

Planning Commission Staff Report

May 23, 2007
Item 6.c.

SUBJECT: PDR-599

**APPLICANT/
PROPERTY OWNER:** Chong Kim

PROPOSAL: Application for design review approval for the construction of an approximately 5,168-square-foot, split-level, single-family residence with an approximately 1,078-square-foot garage.

GENERAL PLAN: Rural Density Residential

ZONING: H-P-D (Hillside Planned Development) District/ West Foothill Road Corridor Overlay District

LOCATION: 9900 Longview Lane

ATTACHMENTS:

Exhibit A:

- Site Plan, Elevations, Floor Plans, Grading and Drainage Plan, Landscaping Plan, "Green Building Checklist", dated, "Received May 9, 2007";
- Geotechnical studies by GFK & Associates, and Peer Reviewer Comments by ENGeo, Inc.
- Arborist Report by Timothy Ghirardelli
- Wildland Fuel Management Plan by Wildland Resources Management, Inc.

Exhibit B: Conditions of Approval

Exhibit C: Letter from Martin Lysons

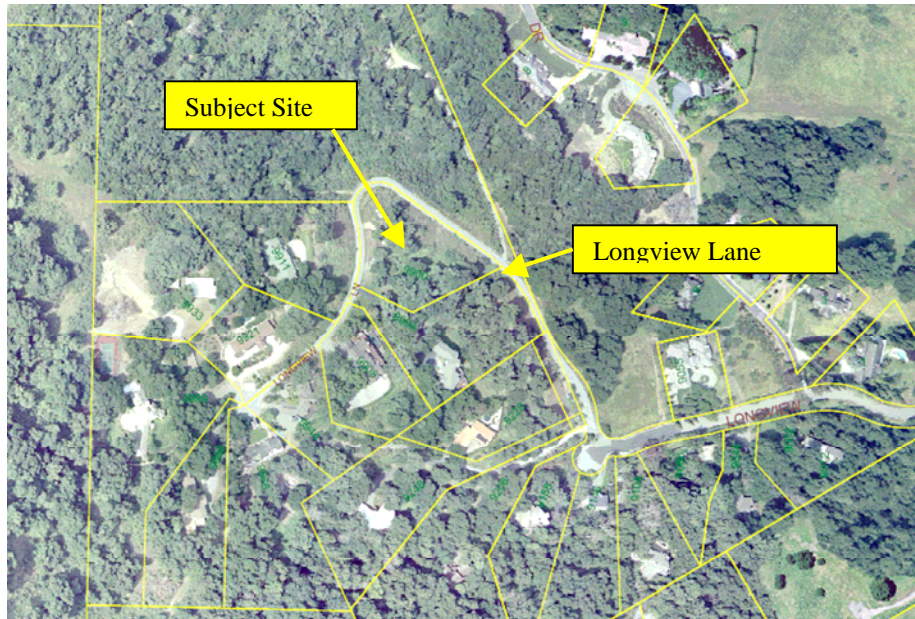
Exhibit D: Previously Approved House Location; Staff Report, and Planning Commission Minutes

Exhibit E: Location Map

BACKGROUND

Mr. Chong Kim is requesting design review approval for the construction of a split-level single-family residence for himself and his family.

The subject site is the last vacant lot on Longview Lane in the H-P-D (Hillside Planned Development) zoning district. As required by the Pleasanton Municipal Code, design review by the Planning Commission is requirement for lots located in the H-P-D district.



SITE DESCRIPTION

The subject site is a steeply sloped site. From the highest to lowest elevations, the site drops from an elevation of 835' to an elevation of 735'. The site is highly visible when viewed from Bernal Avenue, the residential development on West Lagoon Drive, and Bernal Corporate Center. The site is vacant, and is covered with trees, primarily oaks and bay species, varying from eight inches to 36 inches in diameter, and low bushes. An existing knoll, approximately six feet tall faces Longview Lane along the site's westerly side.

PROJECT DESCRIPTION

The site is approximately 1.8 acre in size. The applicant proposes the following:

1. Construction of an approximately 5,168-square-foot split level single family home consisting:
 - * an approximately 3,089 square feet of first level
 - * an approximately 2,079 square feet of lower level
 - * an approximately 1,300 square feet deck on the first level
2. Construction of an approximately 1,078-square-foot garage attached to the north (back) side of the house; the garage door faces the east.

The proposed grading would be limited to an area defined by the building footprint and to the existing “knoll” area located between the building’s north side and Longview Lane. As shown on the plan, a portion of the knoll will be graded for the driveway and the garage. The south wall of the garage would be a retaining wall.

Four trees would need to be removed for the proposed development.

ANALYSIS

Previous Approval

In September 2000, a single-family residence was reviewed and approved by the Planning Commission. The approval was for a split-level, two story home approximately 6,900 square feet in size. It was located in a similar location as the proposal now submitted by the Kims (Exhibit D).

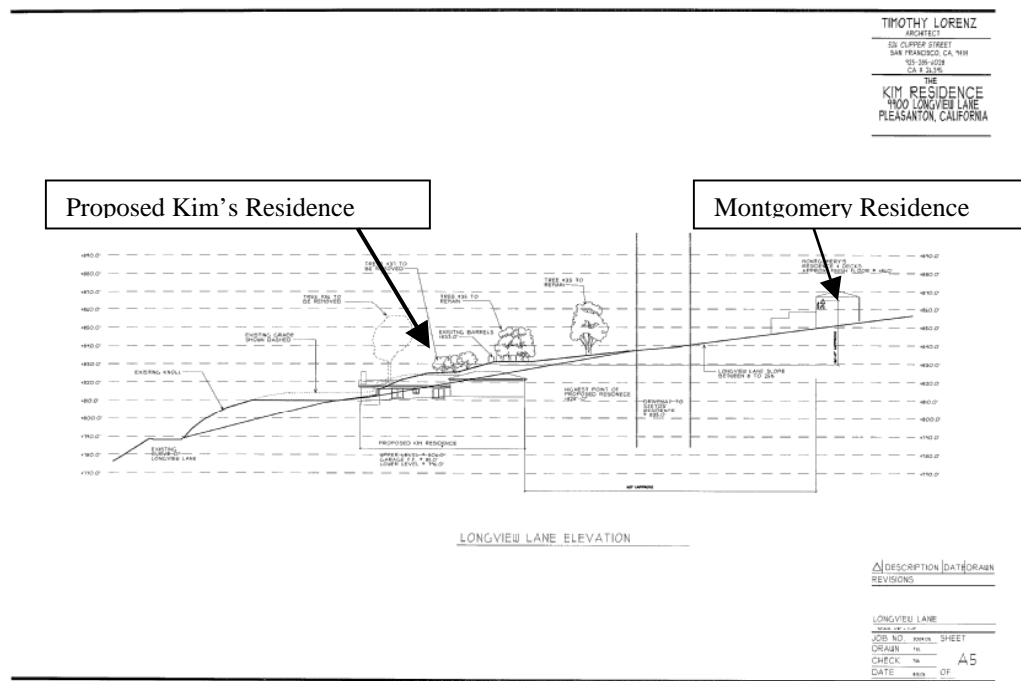
Longview Homeowners Association

Per Longview Lane CC&Rs, the Longview Homeowners Association has the authority to review and approve a proposal within the development. The City always encourages the applicant to obtain HOA’s approval submitting an application. In this case, the applicant has submitted the application to Longview HOA.

At the request of the Longview HOA, the applicant installed story poles to indicate the footprint and height of the proposed building. The Longview HOA then held an HOA meeting January 2006 to review the project.

Lee and Carolanne Montgomery, owners of the property located to the south, stated that the Longview CC&Rs do not allow “building to be erected so as to block the view from the building site of any other lot.” Although the proposed building would not block the view from their house or deck, the proposed building would block a portion of the view from their yard on the down-slope side. Therefore, the Montgomery’s argued that the home should not be constructed at the proposed location, and instead, the building should be relocated so that none of the roof line would protrude above the elevation the their property.

Mr. Martin Lysons, legal counsel representing the Kim’s, was present at the HOA meeting. Mr. Lysons stated that Longview Lane is a hillside development in that homes within the development block each other’s view to a certain degree. The issue was if the proposed development is reasonable and that the impacts to the immediate neighbors are minimal. The majority of the buildings constructed within the development have in portions blocked the views from the building site of any lots. Please see the letter from Martin Lysons, summarizing the outcome (Exhibit C).



Following the HOA meeting, the applicant continued working with the HOA. The applicant lowered the building height to respond to the Montgomery’s concern. In addition, seven copies of the current proposal and visual analysis were sent to the HOA for distribution to Longview Lane residents for comments.

Staff has not received a letter from the HOA. The Longview HOA has reviewed and commented on the proposal several times. Staff notes that comments have referred to loss of view; however, there are no view easements in the Longview Lane area.

Wildland Fire Management and the Effect on Existing trees and Proposed Building Site

Wildland Fire Risk Areas

Base on “Wildland Fire Risk Areas” as indicated in the Pleasanton General Plan, the project site is located in an “extreme hazard area.” The potential fire hazard is further compounded by the proposed building’s location on the top of a very steep slope surrounded by tree canopies and a moderately dense understory. For the existing trees located closest to the proposed building, the project plans show the proposed building/tree canopy separation is less than four feet.

A “Wildland Fuel Management Plan” was prepared by Wildland Resource Management for the former residence. Staff finds that the plan is effective and applicable to the proposed development as it proposed a series of measures to mitigate the requirement for tree separation and for fire protection. Specifically, the plan recommended a “defensible space” within 100 feet of the proposed structure. Within this space, the report recommends a five-foot separation between the proposed building and the tree canopy, and for specific trees, that the canopy area be trimmed up from grade a distance equal to one-third the height of the tree to a maximum of eight feet. Staff recommends that this plan be used as a reference guide in wildland management. The applicant has agreed. A copy of the plan is attached to this report.

Proposed Building Design

Building Design: Overall, staff considers the proposed building to be an attractive design. The applicant has considered the hillside terrain and that the split-level design is sensitive to the geography of the site. In response to the Montgomery’s concerns regarding the building height, the applicant has lowered the plate height and roof pitch. The roofline at the garage, which is the highest portion of the residence, is at an elevation of 819.6 feet, approximately 21 feet lower than the lowest point of the Montgomery’s site.

The proposed design is an excellent example of a split-level design. The floor plan shows step-down design from one part of the house to the other. The design also maximizes the panoramic view as a deck is proposed to extend across the eastern elevation, overlooking Pleasanton.

The building would have a stucco finish, concrete tile roof, and stone accent. The proposed colors would compliment the building design and suitable for the background.

Visual Analyses

The story poles erected on the site are visible from off site. The applicant has submitted five before-and-after view analyses of the proposed residence when viewed from off site. The photomontages were prepared by Dahlin & Associates, an architecture firm located in Pleasanton, from the following locations:

- View A: The proposed building when viewed from the residential development on West Lagoon Drive.
- View B: The proposed building when viewed from Bernal Corporate Center
- View C: The proposed building when viewed from Bernal at I-680
- View D: The proposed building when viewed from 9908 Longview Lane (Montgomery's site)
- View E: The property building when view from 9904 Longview Lane

Views A, B, and C show that portions of the proposed house will be visible. However, by comparing the visibility with the existing homes on the hillside, the level of visibility is comparable, i.e. the visibility would not be greater than the other houses when viewed from off sites.

Views D and E were taken from the two adjoining neighbors to the north (View D) and to the east (View E). With the landscaping, the building is nearly completely screened.

Tree Survey

Timothy Ghirardelli prepared a tree survey report for the proposed development.

The report surveyed 20 existing trees distributed throughout the project site. The trees located closest to the proposed building are shown on the proposed site plan. The report indicated of the 20 surveyed trees, four oaks would need to be removed for the proposed development. The four affected trees are:

- Tree No. 34 – a 12-inch diameter live oak in a good health condition;
- Tree No. 35 – a 13/18-inch diameter live oak in a good health condition;
- Tree No. 36 – a 20-inch diameter live oak in a good/fair health condition; and,
- Tree No. 37 – a 8-inch diameter valley oak in a fair health condition.

These trees are considered heritage trees. The report also assessed the Tree No. 42, a 30-inch diameter black oak. This tree is located near the proposed deck. The tree has shown indications of weak primary structure and early tree decline. The report calls for the protection of unnecessary limb damage during site preparation and construction. The report recommends that pruning of this tree to follow the ANSI A300 Tree Pruning Guidelines and that no pruning should be performed by a construction crew.

The report includes general tree prevention guidelines during construction, attentions to be given to the construction of retaining walls, piers, grade beams, and use of construction equipment. The report, however, did not include an appraised value for the trees that would be removed for construction. Staff has added a condition requiring that an addendum be provided by the arborist to provide the appraised values of the trees that are to be removed.

The removal of the existing trees will argument a greater visibility from the valley floor to mitigate this. Staff has discussed a tree replacement program with the applicant to provide a 1:6 ratio. These plantings would be a mix of 36-inch/24-inch-box sized, and 15-gallon/5-gallon sized coastal live and valley oaks. These trees should be planted to the east of the proposed development in a staggered arrangement to create more screening, but sensitive not to block the Kim's view as well.

Landscaping

As discussed above, the landscaping plan needs to be modified to reflect the 1:6 replacement ratio. In addition to the coastal live oaks and valley oaks, the preliminary landscape plans shows planting specimen of wide lilac, pacific wax myrtle, rosemary, purple flowering sage, etc. Staff recommends that no domestic landscaping be allow in any area east of the proposed building. Conditions of approval are included to addresses these two issues.

Grading

The proposed grading would be limited to the area defined by the building, the driveway, and the area between the building and Longview Lane. The footprint of the building is approximately 3,160 square feet (lower level plus the garage). Based on the proposal, the area that would be disturbed for development (house, garage and driveway) is approximately 14,500 square feet in area, approximately 18% of the entire site.

The split-pad configuration of the proposed building, being cut into the hillside and requiring no fill areas for the house itself would serve to minimize site grading. Cut/fill should balance the dirt on site; therefore, no import of dirt or off haul would be necessary. Staff recommends that a certified arborist be on site during grading in order to ensure that the site's existing trees are preserved.

Geotechnical Issues

The subject site is located in an area of high landslide potential. As stated in Program 6.2 of the Pleasanton General Plan:

“Permit development in landslide-prone areas identified as “Moderate” and “Moderate to High” only when site-specific geologic and soils investigations demonstrate that geologic hazards can be mitigated. Sites must be shown to be stable during adverse conditions such as saturated soils groundshaking, and during grading go the site for roads, installation of infrastructures, and the creation of building pads. Engineering studies shall demonstrate that structures in landslide prone areas would sustain no more damage due to slope instabilities damage sustained by a similar building in the Pleasanton Planning Are constructed to current Uniform Building code standards and located on soils with low susceptibility to failure when exposed to moderate groundshaking.”

GFK & Associates was the geotechnical consultant for the previous proposal. GFK prepared an updated investigation report based on the proposed development. This updated report was peer reviewed by ENGE0, Inc ENGE0 was the peer-review for the previous proposal.

The primary issue affecting this site is that it is located within a large, deep-seated landslide area and that the site has a high risk of experiencing stability problems than non-landslide areas. The peer reviewer commented on:

- Providing subdrainage around the perimeter of the structure;
- foundation plan be reviewed by GFK & Associates and that the project geotechnical engineer confirm in writing that the plans are in conformance with the recommendations provided in the letter and reports prepared by GFK & Associates;
- mitigations to prevent potential damage to the planned improvements
- relocate the storm drain system outside the recently active landslide area.

The applicant is preparing to relocate the storm drain system as per commendation from the geotechnical peer reviewer. Staff recommends that the revised drainage plan be reviewed and approved by ENGE0 prior to submission for building permit. Staff further recommends that the applicant comply with all recommendations stated in the geotechnical reports and the comments provided by the geotechnical peer reviewers. Staff has provided a condition of approval discussing compliance with the geotechnical report.

West Foothill Road Corridor Overlay District Requirements

The subject site is within the West Foothill Road Corridor Overlay District (WFRCOD). Since the site does not adjoin Foothill Road, it is not subject to the regulations pertaining to lot size, building setback, and building height that apply to the sites otherwise adjoining Foothill Road. The proposed development, however, is subject the design criteria specified in WFRCOD in

terms of foreridge development, access/frontage improvements, landscaping, retaining walls, and fencing.

WFRCOD prohibits building sites within lots to be located on or near ridge which does not have a background of Pleasanton or Main Ridges when viewed from Foothill Road. The subject site is located on the lower portion of the Longview subdivision. Therefore, the proposed building would not protrude above the ridgelines.

WFRCOD prohibit use of individual driveways intersecting directly onto Foothill Road. It encourages combined, common-access driveways servicing more than one lot. It encourages the use of frontage roads. The subject site has access from Longview Lane, a privately maintained street off Longview Drive.

WFRCOD requires that mature, native trees be retained to the maximum extent feasible and that landscaping for new development be predominately native plant species in areas visible from Foothill Road. Lawn or turf areas in landscape schemes adjacent to Foothill Road should be either eliminated or hidden by native landscaping. The majority of the trees on the subject site are located in the up-sloped area outside of the proposed development, and that they would be retained except for four oak trees would be impacted. The applicant will be required to plant 24 coast live and valley oaks to screen the building and to mitigate the loss of the existing trees. A condition is added prevent domestic landscaping be installed in area except for the area at the front entrance.

WFRCOD requires that retaining walls visible from Foothill Road be faced with materials compatible with the natural setting, such as natural stone or wood. Where feasible, retaining walls should be stepped. Landscaping shall be incorporated to minimize adverse visual impacts, with planting in front of walls, within stepped recesses and/or overhanging the wall. The proposed retaining walls would be located in the south side of the property, not visible from Foothill Road. Staff recommends the applicant design the wall to be complementing to the house design. A condition of approval is added to address this issue.

WFRCOD requires open fencing shall on the subject site, except that solid, privacy fencing may be allowed in areas of a lot not within required yard areas if it is screened with landscaping. No fence is proposed.

Public Comment

Notices of the public hearing were sent to all homeowners living within 1,000-foot radius of the subject property.

Muriel Capilla, 9 Twelve Oaks Drive, contacted staff, concerning the visibility of the home from Twelve Oaks Drive.

ENVIRONMENTAL ASSESSEEMNT

This project is categorically exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15303, Class 3(a), single-family residences not in conjunction with the building of two or more such units.

CONCLUSION

The proposed single-family residence is designed in a manner that it fits into the existing hillside. The split-pad design limits grading to its minimum. The proposed building elevation is attractive and professional executed. The building height has responded to the adjoining neighbor's concerns and has been redesigned to be approximately 20 feet lower than the lowest portion of the Montgomery's residence. The proposed development is supported by the geotechnical reports. The proposed landscaping comprising the loss of the existing trees and mitigate the visual impact when viewed from off sites.

STAFF RECOMMENDATION

Staff recommends the Planning Commission approve PDR-599 subject to the Conditions of Approval as listed in Exhibit B.

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