Staples Ranch Neighborhood Park. Final utility plans will be subject to the review and approval of the City Engineer.

Green Building

The project will achieve a minimum of 26 green building points (equivalent to a LEED-certified rating level), and efforts will be made to try and achieve a minimum of 33 points (equivalent to a LEED silver rating).

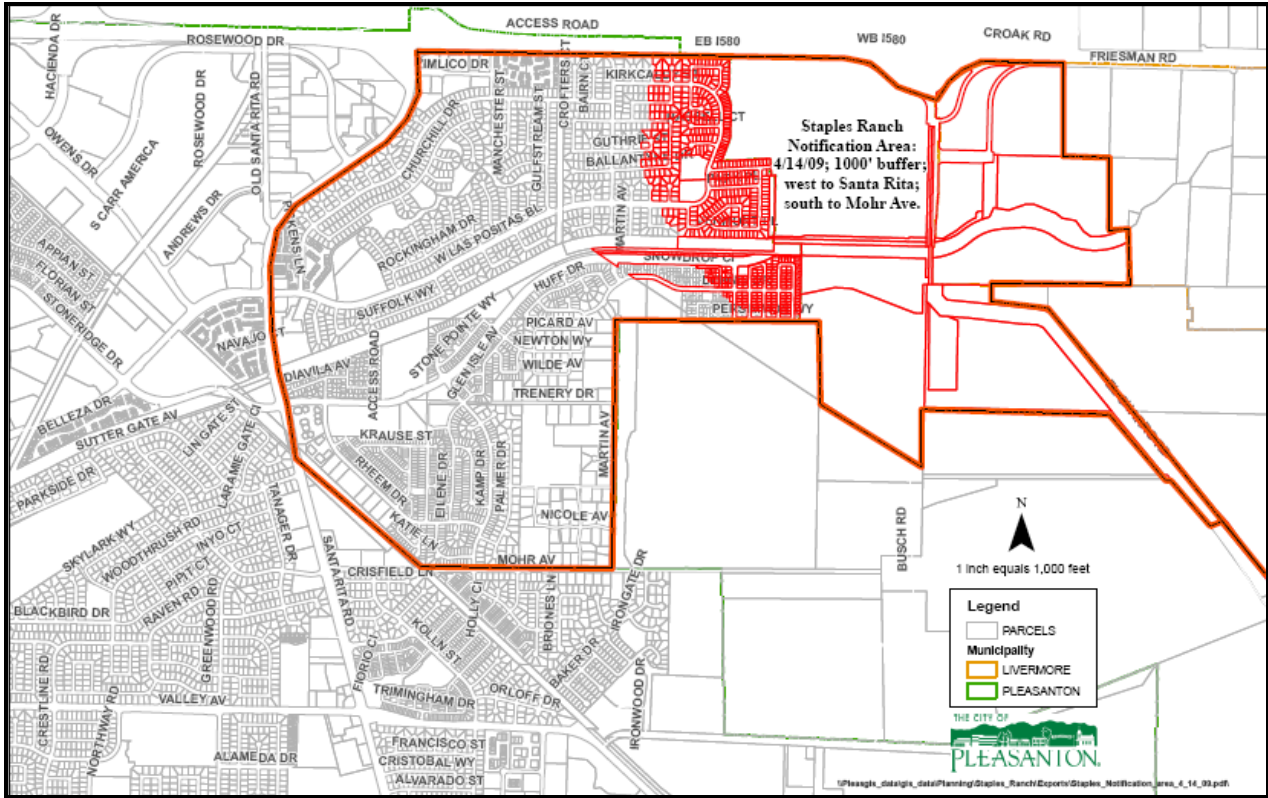
ANALYSIS

Staff believes all outstanding issues have been addressed.

PUBLIC NOTICE

Public notices were sent to all property owners and residents as shown in Figure 3 below. The noticing area is greater than the standard 1,000-foot radius noticing distance. Staff received comments from Zone 7 (see Exhibit J). At the time this report was written, no comments had been received from Pleasanton residents specifically related to the PUD or CUP applications.

**FIGURE 3
Noticing Area**



Note: The properties within 1,000 feet of the project site are shown in red. The project noticing area is substantially greater than the standard 1,000-foot radius noticing area.

CONDITIONAL USE PERMIT FINDINGS

The Planning Commission should consider the following findings prior to making a recommendation to City Council about the proposed CUP for the sports bar in the Ice Center.

- 1. The proposed location of the conditional use is in accordance with the objectives of the Zoning Ordinance and the purpose of the district in which the site is located.**

The objectives of the Zoning Ordinance include fostering a harmonious, convenient, workable relationship among land uses, protecting existing land use from inharmonious influences and harmful intrusions, and ensuring that public and private lands ultimately are used for the purposes which are most appropriate and beneficial to the City as a whole. As conditioned, staff believes that the proposed sports bar would be consistent with these objectives.

The primary purpose of the PUD district is to allow flexibility in the development of projects that the City determines are in its best interest. The Ice Center will include a

variety of commercial, social, and recreational uses. The sports bar would be operated in manner such that noise, parking, or other land use conflicts would be unlikely to spill over to neighboring properties. The proposed conditions of approval for the applicant's request provide the City the ability to ensure that the use meets its conditions of approval. The use, in staff's opinion, is consistent with the operation of an ice center in a PUD-P Zoning District. Therefore, staff believes this finding can be made.

2. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to the properties or improvements in the vicinity.

The proposed project, as conditioned, would not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The sports bar is proposed in the Ice Center. As conditioned, employees who serve alcohol at the sports bar will undergo a training program such as TIPS (Training for Intervention Procedures) that is designed to prevent intoxication, underage drinking, and drunk driving. The proposed conditions of approval for the applicant's request provide the City the ability to ensure that the use meets its conditions of approval. The applicant can be required to mitigate any nuisances, noise, or problems, should they arise. Therefore, if the sports bar operates in the manner proposed and as conditioned, staff believes that the use will not detrimentally impact the surrounding properties and, therefore, staff believes this finding can be made.

3. The proposed conditional use will comply with each of the applicable provisions of the Zoning Ordinance.

The site's pre-zoning of PUD-P allows for special considerations regarding the manner in which development occurs. As conditioned, the use will be required to obtain all necessary approvals from the Department of Alcoholic Beverage Control (ABC) prior to occupancy. In addition the use is required to comply with all Building and Fire Codes as part of the PUD process. The applicant can be required to mitigate any nuisances, noise, or problems, should they arise. Therefore, staff believes this finding can be made.

PUD CONSIDERATIONS

The Pleasanton Municipal Code sets forth the purposes of the Planned Unit Development District and "considerations" the Planning Commission and City Council should consider when reviewing a PUD development plan. These considerations are typically used as PUD findings. The considerations and staff's response are below.

1. Is the plan in the best interests of the public health, safety, and general welfare?

The project will adhere to all applicable City standards concerning public health, safety, and welfare. The subject development will include the installation of all required on site utilities with connections to municipal systems in order to serve the project. The structures will be designed to meet the requirements of the Uniform Building Code and Fire Code. Two emergency vehicle access points will be provided. As described in consideration number 3 (below), staff believes the proposed development, as conditioned, is compatible with adjacent uses.

Staff's analysis indicates the project, as conditioned, is in the best interest of the public health, safety, and general welfare.

2. Is the plan consistent with the City's General Plan and any applicable specific plan?

The site's General Plan Land Use designation Medium Density Residential (two to eight dwelling units per gross acre) and High Density Residential (greater than eight dwelling units per gross acre); Parks and Recreation; and Retail/Highway/Service Commercial, Business and Professional Offices allows for a mix of uses on the Staples Ranch site including a Community Park.

Development of the proposed project will further the implementation of the Stoneridge Drive Specific Plan Amendment, as approved by the City Council on February 24, 2009. The Stoneridge Drive Specific Plan Amendment anticipates an approximately 17-acre community park with an ice center on the project site. In the Specific Plan Amendment, the overall design standards for the community park state:

- The Park will provide for a variety of active and passive recreational uses and activities for the larger Pleasanton community, such as trails, picnic areas, and ice skating facility, ball fields, open space areas, and children's play areas, as determined by the Pleasanton City Council.
- Design the Community Park to enhance the visual image of Staples Ranch as the northeast Pleasanton gateway.
- Design an adequate section of the Community Park to take advantage of the adjacent Arroyo Mocho channel to the south, with its extensive natural area, riparian plantings, and potential for regional pedestrian and bicycle trail connections.
- Design the Community Park so that it complements and integrates with uses, to the extent possible, within the adjacent Retail/Commercial site.

Staff believes the project adheres to the Specific Plan Amendment. The Park will provide for a variety of active and passive uses. In staff's opinion, the site has been well designed. Connections are proposed to both the Arroyo Mocho and the adjacent retail/Commercial site.

Likewise, staff believes the project will adhere to the General Plan. Staples Ranch is planned to have a public park in the Specific Plan Amendment, and this is noted in the General Plan. Several conditions of approval have been added to the project to address the new greenhouse gas best management practices in the General Plan.

Staff believes the project, as conditioned, is consistent with the City's General Plan and Stoneridge Drive Specific Plan Amendment.

3. Is the plan compatible with previously developed properties in the vicinity and the natural, topographic features of the site?

The project site and surrounding land are currently vacant. The Arroyo Mocho is to the south. The City Council approved the Stoneridge Drive Specific Plan Amendment which allows for a senior continuing care community north and northwest of the project site, and a neighborhood park (with a stormwater flow control basin) north of the site, an auto mall north of the project site, and a retail/office development east of the site. As conditioned, the project will be designed to minimize impacts on surrounding uses.

For example, to minimize impacts, the project features, as conditioned, will include:

- Approximately 400 trees to soften the appearance of the Ice Center;
- Extensive landscaping areas which will serve as a buffer between the retail/commercial site and the Ice Center;
- The Arroyo Mocho will separate the Park from uses to the south;
- Downward facing, shielded light fixtures;
- No truck deliveries, parking lot sweeping, or leaf blowing between the hours of 8:00 p.m. and 8:00 a.m.; and
- Adherence to the City's standard noise requirements, except as otherwise conditioned.

The site is predominately flat. There are a few mounds of dirt on the Staples Ranch property. Some of this is material imported by KB Homes in 1995 in anticipation of using it for fill material as part of a residential project that was never constructed. Portions of the site were also regraded in approximately 2004/2005 as part of the Arroyo Mocho realignment project. Some mounds are from this project. It is anticipated that as part of the improvement plans for the Staples Ranch project, the mound on the project site will be graded, and portions will be used as fill on the other Staples Ranch sites to achieve needed drainage flows. A portion will also be used to achieve desired drainage flows on the project site.

Staff's analysis indicates the project, as conditioned, is compatible with previously developed properties in the vicinity and adjacent proposed projects, and the natural, topographic features of the site.

4. Does grading take into account environmental characteristics and is it 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?

The natural topography of the site is relatively flat. Minus the grading of the mound described in finding number 3 (above), minimal changes in grades are proposed. Steep slope banks are not proposed. The site is not located within an Alquist-Priolo Earthquake Fault Zone. Slides are not anticipated.

The proposed project will require the construction of stormwater detention facilities to contain the 100-year flood. An EIR mitigation measure for the project requires the site to be removed from the flood hazard area prior to occupancy. Staff has added a recommended condition of approval requiring this to be completed prior to the issuance of a building permit. Engineering modeling indicates that implementation of the Livermore flood protection improvements, as part of Livermore's approved El Charro Specific Plan, will provide sufficient detention to prevent inundation of the Staples Ranch site for the 100-year storm event. It is anticipated that Livermore will begin the construction of these improvements next year.

To help prevent the erosion and pollution of the Arroyo Mocho, on site stormwater will be treated on site for contaminants and directed into the stormwater flow control basin on the Staples Ranch Neighborhood Park, before being released into the Arroyo Mocho.

On site erosion control and dust suppression measures will be documented in the improvement plans and inspected by the Building and Safety Division during construction.

Staff's analysis indicates the grading, as conditioned, 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.

5. Have the streets and buildings been designed and located to complement the natural terrain and landscape?

As stated above, minimal changes to the natural grade elevations are proposed.

There are no trees on site. Approximately 400 new trees are proposed to be planted as part of the project. Shrubs and ground cover, including native California species, will also be planted. As conditioned, the project will adhere to Alameda County Waste Management Authority's Bay-Friendly Landscape Guidelines, and landscaping species from the proposed forage and shelter plant list will be incorporated into the final plans.

Staff's analysis indicates the project, as conditioned, has been designed and located to complement the natural terrain and landscape.

6. Have adequate public safety measures been incorporated into the design of the plan?

The project, as conditioned, will be consistent with City safety standards. As conditioned, the Ice Center will be equipped with an automatic fire suppression system (fire sprinklers). The project includes two points of access for emergency vehicles. The project will be required to comply with all Building and Fire Code requirements.

Staff’s analysis indicates the project, as conditioned, will include adequate public safety measures.

7. Does the plan conform to the purposes of the PUD District?

Table 2 (below) shows the purposes of the PUD District.

The primary purpose of the PUD District is to allow flexibility in the development of projects that the City determines are in its best interest. Staff believes that the proposed project implements a key component of the Stoneridge Drive Specific Plan Amendment which was approved by the City Council on February 24, 2009. The project is also consistent with General Plan. The PUD process allows for ample input from the public and for an ultimate decision by the City Council regarding the appropriateness of the development plan.

Staff believes the project, as conditioned, conforms to the purposes of the PUD District.

**TABLE 2
Purposes of the PUD District**

- To encourage imagination and housing variety in the development of property of varying sizes and topography in order to avoid the monotony and often destructive characteristics of standard residential, commercial and industrial developments
- To provide a development procedure which will insure that the desires of the developer and the community are understood and approved prior to commencement of construction
- To insure that the goals and objectives of the city’s general plan are promoted without the discouragement of innovation by application of restrictive developmental standards
- To encourage efficient usage of small, odd-sized or topographically affected parcels difficult for development by themselves
- To accommodate changing market conditions and community desires
- To provide a mechanism whereby the city can designate parcels and areas requiring special consideration regarding the manner in which development occurs
- To encourage the establishment of open areas in residential, commercial and industrial developments and provide a mechanism for insuring that said areas will be beautified and/or maintained;
- To complement the objectives of the hillside planned development district (HPD) in areas

ENVIRONMENTAL ASSESSMENT

The Environmental Impact Report for the Staples Ranch project has been certified by the City Council. As stated above, a Draft SEIR for the Staples Ranch project has been released and will have a 45-day public review period. A Planning Commission hearing to receive comments on the Draft SEIR has been tentatively scheduled for December 9, 2009.

Staff does not believe the proposed mitigations in the SEIR will have an impact on the Community Park PUD design and CUP and hence believes the Commission has sufficient and adequate environmental information to make a recommendation on this PUD development plan and CUP to the City Council.

The Project EIR evaluated the impacts of the proposed Ice Center at approximately 138,500 square feet in size. The Ice Center is currently proposed to be approximately 141,679 square feet in size due to a design modification to the entry portion of the building. In response to a City initiated architectural peer review, the applicant modified the entry element of the building in an effort to improve the design, aesthetics, and overall appearance. Thus, the additional 3,000 square feet is attributed to an increase in the main entry/lobby and foyer area by approximately 1,500 square feet for the first and second floors. An EIR addendum has been prepared in accordance with the CEQA Guidelines Section 15164 and amends the Stoneridge Drive Specific Plan Amendment/Staples Ranch EIR. The evaluation determines that the proposed project does not contain changes and/or additional details that warrant a Subsequent or Supplemental EIR as described in Sections 15162 and 15163 of the CEQA Guidelines. The draft addendum to the EIR is attached in Exhibit D.

CONCLUSION

Staff believes the project is consistent with the Stoneridge Drive Specific Plan Amendment and the General Plan. Staff has added several conditions of approval which it believes will improve the project. Staff believes the project, as conditioned by staff, is supportable.

STAFF RECOMMENDATION

1. Make the PUD findings (“PUD Considerations”) for the proposed development plan as listed in the staff report;
2. Make the CUP findings for the proposed sports bar as listed in the staff report;
3. Adopt a resolution recommending approval of the Draft EIR Addendum shown in Exhibit D; and
4. Adopt a resolution recommending approval of Case PUD-70 and Case PCUP-234, subject to the conditions of approval listed in Exhibits A-1 and A-2, respectively, and forward the applications to the City Council for public hearing and review.

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