



## Planning Commission Staff Report

July 12, 2006  
Item 6.b.

- SUBJECT:** PUD-33, Draft Environmental Impact Report.
- Applicant:** James Tong of Charter Properties.
- Property Owner:** Jennifer Lin, Frederic Lin, and Kevin Lin.
- Purpose:** Review of the Draft Environmental Impact Report for the Oak Grove Planned Unit Development for a 98-lot custom home development and to consider a 51-developable-lot environmentally preferred alternative.
- General Plan:** Rural Density Residential (< 1 du/5 ac) – 489 acres, Public Health and Safety – 73 acres, and Urban Growth Boundary Line.
- Zoning:** PUD – RDR/OS (Planned Unit Development – Rural Density Residential/Open Space) District.
- Location:** Near the present terminus of Hearst Drive on the southerly sides of the Vintage Hills II and the Grey Eagle Estates developments.
- Attachments:**
1. Location Map
  2. Draft Environmental Impact Report (DEIR) for the Oak Grove Planned Unit Development (PUD-33) and Appendices dated June 30, 2006. (Copies of the DEIR were previously distributed to the Planning Commission on June 30, 2006.
  3. Minutes of the Joint Scoping Workshop, City Council and Planning Commission, dated February 8, 2005.
  4. Recently received email communications.
  5. Oak Grove Residence Lot Design Guidelines, Oak Grove Open Space & Common Areas Design Guidelines, and the Oak Grove Residential Prototypes
  6. Appendix “B”: Letters and printed email communications regarding the proposal project dated October 7, 2004.

## **I. PURPOSE OF THIS MEETING**

The Draft Environmental Impact Report for the proposed Oak Grove development, PUD-33, was published on June 30, 2006. Copies of the DEIR and the Notice of Completion were sent to the California State Clearinghouse on June 30th beginning the 45-day review period mandated by the California Environmental Quality Act (CEQA). The review period will end on August 14, 2006. Copies of the DEIR are also being distributed to the interested parties who have previously commented on the proposal and to the applicable City Departments and Responsible Agencies. Their comments will be incorporated into the Final Environmental Impact Report (FEIR).

The purpose of this meeting is to provide the public forum where the Planning Commission and interested parties can provide their comment to staff on the DEIR for the consultants to address when preparing the FEIR. The DEIR was sent to the Planning Commission on June 30<sup>th</sup> in order to provide as much time as possible for the Commission's review prior to the public hearing. Public comments will be addressed in the "Response To Comments" section of the FEIR. The FEIR will then be forwarded with the PUD development plan to the Planning Commission, which will determine whether to certify the FEIR as complete according to CEQA requirements.

Staff notes that any public comments not made at the public hearing, but received or postmarked by staff before 5:30 p.m. on August 14<sup>th</sup>, will still be incorporated in the FEIR.

## **II. FUNCTION OF THE ENVIRONMENTAL IMPACT REPORT**

The EIR satisfies the CEQA requirements for the proposed project's environmental review. The EIR is only an information document that identifies the environmental impacts of the proposal, mitigation measures for these impacts, and the impacts that cannot be mitigated. As an information document, the EIR itself does not formulate recommendations on the proposal, e.g., approval, conditional approval, or denial.

Staff notes that certification of the FEIR does not compel the City's approval of the proposed project. The City can still apply its discretionary ability to approve, conditionally approve, or deny the proposal. However, if the City intends to approve or conditionally approve the proposed project, the mitigation measures identified in the FEIR must then be incorporated in the proposal either as conditions of approval or as revisions to its design. If there are no feasible mitigation measures and the City wishes to approve the proposal, the City would then have to adopt statements of overriding considerations.

## **III. BACKGROUND**

### **Background**

On December 4, 2003, staff prepared an Initial Study for PUD-33, a PUD proposal to develop 98 single-family detached homes and ancillary improvements on a 562-acre property located

near the present terminus of Hearst Drive, on the easterly side of the Kottinger Ranch development and on the southerly sides of the Vintage Heights II and the Grey Eagle Estates developments. On the basis of the Initial Study, it was determined that an Environmental Impact Report (EIR) for the proposed development was required.

On May 8, 2004, the City Council authorized the City Manager to execute a contract with Mundie & Associates to prepare the EIR for this proposal. A joint City Council/Planning Commission scoping session was held on February 8, 2005. Minutes of the meeting are attached. The City Council and Planning Commission discussed the EIR's scope and received public input and comment on the DEIR's scope and content. After the workshop, the scope of work for the Draft Environmental Impact Report was finalized and work began.

### **The Environmentally Preferred Alternative**

The DEIR evaluates the environmental issues and concerns raised by the applicant's initial proposal: a 98-lot, custom home development proposed for the 562-acre site. In addition to the 98-unit proposal, the DEIR discusses four alternatives including a 51-unit alternative, considered by staff to be the environmentally preferred alternative. The DEIR evaluated three other alternatives.

During the DEIR's preparation, the City Council directed staff to engage the applicant and representatives of the Kottinger Ranch homeowners in meetings to explore the possibility of a revised development plan for the site that would mitigate the Kottinger homeowners' concerns. These meetings included the City Manager who helped facilitate the discussions between both parties. The result of those meetings is the Alternative Four - 51-unit - development plan. Staff understands that the Kottinger Ranch Homeowners Association has reviewed and supports the 51-unit plan.

Preparation of the DEIR proceeded concurrently with the meetings between applicant and neighbors. Staff notes that the 51-unit plan mitigates several of the environmental impacts raised by the 98-unit proposal by its design; this is the CEQA preferred means of mitigating a number of project impacts. It also meets several of the concerns expressed by neighbors living outside of the Kottinger Ranch development.

## **IV. SUBJECT PROPERTY AND SURROUNDING LAND USES**

The Lin property was annexed into the City on December 31, 1991. It is zoned PUD (Planned Unit Development) – RDR and OS (Rural Density Residential and Open Space) district. Surrounding land uses with their zoning designations, planned and/or constructed densities, and General Plan land use designations are described in the table on the following page:

Direction	Use	Land Use Designation	Zoning
North	Vintage Hills II and the Grey Eagle Estates developments	Low Density Residential (< 2 du/ac) and Low Density Residential (< 2 du/ac) and Rural Density Residential (1 du/5 ac)	PUD – LDR and PUD – LDR/OS
East	Vacant Land/Cattle Grazing	Urban Growth Boundary Line and Public Health and Safety	Unincorporated
South	Vacant land/Cattle Grazing	Urban Growth Boundary Line, Public Health and Safety, and Wildlands Overlay	Unincorporated
West	Kottinger Hills Development	Low Density Residential (< 2 du/ac) and Rural Density Residential (1 du/5 ac)	PUD – MDR/LDR/OS

## V. PROJECT DESCRIPTION

The DEIR contains a detailed description of the 98-unit proposal. A brief summary follows.

- All proposed units would be single-family detached homes located on individual lots varying in size from 17,000 to 48,000 square feet.
- The proposed lots would be arranged along the proposed extension of Hearst Drive, which, as proposed, would be extended approximately one-mile onto the subject property, on six cul-de-sac courts, and on seven shared access driveways/private streets. Two cul-de-sac courts would then have emergency vehicle access connections to Benedict Court – a public street – located in the Kottinger Hills development and to Grey Eagle Court – a private street – located in the Grey Eagle development.
- Building and site designs, landscaping and grading designs would be controlled by design guidelines created for this purpose. (Although the design guidelines will be covered by the project review, the guidelines are referenced in the DEIR so are attached to this staff report for reference only.)
- The applicants propose to drain stormwater runoff via public street inlets into one or more storm water retention/settling basins. On some lots, stormwater runoff would drain directly onto surrounding open space areas.

The applicant’s written narrative of the 51-unit environmentally preferred alternative is included in the Appendices section of the DEIR.

## VI. DISCUSSION

### Traffic Analysis

Traffic concerns are a major issue to surrounding neighborhoods. During the scoping session for the DEIR, community members raised the following concerns relating to transportation:

- Impact on existing traffic problems at the following intersections: Hearst Drive at Bernal Avenue and Hearst Drive at Concord Street;
- Impact on existing character of surrounding neighborhoods and streets;
- Concern that concentrating all of the project's traffic on a single access road would cause congestion; in a similar vein, suggestions as to potential second access roads.
- Safety of bicyclists and children;
- Inclusion of adequate sidewalks;
- Traffic generated by open space uses;
- Accessibility for emergency vehicle access to and from the site; and,
- Impact of traffic generated during the construction of the project.

A brief summary of the DEIR's analysis follows.

### Impacts to Intersections

The DEIR found significant impacts for the 98-unit proposal based upon the methodology defined in the Circulation Element of the Pleasanton General Plan. However, the following points provide a summary of the degree of impact associated with this project:

- Five Downtown intersections to which the project would contribute future traffic are exempt from Pleasanton's LOS standards and, therefore, no adverse impact is found for those intersections.
- Of the 10 intersections subject to Pleasanton's LOS standard projected to operate at an unsatisfactory LOS with the project, eight of these intersections would operate at the same unsatisfactory LOS without the project.
- At only two intersections would the project change the estimated future LOS: Bernal/Angela for the p.m. peak hour from LOS "D" to "E", and at Bernal/Hearst) for the p.m. peak hour from LOS "D" to "F".

Changes in delay are forecast for all traffic movements at 13 intersections at which significant impacts under Pleasanton's LOS standard were found. With respect to the traffic movements analyzed, the Oak Grove project would be associated with the following increases in delay:

- For three movements at the 13 intersections: less than a two-percent increase in delay
- For eight movements at the 13 intersections: less than a one-percent increase in delay

The project would the project's impacts on delay exceed two percent at two arterial intersections:

- For the p.m. peak movement at Bernal/Angela, the Oak Grove project would increase delay by 12.5 percent, from 31.3 to 35.2 seconds.

- For the PM peak movement at Bernal/Hearst, the Oak Grove project would increase delay by 103.5 percent, from 27.4 to 55.7 seconds.

The only intersection at which delay would increase substantially with the project is Bernal/Hearst – the expected result of the 98-unit project, since Hearst Drive from Bernal Avenue would be the main access route to the Oak Grove site.

### Impacts on Neighborhood Residential Streets

Three residential streets were analyzed: Hearst Drive, Concord Street, and Palomino Drive. These streets represent the two most direct routes connecting Bernal Avenue to Hearst Drive at the entrance to the Oak Grove site: a route entirely on Hearst Drive, and a route that connects Hearst Drive to Bernal Avenue via Concord Street and Palomino Drive.

For the purposes of the residential street analysis, the project trips that would use either the first route or the second route were analyzed conservatively by assigning project traffic to both routes in order to reflect the most conservative analysis for each street segment. The traffic analysis concluded that these three residential collector streets would operate at LOS “D” or better under all scenarios analyzed. Project traffic is anticipated to have minimal effects on other neighboring residential streets, and no adverse impact was found.

Regarding project traffic relating to the Vintage Hills Elementary School site on Concord Street, the residential street analysis did not disclose that traffic levels would be significantly affected by school-related trips associated with the project.

### **Visual Analysis**

The visual analysis is perhaps one of the more sensitive issues of the DEIR’s analysis, given the proximity of the proposed project to existing neighborhoods. A brief summary of the visual analysis follows.

### Project Viewshed and Public View Corridors

The general area from which the project site is visible – the viewshed – includes close range and more distant viewing locations. Because intervening topography and mature vegetation screen views of the project site from many locations in the vicinity, the area of the Oak Grove project viewshed is limited. Visibility is primarily from the west and north. The site is not visible in its entirety from any single ground-level public vantage point. In general, the site is not visible by the public from areas to the south and east due to a lack of public roads and development.

Various portions of the site are visible from close range locations along public residential streets to the north and west including Grey Eagle Court and Red Feather Court from the north, and Hearst Drive, Benedict Court, and Smallwood Court from the west. Parts of the site may also be visible from private residential properties in this area. Portions of the site can also be seen from

some more distant vantage points including Stanley Boulevard and Bernal Avenue to the north and Vineyard Avenue to the northeast. The overall project site is barely visible from downtown Pleasanton and I-680.

### Visual Simulations

Visual simulations were produced using computer modeling and rendering techniques. The viewpoints chosen for simulations are representative of the public viewing locations, chosen from among those used to prepare the photographs presented in the DEIR.

The visual simulations portray both building forms and project landscaping, including the mitigation trees, street trees, and private lot trees. The evaluation of potential visual impacts associated with the Oak Grove project is based, in part, on comparing the “before” and “after” visual conditions as portrayed in the simulation images and assessing the degree of visual change that the project would bring about.

### **Alternatives**

In addition to the “no project”, “no development”, and “different location” alternatives, the DEIR discussed three land use alternatives and one transportation alternative that were formulated with the goal of eliminating or minimizing the identified adverse impacts, primarily on biology and transportation. A brief description of the four alternatives follows.

Alternatives 1, 2, and 4 are land use alternatives, intended to reduce impacts on biological resources by changing the proposed grading strategy: instead of disposing surplus materials in the drainage courses – termed “valley fill” areas – the material would be disposed of via mounded stockpiles on two knolls on the open space areas of the project site – termed “balance fill” areas. Once the fill has been deposited, the topography of the raised knolls would be contoured to blend with the surrounding area, and the knolls would be vegetated with grasses consistent with those currently on the site.

The three land use alternatives are distinguished from the proposed project and from each other by the following characteristics:

- Alternative 1 would rearrange the 98 single-family lots included in the proposed project into 70 single-family lots and 7 sites for fourplex housing structures.
- Alternative 2 would reduce the number of single-family lots to 80 with no fourplexes.
- Alternative 3, the transportation alternative, provides a second full public access to the Oak Grove development, complementing the Hearst Drive access.
- Alternative 4 would reduce the number of single-family lots to 51. The lots of this alternative would be larger than with the lots of the proposed project, with an average size of ap-

proximately 46,460 square feet, compared to an average size of 26,000 square feet for the proposed project.

## Summary of Chapter 4

The Oak Grove Draft Environmental Impact Report analyzed 20 subject areas. Chapter 4 of the DEIR presents the discussion of the environmental setting and the identification of impacts and mitigation measures for each subject area. A summary of the significant subject areas, e.g., traffic, aesthetic/visual resources, etc., of Chapter 4 follows.

Staff notes that the summary is based upon the 98-unit development plan. The DEIR analysis identified a number of significant adverse impacts that would result from development of the proposed project. Most of these impacts can be reduced to a less-than-significant level with implementation of the recommended mitigation measures. Staff notes that the 51-unit plan will mitigate several of the identified impacts – impacts to ephemeral streams, for example – by its design and density.

Impact	Mitigation Measure	Significance After Mitigation
<b>A. Aesthetics/Visual Resources</b>		
A1. Infrastructure elements on the site (streets and private drives; utility elements, including pumping stations, electrical substations, and water tanks; and other public or quasi-public facilities) may present an unattractive appearance unless adequate screening is provided.	A1. Assure that public uses and facilities, including new roads, are screened sufficiently from views from offsite homesites and integrated into the surrounding landscape.	Less Than Significant (LTS)
A2. There is a possibility that structures on some lots may be undesirably prominent.	A2. Revise the Site Constraint Matrix contained in the Oak Grove Mandatory Design Guidelines to increase the number of lots classified as “High Visibility Lots.”	LTS
<b>C. Air Quality</b>		
C1. The proposed project could expose sensitive receptors to substantial pollutant concentrations.	C1. Require all appropriate BAAQMD dust control measures in construction contracts for grading and project site preparation and for grading of individual residential building sites.	LTS
<b>D. Biological Resources</b>		
D1. Possible significant impact on California tiger salamander populations due to disturbance or removal of upland or dispersal habitat.	D1. Prepare a California Tiger Salamander Mitigation and Monitoring Plan and submit the plan to the City and USFWS for review and approval. Acceptance of the CTS Mitigation and Monitoring Plan by the City and USFWS will be required prior to approval of the Tentative Subdivision Map by the Planning Commission.	LTS
D2. Possible significant impact on California red-legged frog due to dis-	D2. Prepare a California Red-Legged Frog Mitigation and Monitoring Plan in consultation with the	LTS



Impact	Mitigation Measure	Significance After Mitigation
turbance or removal of upland or dispersal habitat.	USFWS and submit the plan to the City and USFWS for review and approval. Acceptance of the CRLF Mitigation and Monitoring Plan by the City and USFWS will be required prior to the approval of the Tentative Subdivision Map by the Planning Commission.	
D3. Possible significant impact on callippe silverspot butterfly due to loss of habitat of its host plant ( <i>Viola pedunculata</i> ) or direct loss of butterfly larvae or adults.	D3. Formulate a Callippe Mitigation Plan. Complete the plan prior to recordation of the Final Subdivision Map and obtain City approval of the mitigation plan prior to issuance of a grading permit.	LTS
D4. Possible significant impact on raptors due to potential disturbance of active raptor nests by site preparation and development activities.	D4. Conduct pre-construction surveys to determine presence or absence of active raptor nests. Construction shall not take place if it is determined that such construction would disturb an identified active raptor nest.	LTS
D5. Possible significant impact on burrowing owl due to disturbance of potential burrowing owl nesting and habitat sites.	D5. Conduct pre-construction surveys to determine burrowing owl presence or absence. If present, appropriate mitigation measures shall be implemented.	LTS
D6. Possible significant impact on Alameda whipsnake populations during construction through direct mortality.	D6. Install silt-control fencing to prevent impacts on Alameda whipsnake.	LTS
D7. Possible significant impact on blue oak woodland community due to site preparation and development activities on approximately 14.9 acres of land supporting that plant community.	D7. Prepare a plan to mitigate for the loss of blue oak woodland in accordance with the provisions set forth for impacts on individual Heritage trees under the City of Pleasanton Tree Preservation Ordinance. Acceptance of plan by the City will be required prior to the approval of the Tentative Subdivision Map by the Planning Commission.	LTS, Contribution to Cumulative Impacts
D8. Possible significant impact on wetlands and waters of the U.S., from proposed filling of 0.05 acre of Section 404 and isolated wetlands and 2,708 linear feet (0.09 acre) of waters of the U.S. in drainages.	D8. Provide mitigation of wetland impacts in the form of onsite wetland creation at a 2:1 ratio. Provide mitigation for stream impacts with stream creation onsite at a 1:1 ratio, or offsite stream preservation at a 10:1 ratio.	LTS
D9. Possible significant impact on California tiger salamander and California red-legged frog movement to offsite breeding habitat from direct mortality.	D9. Implement Hearst Drive wildlife crossing features described in Measures D1 and D2.	LTS
D10. Possible significant impact on Heritage trees from site preparation and development. Up to 90 Heritage trees would be removed from the project site, and an additional 44 Heritage trees would be impacted.	D10. Submit an application to the City of Pleasanton following guidelines as noted in the City of Pleasanton's Tree Preservation Ordinance. Trees shall be replaced as described in a tree preservation plan prepared in accordance with the Tree Preservation Ordinance, for review and approval by the Planning	LTS

Impact	Mitigation Measure	Significance After Mitigation
Commission with the Tentative Subdivision Map		
<b>E. Cultural Resources</b>		
E1. Previously undiscovered cultural resources may be disturbed in the course of project development subsequent to the adoption of the proposed project.	E1. Discoveries made during construction must be evaluated by a qualified archeologist, who may propose mitigation measures if warranted.	LTS
E2. Previously undiscovered human remains may be disturbed in the course of project development subsequent to the adoption of the proposed project.	E2. In the event that human remains, or possible human remains, are located §7050.5(b) of the California Health and Safety Code (see also §15064.5(e) of CEQA) should be implemented. For additional detail, see p. 130.	LTS
<b>F. Geology, Soils, and Seismicity</b>		
F1. Seismically induced ground shaking at the project site could result in injuries, fatalities, and property damage.	F1. The design and construction of all structures shall conform to current standards in the most recently adopted California Building Code for Seismic Zone 4 and shall adhere to the recommendations of the preliminary geotechnical investigation report and the to-be-prepared design-level geotechnical report.	LTS
F2. Construction of residential homes and related facilities such as roads, in areas of known or potential slope instability and/or unstable soils could result in significant damage to existing improvements or proposed development if not properly mitigated.	F2a. To ensure that the existing landslides are properly identified, repaired, and areas of unstable soils are stabilized, a complete design-level final geotechnical report and associated field work shall be completed to the satisfaction of the City Engineer by a certified professional. The design-level geotechnical report shall evaluate each proposed lot for geotechnical suitability. If unstable soils and/or slopes could affect areas within designated lot boundaries, these areas shall be clearly demarcated on an engineering geologic map and repaired prior to issuance of the building permit.	LTS
	F2b. During project construction, grading and slope preparation activities shall be conducted under the supervision of a Registered Geotechnical Engineer or Certified Engineering Geologist and any design modifications necessitated by changes in field conditions shall be reviewed and approved by the City Engineer and/or the Director of Building Inspection.	LTS
	F2c. The developed project site (both privately-owned and common areas) and adjacent areas shall be maintained through an ongoing Slope Management Program, administered by a Geologic Hazard Abatement District (GHAD), or Homeowners Association (HOA) or other mechanism approved by the City. The Slope Management Program shall be submitted to the City Engineer for review and approval prior to the approval of a Final Vesting Tentative Map.	LTS

Impact	Mitigation Measure	Significance After Mitigation
F3. Structures or property could be adversely affected by expansive and/or corrosive soils.	F3a. Design of the proposed building foundations and improvements, including sidewalks, parking lots, and subsurface utilities, shall consider expansive soil conditions and incorporate measures to ensure that potential damage due to shrink/swell potential of soils is minimized. The preliminary geotechnical report indicates that expansion could be on the order of several inches and that additional laboratory testing and analysis during a design-level geotechnical investigation is needed. This additional testing and analysis shall be conducted and the results incorporated into the recommendations of the design-level geotechnical investigation.	LTS
	F3b. The preliminary geotechnical report recommends that site soils be evaluated for corrosivity. This evaluation shall be completed prior to approval of the grading plan. If the results indicate corrosive soil conditions, appropriate measures to mitigate these conditions shall be incorporated into the design of project improvements that may come into contact with site soils. Wherever corrosive soils are found in sufficient concentrations, recommendations shall be made to protect iron, steel, metal, and concrete from long-term deterioration caused by contact with corrosive onsite soils.	LTS
F4. Differential settlement at the project site could result in damage to project buildings and other improvements.	F4a. Prior to issuance of a grading permit, a site-specific grading plan shall be prepared and submitted to the City Department of Public Works for approval. The plan shall include specific recommendations for mitigating potential settlement associated with native soil/fill boundaries and areas of different fill thickness, including recommendations to the City Engineer for dealing with differential cut and fill and would affect building pads, streets, and utilities.	LTS
	F4b. All investigative trenches and test pits not fully excavated during the course of normal site grading and site preparation shall be specifically excavated and brought to grade with properly compacted fill.	LTS
<b>G. Hazards and Hazardous Materials</b>		
G1. Improper use, storage, or disposal of hazardous materials during construction activities could result in releases affecting construction workers, the public, and the environment.	G1. The preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP), as required in Mitigation Measure H2a, would reduce the potential impacts of hazardous materials releases during construction to a less-than-significant level. The SWPPP shall be approved by the Fire Marshal before the first grading permit is issued. No additional mitigation is required.	LTS

Impact	Mitigation Measure	Significance After Mitigation
G2. Development of the proposed project could expose people or structures to a risk of loss, injury, or death involving wildland fires.	G2. Prior to the approval of the Tentative Subdivision Map by the Planning Commission, the applicant shall prepare and implement a Wildland/ Urban Interface Plan.	LTS
<b>H. Hydrology and Water Quality</b>		
H1. Creation of new impervious surfaces would increase the amount of runoff, potentially exacerbating existing downstream flooding problems and/or causing hydro modification impacts.	H1a. As a condition of approval of the final grading and drainage plans for the project, it must be demonstrated to the City Engineer through detailed hydraulic analysis that implementation of the proposed drainage plans will not impact flooding conditions or create potential hydro modification impacts downstream. H1b. The City of Pleasanton shall collect regional drainage fees on behalf of Zone 7 from the applicant to provide funds for the construction and maintenance of drainage facilities.	LTS
H2. Construction activities and post-construction land uses could result in degradation of water quality in nearby surface water bodies by reducing the quality of stormwater runoff.	H2a. Prior to the issuance of the general grading permit for the site, the project proponent shall prepare a SWPPP designed to reduce potential impacts on surface water quality through the construction period of the project. The SWPPP shall provide measures to mitigate potential water quality impacts associated with implementation of the proposed project. Prior to the issuance of grading permits for individual parcels or other improvements, individual SWPPPs shall be prepared for those parcels or other improvements. H2b. The proposed project shall fully comply with the specific requirements and intent of the County NPDES C.3 permit requirements with respect to runoff water treatment. The final drainage plan shall include measures designed to mitigate potential water quality degradation of runoff from all portions of the completed development. H2c. The proposed project shall develop and implement an Integrated Pest Management Plan (IMP).	LTS
<b>J. Noise</b>		
J1. While construction activities would not yield noise levels greater than 60 dBA Leq or exceed ambient noise conditions by 5 dBA Leq or more for a period exceeding a year at the closest receivers to the west and north, noise levels would be temporarily elevated and could be annoying at times.	J1. Incorporate noise reduction requirements, including limit on the hours of construction activity and best management practices for construction noise, into the PUD Development Plan conditions.	Significant

Impact	Mitigation Measure	Significance After Mitigation
<b>M2. Fire Protection</b>		
M2-1. The proposed residences lie beyond the Fire Department's five-minute response time, which could affect emergency access to the site.	<p>M2-1. Ensure adequate emergency access to the site.</p> <p>M2-2. Design buildings with fire safety provisions, including residential sprinklers.</p> <p>M2-3. Implement Pleasanton's Wildland/Urban Interface Ordinance through preparation of a Wildland/Urban Interface Plan to be approved by the Planning Commission with the Tentative Subdivision Map.</p>	LTS
<b>M3. Schools</b>		
M3-1. Housing provided by the project would contribute to facilities requirements of the Pleasanton Unified School District.	M3-1. Development shall pay applicable fees to support provision of school facilities.	LTS
<b>O. Transportation and Traffic</b>		
O1. The project will cause an increase in traffic, which would contribute to unsatisfactory levels of service at 10 intersections under the existing/approved/project scenario.	<p>O1. At 9 of the 10 intersections to which Pleasanton's LOS standard is applicable, implementing intersection improvements described under Measure O1 would maintain LOS "D" or better conditions under the Existing/Approved/Project scenario. To mitigate impacts at these intersections, the applicant shall be required to:</p> <p>Commit to pay its fair share of the cost of mitigating city and regional traffic impacts.</p> <p>Pay City and regional improvements fees at rates in effect at the time of the issuance of each building permit for project residences thus satisfying the fair share requirement described above.</p> <p>Provide funds to the City of Pleasanton sufficient to install a traffic signal at Kottinger and Bernal. (Installation of a signal at this intersection is expected to improve traffic operations at Bernal @ Angela and Bernal @ Hearst.)</p> <p>The cost of the signalization described above, and of any other facilities constructed by the applicant and included in the City's TIF program, shall be credited to the applicant against the applicant's payment of TIF fees.</p> <p>At 1 of the 10 intersections to which Pleasanton's LOS standard is applicable, implementing intersection improvements described under Measure O1 would not be sufficient to maintain LOS D or better conditions under the Existing/Approved/Project scenario.</p>	LTS

Although staff has not received any responsible agency comments or a significant number of public comments, staff considers the DEIR to be comprehensive. Comments on the DEIR, con-

sidered fundamental to the CEQA process, will be addressed in the “Response to Comments” sections of the Final Environmental Impact Report. Staff and its consultants will continue to perfect the EIR before bringing it back to the Planning Commission as the Final Environmental Impact Report.

## **VII. PUBLIC COMMENT**

Appendix “B” contains the letters and printed email communications from approximately 75 homeowners received in response to the several previous public notices – Notice of Preparation of the Draft Environmental Impact Report, Consultant Contract, City Council/Planning Commission Scoping Meeting, etc. – that were previously sent to homeowners on the proposed project.

The Appendix “B” comments generally covered the environmental issues pertaining to available City and regional parks, available school capacity, impacts to the quality of life of existing neighborhoods, loss of existing trees, loss of open space, loss of views, the single public street connection to Hearst Drive, density, traffic and circulation, etc. Several neighbors also believed that the proposed project was premature given the ongoing update of the Pleasanton General Plan. Although the public comments contained in Appendix “B” are predominantly environmental in nature, some comments are more project-oriented. Project related comments will still be discussed in future City Council/Planning Commission staff reports.

With the public notice of the present public hearing, staff received written comments from Julie and Doug Jennings (4125 Garibaldi Place), Greg Albin (1327 Hearst Drive), and Bryan Scott. Mr. Scott points out a clerical error in the notice, which staff has corrected. Mr. Albin expressed his concerns on traffic, fire safety, affordable housing, and development of the hillsides. The Jennings their concerns on traffic and development of the hillsides. Staff will forward to the Planning Commission all additional public comments as they are received.

## **VIII. STAFF RECOMMENDATION**

Staff recommends the Planning Commission hear all public comments and then discuss and comment on the Draft Environmental Impact Report for PUD-33. The Planning Commission’s comments will then be incorporated in the “Response to Comments” section of the Final Environmental Impact Report.

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