

SUBJECT: PDR-810

**PROPERTY OWNERS/
APPLICANT:** Michael and Sharon Fuller Trust (Duke Fuller)

PURPOSE: Application for design review approval to construct an approximately 6,251-square-foot single story residence (5,484-square-foot home and a 767-square-foot attached garage)

GENERAL PLAN: Open Space - Agriculture and Grazing, and Rural Density Residential.

ZONING: PUD-A/RDR (Planned Unit Development – Agriculture/Rural Density Residential) District.

LOCATION: 4134 Foothill Road

ATTACHMENTS:

1. Exhibit A, Proposed Plans, Color Rendering, and Color and Material Board, dated “Received, October 14, 2008”
2. Exhibit B, Draft Conditions of Approval
3. Exhibit C, Location Map
4. Exhibit D, Noticing Map
5. Exhibit E, West Foothill Road Corridor Location Map
6. Exhibit F, Excerpt from the January 24, 2007 Planning Commission Meeting Minutes
7. Exhibit G, PUD-3 Conditions of Approval
8. Exhibit H, Fuller PUD Design Guidelines
9. Exhibit I, West Foothill Road Corridor Overlay District Regulations
10. Exhibit J, Arborist Report, dated “May 11, 2005”
11. Exhibit K, Preliminary Green Building Checklist
12. Exhibit L, Fire Management Plan, dated June 12, 2001

BACKGROUND

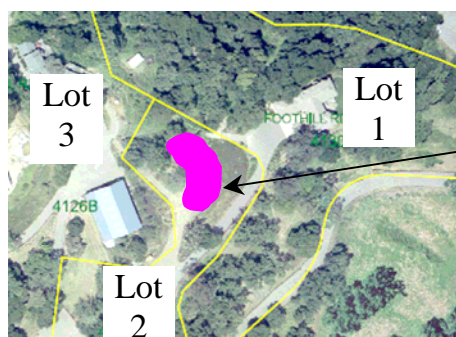
In 1998, the Fullers and Smathers requested annexation to the City of Pleasanton. The pre-annexation and utility service agreements allowed both property owners to connect to the City's sewer system and to install an upgraded water service system prior to completing their annexation.

In 1999, the City Council approved the rezoning of the Fuller property to PUD (Planned Unit Development) – A/RDR (Agricultural/Rural Density Residential) District and a subdivision of the lot was processed to create two (2) additional lots (PUD-3). The existing structures were contained on Lot 3, the PUD approval also approved the design for a new house on Lot 1, and Lot 2 was left vacant.

In 2007, the Planning Commission reviewed and approved this same proposal for a custom home on this site. The applicant is in the building permit plan check process, but was not able to obtain an issued building permit prior to the expiration of the design approval. On February 9, 2008, the Planning Commission approval (PDR-422) expired. The approval could not be extended by staff; therefore this application is a resubmittal of the same house design that was formerly approved under case number PDR-422. The previous staff report is not attached because this report replaces it.

SITE DESCRIPTION

The subject site is an approximately 11.22-acre vacant parcel (please refer to the attached Location Map for a diagram of the entire lot). The subject property resulted from a three-lot subdivision covered by PUD-3, located west of Foothill Road and is bordered by rural residential properties that are currently owned by other Fuller family members. The picture below shows a portion of the parcel and the proposed location of the home site at the northern part of the parcel (Lot 2).



Proposed location of new residence on Lot 2. (partial lot layout shown)

The project site topography is moderately to steeply sloping, currently vacant, contains a variety of vegetation, including Oak Chaparral, and is within the West Foothill Road Corridor Overlay District.

The site contains several trees; a number of which are Heritage trees. Staff has provided analysis on the existing trees in the *Discussion* section of this report and has provided the Arborist report as Attachment 5.

PROJECT DESCRIPTION

The applicant's proposal implements the design standards of PUD-3 for this site (Lot 2) and includes the following:

- An approximately 6,251-square-foot, single store, custom home would be constructed on the with an attached three-car garage (767 square-feet).
- The proposed building height is 22 feet.
- The project has been designed to meet the required green building measures.
- The removal of seven trees is proposed; three of which are "Heritage" trees.

The proposed building design follows a contemporary architectural style. Colors and materials include brown stucco and earth toned stone and detailing elements.

The project is located in the West Foothill Road Corridor Overlay District. The project has been designed to conform to all of the requirements of the overlay district, as discussed in the *Discussion* section of this report.

DISCUSSION

Design Guidelines

Site development standards were established for all three lots with the PUD. The home design for Lot 3 was reviewed at the time the PUD was processed, but the house design for Lot 2 was not. The design guidelines address setbacks, building height, material and color use, grading, house size, accessory structure location, fencing, landscaping, etc.

House Site

The PUD established building envelopes for each of the lots and act as the required setbacks for the main structure and all accessory structures. The proposed home is located within the established building envelope with minor flatwork and retaining walls being installed beyond the building envelope. Staff feels that the proposed house and related improvements meet the intent of the guidelines and the established building envelope.

House Size

The proposed residence is an approximately 6,251-square-foot, single story residence (5,484-square-foot home and a 767-square-foot attached garage). As proposed, the house meets the maximum house size limit of 6,500 square feet.

Height Limit

The proposed residence is limited to 22 feet in height per the design guidelines. As proposed, the building elevations indicate 21 feet, 10 inches tall; however the elevation measurements that are stated on the plans indicate that the structure is 22 feet, .2 inches

tall from the pad elevation to the ridge (690.317-668.3=22.017). Therefore, the project has been conditioned to revise the residence to meet maximum height limit of 22 feet and to revise the building elevations to correctly illustrate the height of the proposed structure.

Landscaping

The design guidelines include language regarding the preservation of the existing trees and replacement requirements for trees that are removed. In addition, the guidelines would allow exotic plant species to be located within the building envelope, but limit plantings outside the building envelope to native species.

The initial Fire Management Plan (FMP) that was approved with the PUD also includes regulations for new plantings to reduce the spread of fire (e.g., requires fire resistant plants, prohibits planting below the existing trees, etc.). Though Lot 2 was covered in the FMP, there is a requirement that a revised FMP be provided with the site-specific development of Lot 2. For the original application (PDR-422), Staff met with both the Fire Department and the City Landscape Architect to review the proposed plans and the 2001 FMP to determine if a revised FMP was needed. It was concluded that the proposed landscaping plan needs a few minor plant selection adjustments, which have been communicated to the project landscape designer, but that otherwise the landscape plan and the 2001 FMP were sufficient. As conditioned, the applicant would need to provide a revised landscape plan reflecting the requirements of the FMP and all tree replacement plantings. No additional adjustments are needed with this new application.

The applicants provided a tree report that assessed the health and value of the trees on site, with the original application (PDR-422). The report identifies several trees eligible for removal due to construction impacts (tree numbers 20, 21, 23, 24, 28, 30, and 31 in the tree report). Of the trees identified for removal, three are Heritage Trees (numbers 20, 24, and 31), with one listed in poor health (number 31). All the trees to be removed have been appraised. Additionally, the PUD requires replacement of the trees to be removed at a ratio of 6:1 (6 replacement trees for every one tree removed).

However, the FMP established buffer areas and planting criteria that must be adhered to when proposing the replanting locations. A condition of approval has been added to require the landscape plan be revised to identify the location of the 36 new trees to be planted as replacements for the removed trees (the 6 moderate to healthy trees being removed at a replacement ratio of 6:1). The replacement locations should be such that they provide visual screening of the proposed residence from the valley floor while adhering to the FMP. Furthermore, the Planning Director will review the revised landscape plan and replacement proposal and will be able to reduce the number of required replacement trees or otherwise require payment into the Urban Forestry Fund if the FMP inhibits the proper positioning of the replacement trees.

Staff supports the removal of the trees given their close proximity to the proposed residence, driveway, and retaining wall locations. Additionally, the subject trees provide limited screening of the proposed residence, whereas the proper replacement locations

will increase the screening of the proposed residence.

In addition, staff has incorporated the design guideline requirement for the landscaping to be installed prior to final occupancy of the home as a condition of approval.

A new tree report was not requested with this application, since staff was able to determine that the health of the trees did not change and the project is as previously approved.

Materials

The approved PUD guidelines incorporate similar material guidelines found in the WFRCOD. However, the approved guidelines specify that building materials are limited to natural materials, such as wood siding and natural stone, and that stucco siding is allowed only if the elevations generously contain other natural materials such as wood siding and natural stone. Regarding the design of the Lot 2 house, staff believes that the architectural style of the house is compatible with its setting. The proposed house would have stucco walls with a stone wainscot. Staff believes that the stucco wall material is acceptable for Lot 2 since the proposed house has a low-profile design, it incorporates stone wainscoting, and the recently constructed home on the neighboring lot (Lot 1) is similar in style (see renderings shown below). Additionally, this lot is not highly visible from Foothill Road or the valley floor and uses darker earth tone body and roofing colors.



Rendering of the proposed home on Lot 2
(front elevation)



Rendering of the proposed home on Lot 2



Rendering of the recently constructed home
on Lot 1 (front elevation)



Rendering of the recently constructed home
on Lot 1 (rear elevation)

Retaining Walls

The proposed retaining walls range in height from four (4) to six (6) feet and recline where feasible with the existing vegetation providing adequate screening of the retaining walls/garden walls. Staff feels that the design, locations, and screening of the retaining walls meet the intent of the design guidelines, the PUD conditions of approval, and the WFRCOD.

Lighting

The PUD requires that all proposed outdoor lighting for the subject site be low intensity. The proposed outdoor lighting fixtures exceed this requirement; therefore staff is requiring a lighting plan be submitted with the building plans for review of all the wattages to be used and showing their adherence to the lowest luminosity requirements.

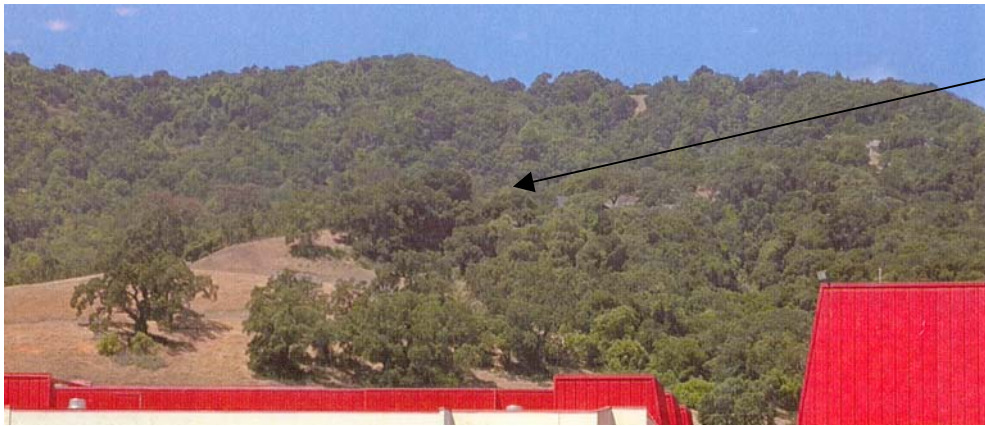
Raptor and Biotic Survey

Given the estimated timing of construction, grading, and tree removal is likely to fall within the raptor nesting season (February 1 thru August 31). The PUD requires that a focused survey for raptors and a biotic survey be done. Staff has conditioned the approval of the residence to provide a focused survey and biotic survey per the PUD conditions of approval.

West Foothill Road Corridor Overlay District Regulations

New subdivisions and home construction in the West Foothill Road Overlay District (WFRCOD) must conform to the specialized standards contained in the WFRCOD Ordinance. Please see the attached exhibit for the location of the subject property with respect to the WFRCOD area. As discussed below, staff believes that the proposed project, as conditioned, conforms to the applicable WFRCOD regulations:

- **House Size:** The floor area ratio (FAR) of the underlying zoning district applies to properties within the WFRCOD. Since the subject property is in a PUD, the FAR for the proposed home is subject to the limit established by the PUD. The PUD limits the home on Lot 2 to 6,500-square-feet. As proposed, the project meets the house size restriction of the WFRCOD.
- **Foothill Road Setback:** Not applicable as the proposed home is not located on a first tier lot (adjacent to Foothill Road).
- **Side Yard Setbacks:** Not applicable as the proposed home is not located on a first tier lot (adjacent to Foothill Road).
- **Height:** The WFRCOD regulations state that the maximum height for any structure should be 30 feet, measured vertically from the lowest point of the structure to the highest point of the structure. The approved design guidelines for the proposed house further limits the allowable height to no more than 22 feet. As proposed and conditioned, the proposed home meets the WFRCOD height limit.
- **Prohibition on Foreridge Development:** The WFRCOD prohibits building sites on or near ridges if they do not have a background of Pleasanton or Main Ridges when viewed from Foothill Road.



Approximate location of the proposed residence when viewed from Foothill Road.

The photo shows the proposed building site has a background of Pleasanton Ridge as viewed from Foothill Road. Therefore staff feels that the proposed residence meets this requirement of the WFRCOD.

- **Access/Frontage Improvements:** The WFRCOD encourages combined common-access driveways serving more than one lot. The proposed home would utilize the existing shared access road off Foothill Road and would conform to this regulation. In addition, the approved development plan for the adjacent Equus Court project would further consolidate the subject driveway off Foothill Road with the Equus Court driveway.
- **Landscaping:** The WFRCOD requires the existing mature trees to be retained to the maximum extent feasible. Also, where feasible, mature oak and other native species should be relocated to grassland areas planned for development.

The assignment of the building envelope for Lot 2 sited the home pad in close proximity to existing mature oak trees. Staff feels that the proposed removal of seven (7) trees is supportable given their locations to the proposed development and their location within the approved building envelope. Additionally, staff feels that the number of existing trees to remain and the potential amount of replacement plantings will offset the impact of the tree removals. Therefore, staff finds that the existing mature trees have been retained to the maximum extent feasible on this site. Further discussion regarding landscaping and the conditions of approval are covered in the Design Guideline section of this report.

- **Retaining Walls:** The WFRCOD indicates that retaining walls visible from Foothill Road should be faced with materials compatible with the natural setting such as natural stone or wood. The regulations also require planting landscaping in front of retaining walls and encourage stepping retaining walls, where feasible.

The proposed retaining walls have been design to be constructed out of a stacked stone block, at a reclined angle, and are conditioned to contain plantings to further screen their appearance. Staff feels that the retaining walls are designed appropriately and as conditioned will meet the requirements of the WFRCOD.

- Fencing: The WFRCOD requires open fencing, except that solid privacy fencing may be allowed in areas of a lot not within required yard areas if it is screened with landscaping. The project is proposing wrought iron railing along the patio area of the rear yard and therefore meets the WFRCOD requirements for open fencing.
- Building Design: The WFRCOD design guidelines indicate that building materials should use natural materials, such as wood siding and natural stone. Furthermore, all building elevations visible from Foothill Road should receive full architectural treatment with attention given to minimizing the appearance of massiveness in wall and roof design. In addition, the use of bright colors such as white, yellow, red, and orange are prohibited and the architectural style, in conjunction with its use of colors and materials, is required to blend with its setting and the natural environment.

Staff feels that the proposed house is designed with appropriate house colors and amount of stone siding. Additionally, staff feels that the front and rear of the structure has been designed with an equal amount of detail. Therefore, staff finds that the house design meets the requirements of the WFRCOD. Additional discussion regarding the house design is provided in the Design Guideline section of this report.

- Lighting: The WFRCOD requires that street lighting be designed to minimize the light and glare as seen from Foothill Road and the valley floor. No street lighting is proposed for the existing or proposed driveway. Further discussion regarding the exterior lighting of the residence is provided in the Design Guideline section of this report. As proposed and conditioned, staff finds that the proposed project meets the requirements of the WFRCOD.

Fire Service

The site is located outside of the City's five-minute emergency response time and within high to extreme fire hazard areas. As a result, the proposed home is required to be constructed with automatic residential fire sprinkler systems. A fire hydrant was installed on the building pads of Lot 1 and Lot 2 with the approval of the PUD. In addition, a Fire Management Plan (FMP) was prepared in 2001 by Wildland Resource Management, Inc., that includes measures to reduce fire intensity through fuels management and to allow the dwellings to resist fire exposure. The 2001 FMP addresses both lots 1 and 2, but requires additional review with this application. As discussed in the *Design Guideline* section of this report, it was concluded that the 2001 FMP was sufficient and a new FMP was required.

Visual Analysis

As mentioned previously, the subject property is located within the Pleasanton Foreridge. The approval of the PUD required a visual analysis of all three lots during the PUD process. The Viewpoints are located along Foothill Road, West Las Positas Boulevard

overpass, Foothill High School athletic field, and the Laguna Oaks subdivision near the I-680 sound wall. Due to the dense landscaping and varied elevations along the ridge, visibility of the proposed two-story dwelling on Lot 1 was found to be limited, with the home on the higher building pad of Lot 2 being generally more visible than the home on the lower building pad of Lot 1. A few of the photo simulations that were used in the PUD analysis are provided on the following page.

The analysis that was reviewed with the PUD showed that to the northbound Foothill Road motorist, only the home on Lot 1 would be partially visible. Both of the future homes on Lots 1 and 2 were found to be briefly visible to motorists driving westbound on the West Las Positas Boulevard overpass. From West Las Positas Boulevard at Foothill Road, both future homes were found to be partially visible. From Meadowlark Park in the Laguna Oaks subdivision, the Lot 1 home is barely visible while the Lot 2 home is fairly visible. The proposed homes would not be visible from Foothill High School's athletic field. The existing structures on Lot 3 were not discussed in the visual analysis.



Lot 1= red, Lot 2= green, and Lot 3= blue (existing structures)

The applicant has proposed a low-profile, 22-foot tall, house on Lot 2 to minimize its visual impact from the valley floor. Staff also believes that the earth tone colors proposed for Lot 2 will further help to make the home less visible amongst the wooded area. Staff feels that the visual impacts of this home will be mitigated adequately with the proposed measures and conditions of approval.

Green Building Measures

The applicant provided a preliminary Green Building checklist of measures to be incorporated into the building plan set with the original application. Since the approval of the original application the Green Building checklist has been revised. As a condition of approval the applicant will be submitting a current version of the Green Building checklist. As proposed the residence is expected to obtain 50 green building points, thus meeting the code requirement the category minimums and a 50-point total. The proposed condition also requires additional information to be provided in the building plan set for staff to verify the points being achieved.

CONDITIONS OF APPROVAL

The conditions of approval for this project are slightly revised from those that were approved in 2007. Staff modified the 2007 approved conditions to reflect some

conditions and wording changes that have become standard since 2007. No other changes were made with regard to the project specifically.

ENVIRONMENTAL ASSESSMENT

Environmental review for the proposed project was undertaken with the Environmental Initial Study and a Negative Declaration for PUD-3, which was adopted by the City Council on May 8, 2001 in conformance with the standards of the California Environmental Quality Act (CEQA). No subsequent, supplemental, or addendum to the Negative Declaration is necessary because 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.

Furthermore, there is no new information of substantial importance, which was unknown at the time the Negative Declaration was adopted regarding the project or its effects, mitigation measures, or alternatives. Any previously identified effects or impacts are mitigated to a level of insignificance, with the mitigation measures incorporated into the project's design or imposed pursuant to the conditions of approval.

PUBLIC NOTICE AND COMMENT

Notice of the proposed project was sent to surrounding property owners within 1,000 ft. of the site, as shown in Attachment 4. As of the writing of the staff report, staff had not received any written or verbal comments pertaining to the proposal.

CONCLUSION

Staff believes that the proposed home design is compatible with and sensitive to the restrictions posed by the site. The proposed home and materials meet the applicable requirements of the West Foothill Road Corridor Overlay District:

- 1) New development would be back dropped by Pleasanton Ridge,
- 2) Proposed development and, therefore, grading is kept away from the steeply sloped and/or oak covered areas of the site, and
- 3) Features including a single-story building with a height of 22-feet and the use of earth toned building and roof colors will screen the proposed home as viewed from Foothill Road and areas east of Foothill Road.

The PUD required this home design to be reviewed by the Planning Commission, which previously occurred in 2007. Given the expiration of that approval, the application is back before the Planning Commission for reconsideration. The granting of the design approval will allow the applicant to complete the building permit plan check process and obtain a building permit.

Staff believes the proposed project should receive a favorable determination by the Planning Commission in that the proposed design provides a custom elevation and it will blend with the surrounding development(s).

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve Case PDR-810 (prior case PDR-422), subject to the conditions listed in Exhibit “B”.

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