

ORDINANCE NO. 2031

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLEASANTON APPROVING THE CITY-INITIATED REZONING OF THE PLEASANTON GATEWAY PROPERTY (1600 VALLEY AVENUE), AS FILED UNDER CASE P11-0915

WHEREAS, the City of Pleasanton has initiated the rezoning of the Pleasanton Gateway property (Site 7) located at 1600 Valley Avenue (APN 947-0008-033-00) from the Planned Unit Development (PUD) District to the Planned Unit Development – High Density Residential and Medium Density Residential (PUD-HDR and MDR) District; and

WHEREAS, a Supplemental Environmental Impact Report was prepared for this project, and a resolution certifying the Environmental Impact Report as complete and adequate in compliance with the California Environmental Quality Act was adopted on January 4, 2012; and

WHEREAS, at its meeting of January 4, 2012, the City Council received the Planning Commission's positive recommendation for approval of the rezoning of the Pleasanton Gateway property; and

WHEREAS, a duly noticed public hearing was held on January 4, 2012; and

WHEREAS, after consideration of the staff report, the materials presented and comment at the public hearing, the City Council determined that the proposed rezoning of the Pleasanton Gateway property is appropriate; and

WHEREAS, the rezoning of the Pleasanton Gateway property is consistent with the General Plan, adopted on July 21, 2009, as amended on January 4, 2012, and the Bernal Property Specific Plan, as amended on January 4, 2012.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The City Council finds that the rezoning of the Pleasanton Gateway property is consistent with the General Plan, adopted on July 21, 2009, as amended on January 4, 2012, and the Bernal Property Specific Plan, as amended on January 4, 2012

Section 2. The rezoning of the Pleasanton Gateway property (Site 7) located at 1600 Valley Avenue (APN 947-0008-033-00) from the Planned Unit Development (PUD) District to the Planned Unit Development – High Density Residential and Medium Density Residential (PUD-HDR and MDR) Districts, with the high density portion of the site developed at a minimum density of 30 units per acre, is hereby approved.

Section 3. Except as modified in Section 2 above, all present conditions of the approved Bernal Property PUD, and any City-approved major and minor modifications thereto, shall remain in full force and effect.

Section 4. The Zoning Map of the City of Pleasanton, dated April 18, 1960, on file with the City Clerk, designating and dividing the City into zoning districts, is hereby amended by Zoning Unit Map No. 483, attached hereto as Exhibit A, dated January 4, 2012, and incorporated herein by this reference.

Section 5 The full text of this ordinance shall be published once within fifteen (15) days after its adoption in "The Valley Times," a newspaper of general circulation within the City of Pleasanton.

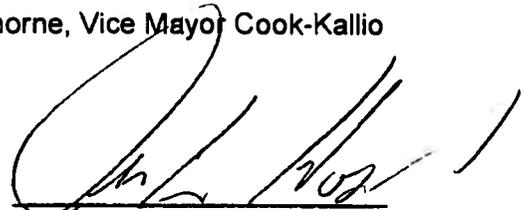
Section 6. This ordinance shall be effective thirty (30) days after its passage and adoption.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pleasanton on January 4, 2012 by the following vote:

Ayes: Councilmembers Cook-Kallio, McGovern, Sullivan, Thorne, Mayor Hosterman
Noes: None
Absent: None
Abstain: None

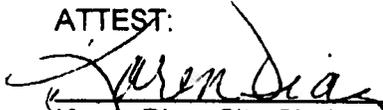
And adopted at a regular meeting of the City Council of the City of Pleasanton on January 10, 2012 by the following vote:

Ayes: Councilmembers McGovern, Sullivan, Thorne, Vice Mayor Cook-Kallio
Noes: None
Absent: Mayor Hosterman
Abstain: None



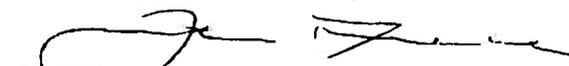
Jennifer Hosterman, Mayor

ATTEST:



Karen Diaz, City Clerk

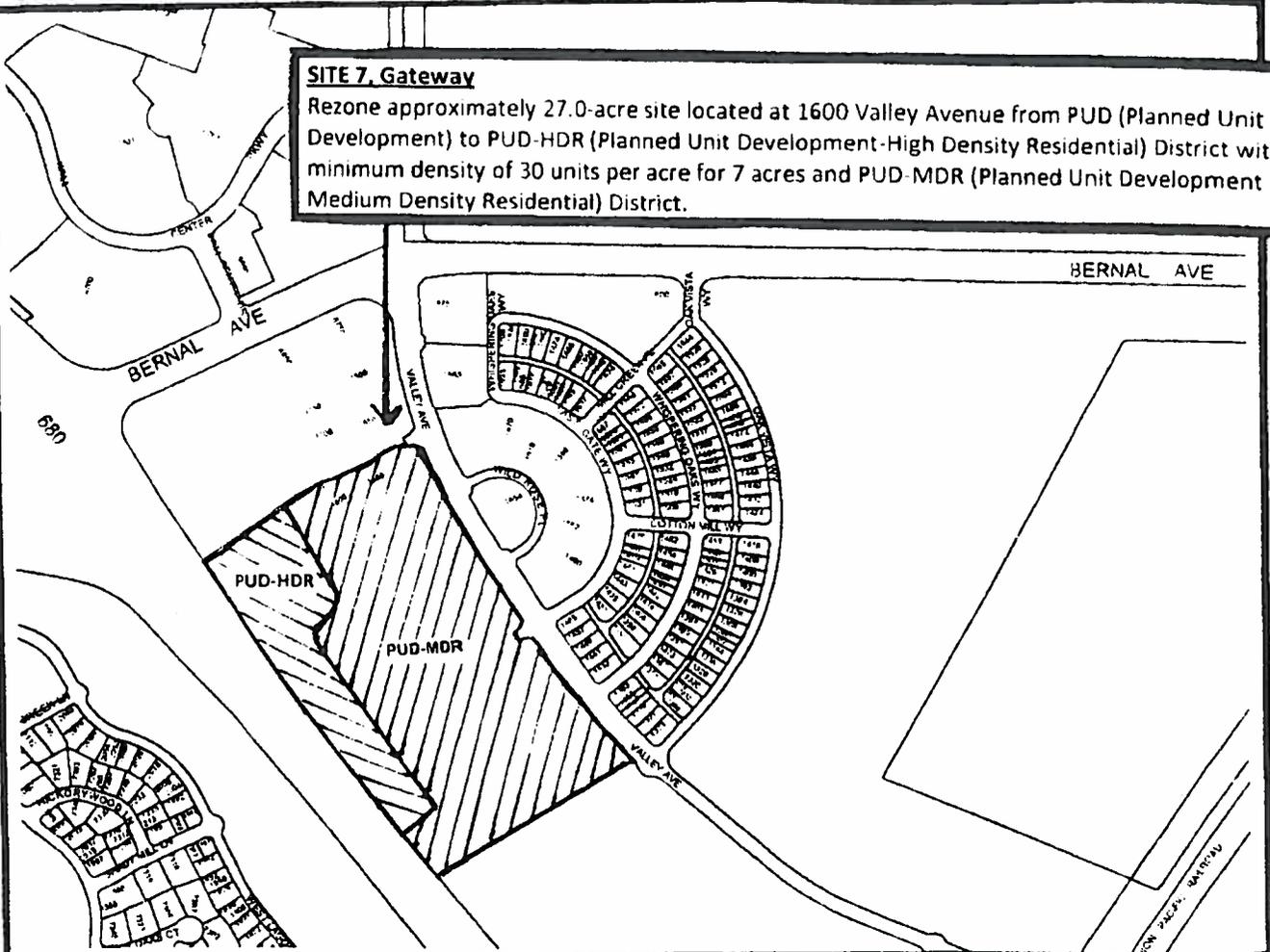
APPROVED AS TO FORM:



Jonathan P. Lowell, City Attorney

SITE 7, Gateway

Rezone approximately 27.0-acre site located at 1600 Valley Avenue from PUD (Planned Unit Development) to PUD-HDR (Planned Unit Development-High Density Residential) District with a minimum density of 30 units per acre for 7 acres and PUD-MDR (Planned Unit Development - Medium Density Residential) District.

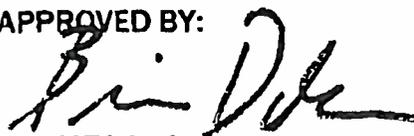


**CITY OF PLEASANTON
PLANNING DIVISION**

**Ordinance No. 2031
Zoning Unit Map No. 483**

DRAWN BY:
T. Snyder

SCALE:
1" = 300'

APPROVED BY:

**DIRECTOR of
COMMUNITY DEVELOPMENT**

DATE:
January 4, 2012

SEC. NO.:
P11-0915 (Rezone)

ORDINANCE NO. 2048

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLEASANTON MODIFYING THE PLEASANTON GATEWAY PLANNED UNIT DEVELOPMENT TO INCORPORATE THE HOUSING SITE DEVELOPMENT STANDARDS AND DESIGN GUIDELINES FOR MULTIFAMILY DEVELOPMENT AT THE PLEASANTON GATEWAY SITE AT 1600 VALLEY AVENUE (APN 947-0008-033-00), AS FILED UNDER CASE PUD-02-10M

WHEREAS, in January 2012, the City of Pleasanton rezoned an approximately 7 acre portion of the 27 acre Gateway site at 1600 Valley Avenue (APN 947-0008-033-00) to allow high density residential development including multifamily residential development at 30 or more units per acre (Ordinance 2031); and

WHEREAS, the Gateway site was one of nine sites rezoned to allow multifamily residential development as part of the Housing Element update; and

WHEREAS, Program 9.7 of the General Plan Housing Element requires the City of Pleasanton to adopt development standards and design guidelines for residential development on the nine sites rezoned for multifamily residential development; and

WHEREAS, a Supplemental Environmental Impact Report was prepared for the Housing Element update, and a resolution certifying the Environmental Impact Report as complete and adequate in compliance with the California Environmental Quality Act was adopted on January 4, 2012; and

WHEREAS, the development standards and design guidelines contemplated by Program 9.7 constitute implementation of the Housing Element as described and analyzed in the SEIR; and

WHEREAS, at its meeting of August 21, 2012, the City Council approved by minute order the Housing Site Development Standards and Design Guidelines dated August 21, 2012 and received the Planning Commission's positive recommendation for approval of the PUD Major Modification of the Pleasanton Gateway PUD to incorporate those housing site development standards and design guidelines; and

WHEREAS, a duly noticed public hearing was held on August 21, 2012; and

WHEREAS, after consideration of the staff report, the materials presented, and comment at the public hearing, the City Council finds that the PUD Major Modification is consistent with the General Plan and the purposes of the PUD ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds that the Major Modification of the Pleasanton Gateway PUD development plan for portion of APN 947-0008-033-00 zoned for high density residential development at 1600 Valley Avenue is consistent with the General Plan, adopted on July 21, 2009.

SECTION 2. The City Council approves the major modification PUD-02-10M, the City-initiated application for Major Modification of the Pleasanton Gateway PUD to modify the approved development plan, approved by Ordinance 1814 and 1814A, as amended, to incorporate the Housing Site Development Standards and Design Guidelines, dated August 21, 2012 and approved by the City Council that same date, a copy of said Housing Site Development Standards and Design Guidelines is on file in the offices of the Community Development Department.

SECTION 3. Except as modified by the Housing Site Development Standards and Design Guidelines, all present conditions of the approved Pleasanton Gateway PUD development plan and City-approved major and minor modifications, and Ordinance 2031, shall remain in full force and effect.

SECTION 4. A summary of this ordinance shall be published once within fifteen (15) days after its adoption in "The Valley Times," a newspaper of general circulation published in the City of Pleasanton, and the complete ordinance shall be posted for fifteen (15) days in the City Clerk's office within fifteen (15) days after its adoption.

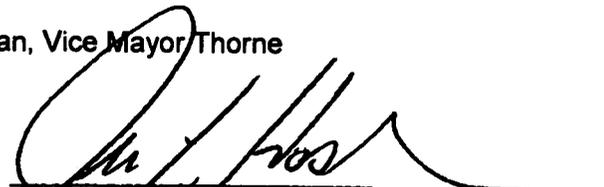
SECTION 5. This ordinance shall be effective thirty (30) days after its passage and adoption.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pleasanton on August 21, 2012 by the following vote:

Ayes: Councilmembers Cook-Kallio, Sullivan, Vice Mayor Thorne
Noes: Councilmember McGovern
Absent: Mayor Hosterman

And adopted at a regular meeting of the City Council of the City of Pleasanton on September 4, 2012 by the following vote:

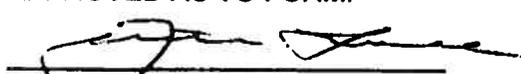
Ayes: Councilmembers Cook-Kallio, Sullivan, Vice Mayor Thorne
Noes: Councilmember McGovern
Absent: None
Abstain: Mayor Hosterman


Jennifer Hosterman, Mayor

ATTEST:


Karen Diaz, City Clerk

APPROVED AS TO FORM:


Jonathan P. Lowell, City Attorney

2. When a certificate of appropriateness is approved for demolition of a commercial structure, or design review approval is given to a new commercial structure replacing one which was destroyed by fire, earthquake, act of God, the public enemy, or other calamity, the replacement structure shall receive a parking credit for the floor area of the original structure when one of the following is met, at the discretion of the approving body: (a) the approving body determines that the replacement structure would have the same architectural style as the original structure in terms of design, materials, massing, and detailing, or (b) the approving body determines that the replacement structure will be an architectural improvement compared to the existing structure and will preserve or enhance the overall character of the area. Additional floor area of the replacement structure which exceeds the floor area of the original structure shall be subject to the requirements of subsection A of this section, and parking shall be provided accordingly.
3. The following provisions shall apply to privately owned parking facilities held open to the public:
 - a. The city council may waive the provision of additional off-street parking facilities and/or in lieu parking fees for building expansions which would increase the number of required parking spaces by 10 percent or more and/or for proposed new building construction if the property owner allows the existing parking on the property to be open to the public. Such waivers shall only be available to parking lot owners who participate in any program which may be established by the city council with the objective of encouraging employee parking in public parking lots or other parking areas designated by the city for employee parking, or who otherwise devise an employee parking plan with such an objective which is approved by the city council. Other consideration for waiver will include access, circulation, the number of resulting parking spaces serving the building, the effect on adjacent parking lots, and whether or not an unreinforced masonry building upgrade is involved.
 - b. Uses for which a parking waiver under this section is not granted may provide parking at the reduced rate of one space for each 400 square feet of gross floor area, except for office uses on sites with frontage on Main Street, which shall meet the requirements of Section 18.88.030(F) of this chapter.
 - c. Under this subsection, new construction or building expansions shall not exceed a basic floor area ratio of 200 percent and shall not exceed two stories in height.
 - d. When any property owner receives such a parking waiver or parking reduction, if the property later reverts to private use, the owner would then become responsible to provide the required parking and/or in lieu fee in effect at the time of the reversion to private use, such that the parking rate of one space for each 300 square feet of gross building area is met.
- E. For property with unreinforced masonry buildings, the following shall modify the basic requirements of subsections A and D of this section:
 1. Unreinforced masonry buildings of primary or secondary significance which are located on property zoned C-C and within the downtown revitalization district boundaries as shown on the zoning maps on file with the city may be expanded up to a basic floor area ratio of 200 percent without providing any additional off-street parking facilities and/or in lieu parking fees if the building is reinforced to comply with the requirements of Chapter 20.52 of this code.
 2. Property owners with building expansions exempt from the off-street parking requirement as stated in subsection (E)(1) of this section shall not significantly alter the existing façades of buildings of primary or secondary significance nor eliminate existing parking unless such elimination is necessary, as determined by the zoning administrator, to allow the retention of the façades of a building of primary or secondary significance. Building expansions shall not exceed two stories in height. (Ord. 1898 § 1, 2003; Ord. 1586 § 10, 1993; Ord. 1156 § 1, 1984; prior code § 2-9.15)

18.88.030 Schedule of off-street parking space requirements.

- A. Dwellings and Lodgings.
 1. Single-family dwelling units shall have at least two parking spaces. Second units shall have at least one covered or uncovered parking space which shall not be located in the required front or street side yard and shall not be a tandem space.

2. Condominiums, community apartments and separately owned townhouses shall have at least two parking spaces per unit.
 3. Apartment house parking requirements shall be computed as follows:
 - a. For apartments with two bedrooms or less, a minimum of two spaces shall be required for each of the first four units; one and one-half spaces for each additional unit.
 - b. For apartments with three or more bedrooms (or two bedrooms and a den convertible to a third bedroom), a minimum of two spaces per unit shall be required. Parking requirements for units having less than three bedrooms shall be computed separately from the requirements for units having three bedrooms or more and then added together.
 - c. Visitor parking, in a ratio of one parking space for each seven (1:7) units, shall be provided. All visitor parking spaces shall be clearly marked for this use. Visitor parking may be open or covered and does not count as part of the covered parking requirement described in subsection A4 of this section.
 4. At least one space per dwelling unit of the off-street parking required in subsections (A)(1), (A)(2) and (A)(3) of this section shall be located in a garage or carport.
 5. Motels, hotels, lodging houses and private clubs providing guest sleeping accommodations shall have at least one space for each guest sleeping room or for each two beds, whichever is greater, plus at least one space for each two employees.
 6. Trailer parks shall have a minimum of one space for each unit, plus at least one additional space for each three units, none of which shall occupy area designated for access drives.
 7. Small bed and breakfasts and bed and breakfast inns shall have at least one space for each guest sleeping room plus at least one space for each employee on maximum shift. In addition, at least two parking spaces, one of which must be covered, shall be provided for residents of small bed and breakfasts and bed and breakfast inns; the zoning administrator may require only one parking space, which may be uncovered, for a resident manager of a bed and breakfast inn.
- B. Offices, Commercial Uses and Places of Public Assembly in the C-N and C-R Districts.**
1. C-N District. One space for each 180 square feet of gross floor area, plus 10 spaces in addition to spaces occupied by cars being serviced on the site of each service station, plus additional spaces for each open use as prescribed by the zoning administrator. For banks and other financial institutions (commercial banks, credit unions, and savings and loans)—one space for each 300 square feet of gross floor area, except for floor area used for storage.
 2. C-R District. Parking requirements shall be established by the zoning administrator and/or planning commission on a case by case basis in accordance with the purposes of Chapter 18.20 of this title.
- C. Office, Commercial and Industrial Uses not in the C-N or C-R District.**
1. Food stores—one space for each 150 square feet of gross floor area.
 2. Banks and other financial institutions (commercial banks, credit unions, and savings and loans)—one space for each 300 square feet of gross floor area, except floor area used for storage.
 3. Massage establishments—two spaces for each massage technician, plus the requirements for supplementary uses.
 4. Retail stores except food stores and stores handling only bulky merchandise; personal service establishments including barbershops and beauty shops, cleaning and laundry agencies, and similar enterprises—one space for each 300 square feet of gross floor area, except for floor area used exclusively for storage or truck loading.
 5. Commercial service enterprises, repair shops, wholesale establishments, and retail stores which handle only bulky merchandise such as furniture, household appliances, machinery, and motor vehicles—one space for each 500 square feet of gross floor area, except for floor area used exclusively for storage or truck loading.

PUD-96, Pleasanton Gateway

City of Pleasanton

GIS

Department

1600 Valley Avenue

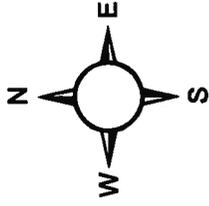
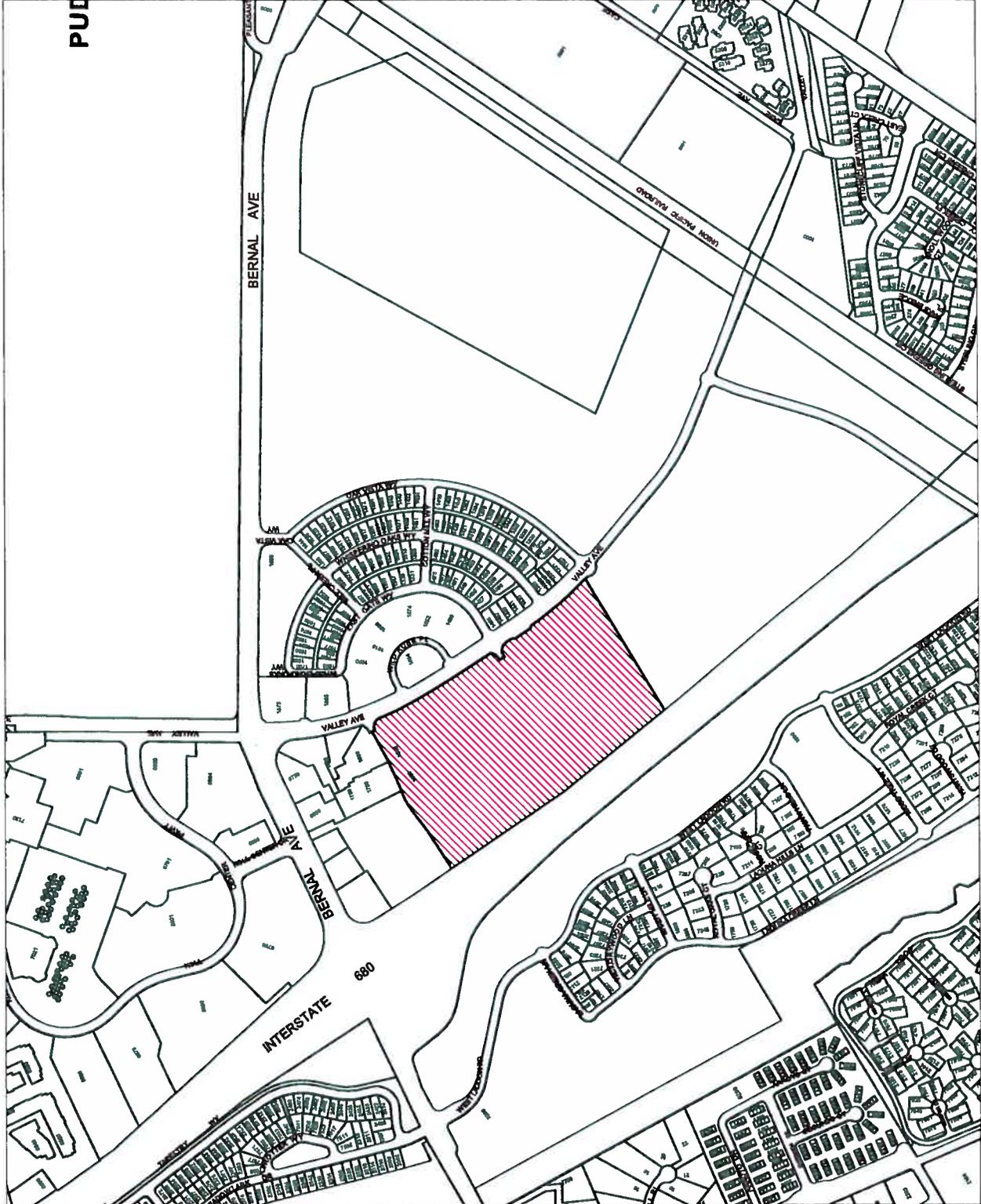


EXHIBIT F

Printed 5/16/2013



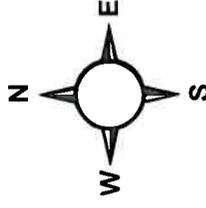
96, Pleasanton Gateway

City of Pleasanton

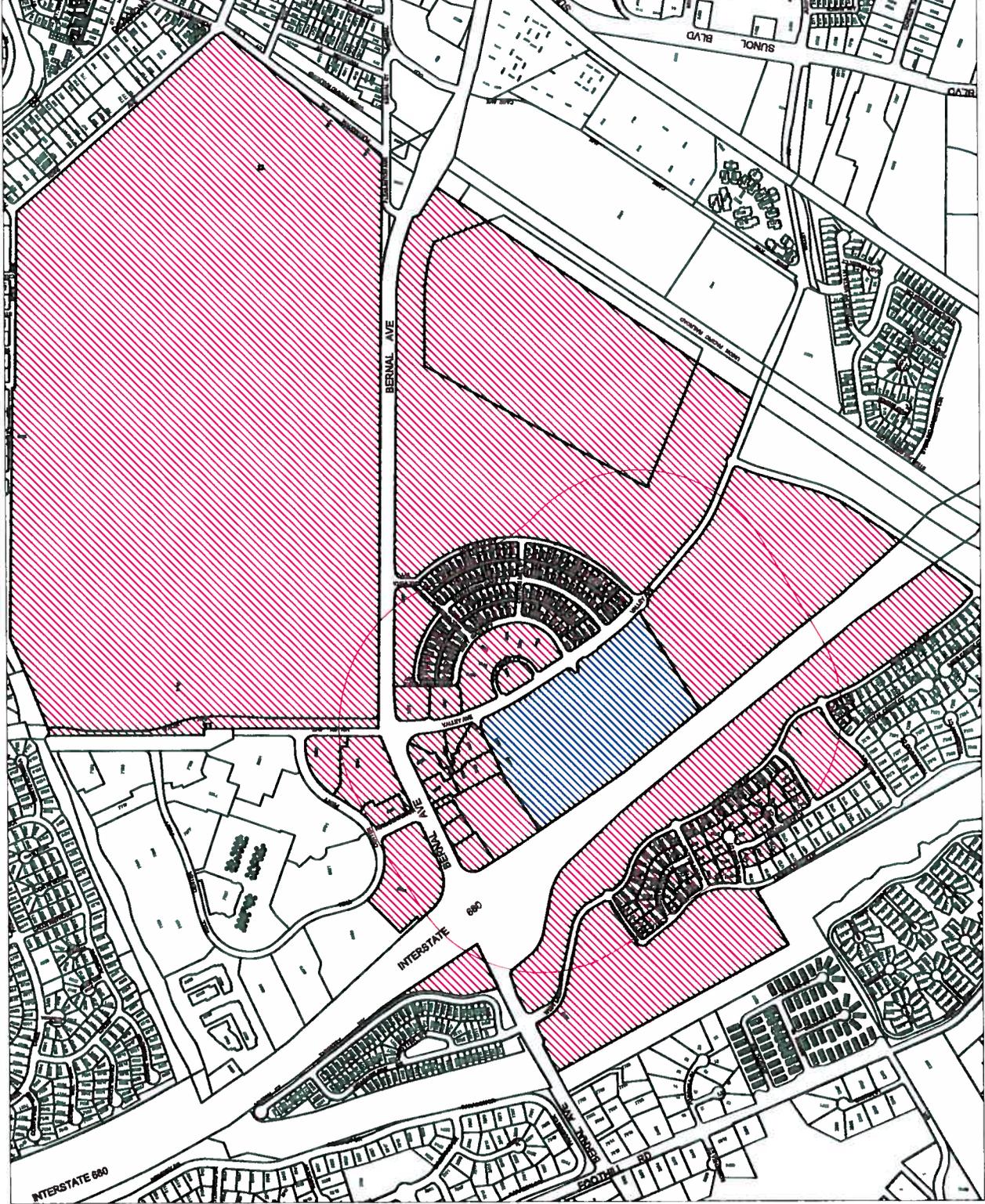
GIS

Department

1600 Valley Avenue



Printed 5/16/2013



To

All respected members of city council,

Pleasanton, CA

I am sending this email regarding the mail that I got recently with respect to PUD-96.

I have been living in Pleasanton from past 11 years and it has been a great pride to live in this city. City and city council members have been doing a great job in making Pleasanton a great place to live for everybody with respect to quality.

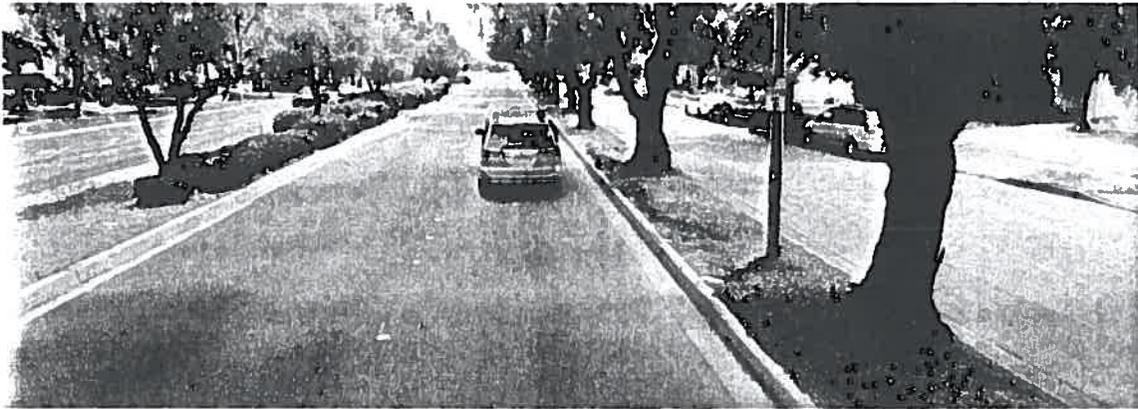
As a responsible Pleasanton resident it is my duty to bring to your attention couple of concerns that I have with respect to PUD-96 development.

Last year, in spite of large number of people opposing the development of the apartment complex at Gateway Plaza, the plan got approved. However I would like to thank the city for at least decreasing to 7 acres. The valley ave has already seen an increased traffic due to safeway shopping center. Now adding additional PUD-HDR, PUD-MDR will further impact the traffic and quality of the neighborhood. Instead I appeal to the members of the city council to make it as PUD-Low Density Residential. This will help with respect to traffic and also mixes well with the other neighborhoods surrounding to that area. [My question is does the city has to gain or loose if the PUD is HDR or MDR or LDR?]

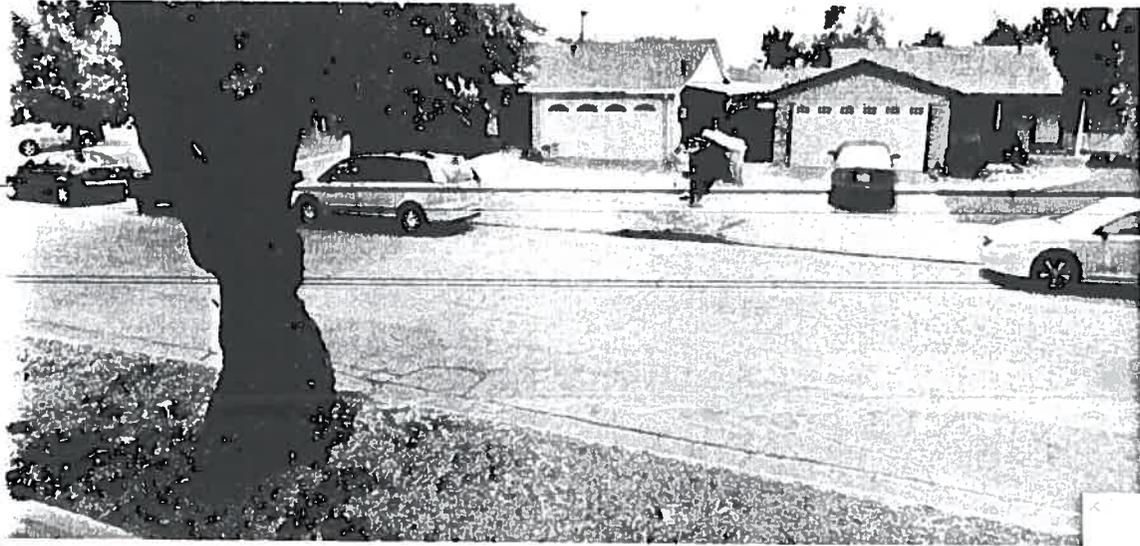
One more thing that I would like to bring to your attention is, the roads planned in the neighborhood of the PUD are narrow. Residents tend to keep cars on both side of the road, and it becomes very difficult to maneuver the car if another car comes from the opposite direction. This is true on East Gateway, Whispering Oaks Way and also on Oak Vista Way that are on Valley Ave next to this PUD. I wonder how this passed through the planning commission at that time. Hence I appeal to you to make sure the roads are wide enough to address these above issues in the new PUD.

I also want to bring to your attention another thing where I felt the quality has been compromised in the past and may be it can be rectified now.

I am giving a picture below of the Stevenson blvd (near 880) in Fremont. This is an old development more than 50 years ago yet they took care of the safety of the homes, which faced Stevenson blvd by separating the Stevenson blvd and the homes by adding an additional lane just for the community. And this was planned 50 years ago.



(The above picture shows the Stevenson Blvd in Fremont which has additional lane on the right side just for the community whose homes are facing towards the road.)



(Another view of the road in front of the homes, which is exclusive to the community)

I want to correlate a similar thing in Pleasanton next to this PUD-96. Houses are built facing the valley ave (in my opinion this should have never got approved in the first place). Now the valley ave (from bernal to case ave) has become a main street it is not a community road anymore. With the new PUD, it is going to be even worse and puts the homes and kids in those homes at dangerous risk. I am surprised that a city like Fremont solved a problem/issue over 50 years ago and city like Pleasanton failed to execute where quality comes first. (We went back in years with respect to planning)

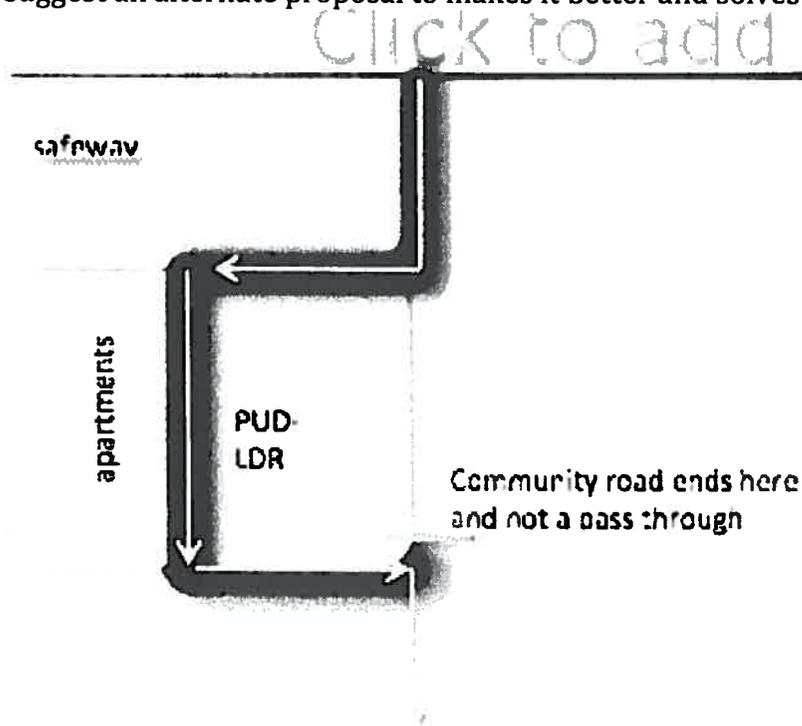


(homes facing valley ave) [source:google map](#)

(Aerial map view of valley ave) source: google maps.

I feel this is an opportunity to make the things right. I like to appeal the city council members to detour the valley ave so that it does not put the life of kids who walk to school and those of residents whose homes face valley ave.

I like to suggest an alternate proposal to makes it better and solves the problem.



Make the valley ave divide the high-density (low income) apartments and the new PUD. This will not only address the safety but also blends architecturally with other neighborhoods next to this PUD.

Thanks for patiently reading my letter and now I hope you will consider all my suggestions and make a Pleasanton a better place to live for people.

Thanks

Vamshi

(A proud Pleasanton resident)

Marion Pavan

From: Carmen Jung
Sent: Monday, May 13, 2013 11:55 AM
To: Marion Pavan
Subject: PUD-96, Pleasanton Gateway, LLC, Commons at Gateway Residential

Marion,

I received the Notice of Public Hearing for the above referenced project, and felt it was vital for me to express my concerns. First of all, I am a resident of the beautiful community of Pleasanton, and I own and operate a business in Pleasanton. One of the main reasons for relocating to Pleasanton was the "small community feel". And, another reason was a reduced amount of traffic and congestion compared to other cities I was considering for relocation.

The addition of the Safeway shopping center on Bernal and 680 is a great addition to our community. At the same time, it has generated a lot of traffic in the area, as well as surrounding areas due to people accessing the shopping center. Furthermore, the traffic flow and parking requirements were not properly considered when this shopping center was designed. Many times there is congesting withing the parking lot due to people accessing the gas station, and now with the Starbuck's drive-thru traffic has also increased.

Furthermore, finding a parking space during the lunch break hours can be challenging, and then many times it is difficult to exit the shopping center, especially at the light on Bernal and Koll Center Parkway. Many times there are lines of cars waiting to enter the flow of traffic exiting the shopping center. And I have witnessed many "close call" situations whereby an accident could have ocured.

In addition, there is such a significant backup of traffic on Sunol Blvd during commute hours. I can only imagine how much more of a devastating impact the increase in people and vehicles will have on traffic flow on Sunol Blvd, and any other thoroughfare streets!

What plans have been made by the developers and the Pleasanton Planning Commission to address the concerns I have noted above, and/or any other community member concerns?

The proposed development of 210 apartment units along with 97 single-family detached homes at 1600 Valley Avenue is not what the Pleasanton Community needs! This is just not acceptable due to the increase in people, the increase in vehicles....all contributing to more congestion, parking issues, increase in accidents, increase in noise pollution, and so on.

Regards,

Carmen D Jung

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