EXHIBIT G

THE CITY OF PLEASANTON

CITY COUNCIL AGENDA REPORT

August 20, 2013
Community Development
Planning Division

TITLE: PUD-97, PONDEROSA HOMES – CONSIDER INTRODUCTION OF AN ORDINANCE APPROVING: (1) THE REZONING OF AN APPROXIMATELY 2.1-ACRE SITE AT 4202 STANLEY BLVD FROM C-F (FREEWAY INTERCHANGE COMMERCIAL) DISTRICT TO PUD-MDR/OS-PH&S/WO (PLANNED UNIT DEVELOPMENT – MEDIUM DENSITY RESIDENTIAL/OPEN SPACE – PUBLIC HEALTH AND SAFETY/WILDLAND OVERLAY) DISTRICT; AND (2) A PUD DEVELOPMENT PLAN TO RETAIN OR DEMOLISH THE EXISTING RESIDENCE, TO REMOVE THE 32 MOBILE HOME SPACES AND RELATED ACCESSORY STRUCTURES, AND TO CONSTRUCT 12 TO 14 DETACHED SINGLE-FAMILY HOMES

SUMMARY

Ponderosa Homes proposes to construct 12 homes and retain the existing home on the project site. The Planning Commission was not satisfied with the applicant's proposal to separate the responsibility for future improvement of the existing house and its designated lot from the 12-lot subdivision and voted 4-0 against approval of the project. The applicant is now requesting Council approval of their project. Staff is recommending the City Council consider and take action on one of the following two options: 1) approve the project as proposed but require the applicant to paint the existing home, put on a new roof, landscape the yard, and pursue General Plan and Specific Plan amendments to allow limited, commercial personal services and/or office use of the existing house; or 2) demolish the existing home and construct 14 detached single-family homes.

PLANNING COMMISSION ACTION

Recommend denial of the PUD rezoning and development plan application.

RECOMMENDATION

1. Find that there are no new or changed circumstances or information which require additional CEQA review of the project;

2. Find that the proposed PUD rezoning and development plan are consistent with the General Plan and Downtown Specific Plan;

3. Make the PUD findings for the proposed development plan as stated in the July 10, 2013, Planning Commission staff report (Attachment 6); and

4. Introduce the draft ordinance approving PUD-97, PUD rezoning of an approximately 2.1-acre site at 4202 Stanley Blvd from C-F (Freeway Interchange

Commercial) District to PUD-MDR/OS-PH&S/WO (Planned Unit Development – Medium Density Residential/Open Space – Public Health and Safety/Wildland Overlay) District; and (2) a PUD Development Plan to retain the existing residence, to remove the 32 mobile home spaces and related accessory structures, and to construct 12 detached single-family homes, subject to the Conditions of Approval in Exhibit A, Attachment 1.

FINANCIAL STATEMENT

The proposed development would have a negligible financial impact on the City. Increases in property and sales taxes would be used to provide services, such as police, fire, etc., for the increased demand generated by the new residences. The applicant would also pay development impact fees (e.g., public facilities fee, traffic fees, water/sewer connection fees, etc.) that are used to pay for the cost of new City facilities and infrastructure necessitated by development.

BACKGROUND

The proposed development is located in the Downtown Specific Plan (DTSP) Area and was considered as one of the potential high-density residential sites during the City's General Plan Housing Element update. Staff notes that it was ultimately not selected for rezoning as a high-density site. The Specific and General Plan land use designations for the subject site are Medium Density Residential.

The Planning Commission reviewed the applicant's preliminary review proposal to demolish the existing residence that faces Stanley Boulevard and construct a 14-unit development at a public workshop hearing held on November 28, 2013. After the Planning Commission reviewed the application, took public testimony and provided feedback, the applicant revised the plan and submitted a formal PUD application.

The Planning Commission reviewed the applicant's formal proposal to retain the existing house that faces Stanley Boulevard and construct 12 detached single-family homes at its public hearing held on July 10, 2013. After reviewing the application and hearing public testimony from the applicant and their architect, the Planning Commission found that it couldn't support the application without having a plan or proposed improvements to the existing house and its designated lot and unanimously recommended denial of the proposal.

For a detailed description of the discussion at the Planning Commission meetings, please see the attached Planning Commission staff report and minutes (Attachments 5 and 6 and Exhibit C in Attachment 6).

Since the July 10, 2013, Planning Commission hearing, the applicant and staff collaborated on two possible alternatives to the project.

<u>Option 1:</u> Retain the existing home and in addition to residential use, allow limited, commercial personal services and/or office uses (e.g., law office, counseling services, consulting services, beauty salon, etc.) to occur within the home, and invest a minimum of $30,000.00 in building and site improvements (i.e., new roof, paint and landscaping).

Staff notes that the currently proposed rezoning only addresses residential use and the Downtown Specific Plan and General Plan Medium Density land use designations only allow residential use. Should the applicant wish to include uses that are not residential, the applicant and/or responsible party would need to apply for a separate rezoning application in addition to Specific and General Plan amendments to change the land use designations. Staff supports these potential changes to the allowed land uses on the site.

Option 2: Demolish the existing residence and construct 14 detached single-family homes.

Staff is presenting the two options to the City Council for its review and action. These two options are discussed in more detail throughout this report.

SITE DESCRIPTION

The subject site is approximately 2.1-acres (80,200 square-feet) in size and is located on the south side of Stanley Boulevard. The lot is relatively flat with the exception of the rear portion of the lot, approximately 12,516 square-feet (0.287-acres), which has a moderate to steep downward terrain into the Arroyo del Valle. The Arroyo del Valle portion has a General Plan Land Use designation of Open Space Public Health and Safety with Wildland Overlay and, therefore, is undevelopable. Please refer to Figure 1 below.

Figure 1: Site Location

The site contains 32 mobile home spaces, with several of the spaces containing mobile homes, and/or hook-ups, a caretaker's home (facing Stanley Boulevard) that was illegally converted to a duplex and two accessory structures. One of the accessory structures is used for storage and the other contains a laundry facility and an illegal dwelling unit. There are 39 trees on-site, the majority of which are located along the property lines, 18 of the 39 trees are heritage sized trees.

The property is bordered on the east by a single-family home and vacant lot, the south by single-family homes, and the west by a chiropractor's office and single-family homes. The recently approved 13-lot, single-family home development (located at 4171 Stanley Boulevard) and Window-ology are located directly north of the subject site, on the other side of Stanley Boulevard.

PROJECT DESCRIPTION

Rezoning

The proposed rezoning from the present C-F (Freeway Interchange Commercial) District to the PUD-MDR/OS-PH&S/WO (Planned Unit Development – Medium Density Residential/Open Space – Public Health and Safety/Wildland Overlay) District will make the residential zoning consistent with the General Plan and Downtown Specific Plan Land Use Designations.

However, allowing limited, commercial personal services and/or office uses as proposed in Option 1 would require General and Specific Plan land use amendments in addition to rezoning Lot 13 to accommodate such uses on-site given that the proposed zoning and current General and Specific Plan Land Use Designations are residential. Should the applicant wish to pursue allowing limited, commercial, office and/or personal services uses to occur on Lot 13, Ponderosa or the property owner would be responsible for filing a separate General Plan, Specific Plan and rezoning application that would return to the Planning Commission for a recommendation to the City Council after action on this PUD is taken.

Proposed Development Plans

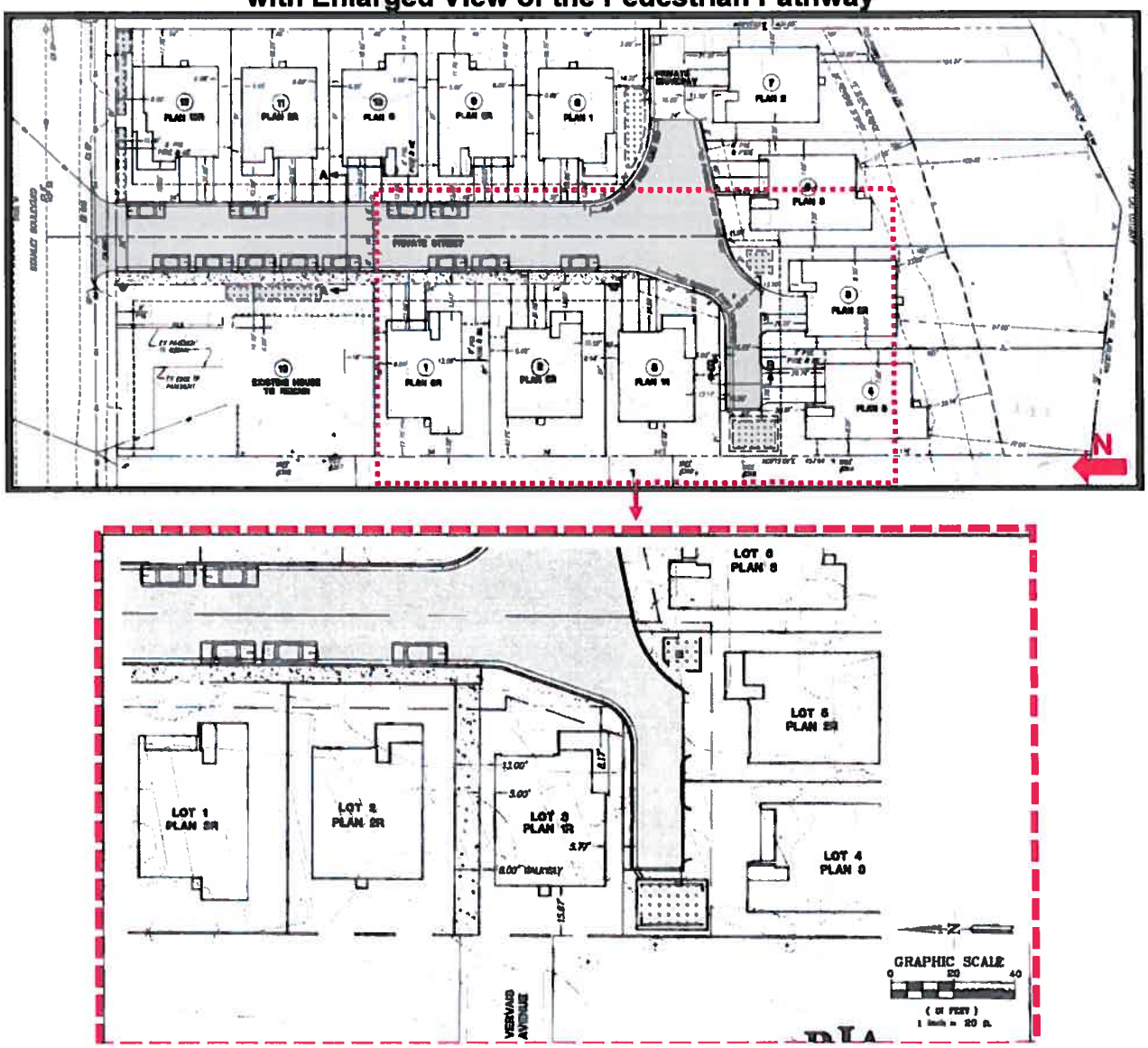
Figure 2 and Figure 3, shown on page 5 and 6, are, respectively, the 13-unit development plan (Option 1) and the proposed 14-unit development plan (Option 2).

Option 1

Since the July 10, 2013, Planning Commission meeting, Ponderosa has provided a revision to the 13-lot development site plan that indicates the location of a private, pedestrian pathway that will connect to Vervais Avenue. The private, pedestrian pathway will be 6-feet wide and gated at Vervais Avenue for exclusive use of the residents within the development. The building footprint for Lot 3 has been moved farther south to accommodate the pedestrian pathway. The house on Lot 3 will have a minimum setback of 5-feet from the north side property line and a minimum of 5-feet, 6-inches from the south side property line. Staff notes that the full site plan in Figure 2

does not show the location of the pedestrian pathway. Staff has included an enlarged section of the site plan that indicates the location of the pedestrian pathway.

Figure 2: 13-Unit Development Site Plan with Enlarged View of the Pedestrian Pathway



Option 2

The 14-unit proposal removes the existing house that faces Stanley Boulevard and proposes 14 new single-family homes that will include an approximately 2,613 square-foot landscaped lot (Parcel A shown on Exhibit B.1 in Attachment 4) that contains a private, pedestrian pathway. Key changes between the 13-unit proposal and 14-unit proposal include the following:

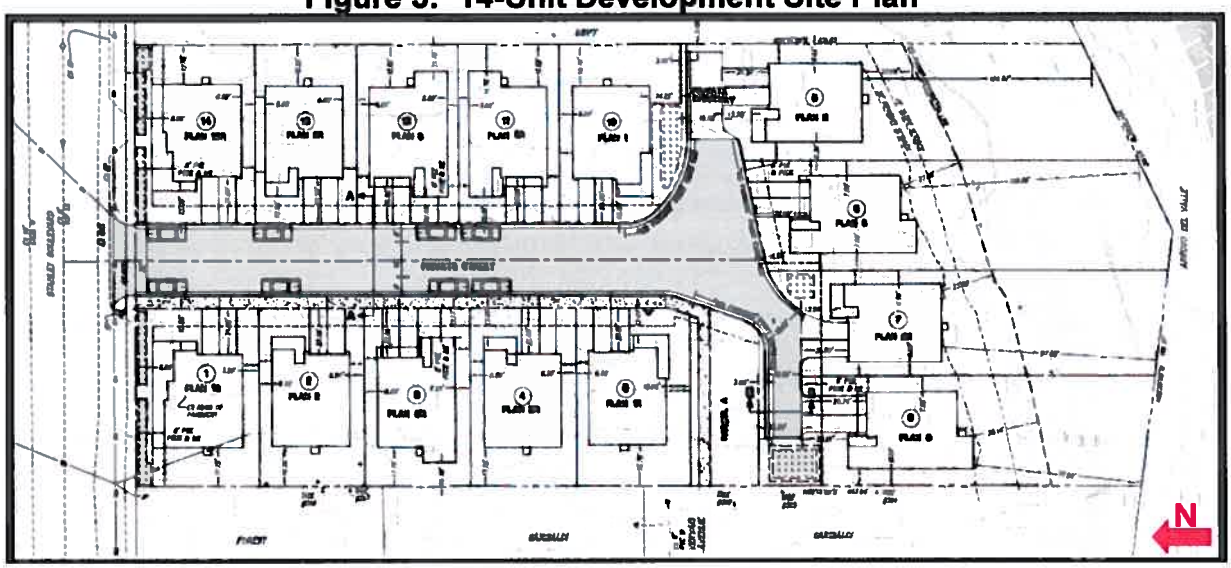
1. The existing house would be demolished (Lot 13 shown on Exhibit B in Attachment 3) and two additional single-family lots are proposed (Lots 1 and 2 shown on Exhibit B.1 in Attachment 4).

2. Five on-street guest parking spaces along the west side of the new private street have been removed to accommodate the driveways of the two new lots. However, Ponderosa is agreeable to having a portion of Parcel A, as shown below in Figure 3, and in Exhibit B.1 of Attachment 4, be used to provide two additional off-street parking spaces.

3. The bio retention area shown on Lot 13 of Exhibit B in Attachment 3 has been relocated from the east side of the lot to the north side of Lot 1 shown in Exhibit B.1 of Attachment 4; and

4. Four trees, two of which are considered heritage sized trees, that were previously proposed to be retained on Lot 13, three Tree of Heaven's and one Japanese Privet tree, shown on Exhibit B in Attachment 3, will be removed to accommodate the development of Lots 1 and 2 shown below in Figure 3 and in Exhibit B.1 of Attachment 4.

Figure 3: 14-Unit Development Site Plan



Building Design

Ponderosa is proposing "Craftsman" and "Cottage" architecture designs that have three proposed house plan types that will be mixed throughout the development. Staff notes that there are not separate plan types or architecture designs for each option; Options 1 and 2 would use the same architecture designs and/or plan types. Information on building designs and plan types can be found in the attached July 10, 2013, Planning Commission staff report (Attachment 6). The *Lot Standards* for each option, beginning on page 7 and continuing to page 8, indicates the Plan designation (i.e., Plan 1, Plan 2, etc.) that corresponds with each lot.

Lot Standards

Option 1

Table 1, below, lists the lot sizes, the model proposed on each lot, the house size, and the proposed floor area ratios for the 13-unit development plan. Net lot areas for the new 12 lots will range from 3,715 square feet to 5,821 square feet. The existing house will have a lot size of 9,878 square feet in area.

Table 1: Lot Specific Standards

LOT	GROSS LOT SIZE (1)	NET LOT SIZE (2)	HOUSE MODEL (3)	HOUSE MODEL MAX HEIGHT (4)	HOUSE SIZE (5)	FAR (6)	MIN FRONT SETBACK (PORCH/ HOUSE/DWY)	MIN REAR SETBACK	MIN SIDE SETBACK
1	4,360	4,360	PLAN 2 OR 3	32'	2,226-2,624	51 OR 60%	5'/11'/20'	10'	5'
2	4,360	4,360	PLAN 2 OR 3	32'	2,226-2,624	51 OR 60%	5'/11'/20'	10'	5'
3	4,358	4,358	PLAN 1	32'	2,261	52%	5'/11'/20'	10'	5'
4	8,330	5,821	PLAN 2 OR 3	32'	2,226-2,624	38 OR 45%	5'/11'/20'	10'	5'
5	8,046	4,750	PLAN 2 OR 3	32'	2,226-2,624	47 OR 55%	5'/11'/20'	10'	5'
6	9,136	4,931	PLAN 2 OR 3	32'	2,226-2,624	45 OR 53%	5'/11'/20'	10'	5'
7	9,898	5,599	PLAN 2 OR 3	32'	2,226-2,624	40 OR 47%	5'/11'/20'	10'	5'
8	4,450	4,450	PLAN 1	32'	2,261	51%	5'/11'/20'	10'	5'
9	3,715	3,715	PLAN 2 OR 3	32'	2,226-2,624	60 OR 71%	5'/11'/20'	10'	5'
10	3,715	3,715	PLAN 2 OR 3	32'	2,226-2,624	60 OR 71%	5'/11'/20'	10'	5'
11	3,755	3,755	PLAN 2 OR 3	32'	2,226-2,624	60 OR 70%	5'/11'/20'	10'	5'
12	4,401	4,401	PLAN 1S	32'	2,182	50%	5'/11'/20'	10'	5'
13	9,878	9,878	EXISTING HOUSE	N/A	< 2,000	< 20%	10'/49'/49'	14'	N/A

1) The gross lot size includes the area within the Open Space-Public Health and Safety/Wildland Overlay area.
2) Net lot sizes do not include areas with the Open Space-Public Health and Safety/Wildland Overlay area.
6) FAR is calculated using net lot area.

Option 2

Table 2, located on page 8, lists the lot sizes, the model proposed on each lot, the house size, and the proposed floor area ratios for the 14-unit development plan. Net lot areas and FAR for the proposed 14 lots are the same as those noted in Option 1.

Please refer to page 8 for Table 2

Table 2: Lot Specific Standards

LOT	GROSS LOT SIZE (1)	NET LOT SIZE (2)	HOUSE MODEL (3)	HOUSE MODEL MAX HEIGHT (4)	HOUSE SIZE (5)	FAR (6)	MIN FRONT SETBACK (PORCH/ HOUSE/DWY)	MIN REAR SETBACK	MIN SIDE SETBACK
1	4,522	4,522	PLAN 1S	32'	2,182	49%	5'/11'/20'	10'	5'
2	3,876	3,876	PLAN 2 OR 3	32'	2,226–2,624	57 OR 68%	5'/11'/20'	10'	5'
3	3,876	3,876	PLAN 2 OR 3	32'	2,226–2,624	57 OR 68%	5'/11'/20'	10'	5'
4	3,876	3,876	PLAN 2 OR 3	32'	2,226–2,624	57 OR 68%	5'/11'/20'	10'	5'
5	4,197	4,197	PLAN 1	32'	2,261	54%	5'/11'/20'	10'	5'
6	8,330	5,821	PLAN 2 OR 3	32'	2,226–2,624	38 OR 45%	5'/11'/20'	10'	5'
7	8,046	4,750	PLAN 2 OR 3	32'	2,226–2,624	47 OR 55%	5'/11'/20'	10'	5'
8	9,136	4,931	PLAN 2 OR 3	32'	2,226–2,624	45 OR 53%	5'/11'/20'	10'	5'
9	9,898	5,599	PLAN 2 OR 3	32'	2,226–2,624	40 OR 47%	5'/11'/20'	10'	5'
10	4,450	4,450	PLAN 1	32'	2,261	51%	5'/11'/20'	10'	5'
11	3,715	3,715	PLAN 2 OR 3	32'	2,226–2,624	60 OR 71%	5'/11'/20'	10'	5'
12	3,715	3,715	PLAN 2 OR 3	32'	2,226–2,624	60 OR 71%	5'/11'/20'	10'	5'
13	3,755	3,755	PLAN 2 OR 3	32'	2,226–2,624	60 OR 70%	5'/11'/20'	10'	5'
14	4,401	4,401	PLAN 1S	32'	2,182	50%	5'/11'/20'	10'	5'

1) The gross lot size includes the area within the Open Space-Public Health and Safety/Wildland Overlay area.
2) Net lot sizes do not include areas with the Open Space-Public Health and Safety/Wildland Overlay area.
6) FAR is calculated using net lot area.

Staff notes that the 14-unit development has comparable lot sizes and proposed FARs to the 13-unit development.

Staff notes that additional information regarding accessory structures can be found in the July 10, 2013, Planning Commission staff report (Attachment 6) and that the standards created for Option 1 would apply to Option 2. However, the applicant has since requested to allow pools within the development, which was not addressed in the Planning Commission staff report, therefore, staff has amended the development standards in the conditions of approval to address pools and hot tubs within the development.

<u>Open Space and Amenities</u>

Option 1

Since the July 10, 2013, Planning Commission meeting, Ponderosa has revised the plan to include a private pedestrian pathway that would be located between Lots 2 and 3 (please refer to Figure 2 on page 5 of this report). Given the natural constraints of the subject site (i.e., steep-slope towards the Arroyo del Valle), retaining the existing home, and providing more separation between the new homes, Ponderosa has not provided an open space amenity within the development.

Option 2
Option 2 proposes the private pedestrian pathway to be located on the south side of Lot 5 (please refer to Exhibit B.1 in Attachment 4) and include an approximately 2,613 square-foot landscaped lot (Parcel A). As previously mentioned, the applicant is agreeable to modify the eastern portion of Parcel A to accommodate two off-street guest parking spaces.

The pedestrian walkway for both options would provide access to Vervais Avenue and the Arroyo Green at Main, located on the south side of Vervais Avenue. The Arroyo Green at Main is an undeveloped park and is one of the eight park sites in the Master Plan for the Downtown Parks and Trails System (MPDPTS). The MPDPTS recommends the development of Arroyo Green at Main into a park suitable for a variety of uses (e.g., access to the Arroyo, picnic areas, etc.). Staff notes that the timeline for developing the park is uncertain, but the installation of the pedestrian walkway will provide residents within the development with direct access to this future park.

Furthermore, the Community Trails Master Plan, the Pleasanton Pedestrian and Bicycle Master Plan, and the Master Plan for the Downtown Parks and Trails System recommend installing a public trail along the rear of the subject property, near the creek. No matter the option selected by Council, the applicant will be dedicating an easement to the City along the rear of the subject site for the potential public trail that the City would construct on the southernmost portion of the property. With the easement for the City's potential trail along the Arroyo del Valle, retention of the caretaker's house in Option 1 or small planted area on Parcel A in Option 2, the applicant will be providing public amenities in-lieu of a traditional open space area.

Private Street
A 32-foot wide (curb-to-curb) private street will provide access to the development from Stanley Boulevard.

Option 1
The private street will have one internal sidewalk along a portion of Lot 3 that continues to the northern end of Lot 13, ending at Stanley Boulevard. Option 1 would provide 12 on-street guest parking spaces. No parking will be allowed on the southern end of the street to ensure appropriate fire turnaround clearance.

Option 2
The private street will have one internal sidewalk that begins on the east side of Lot 1 and extends to the private, pedestrian pathway located on the south side of Lot 5. Option 2 would provide 10 off-street guest parking spaces, including the two spaces that would be incorporated into Parcel A.

Homeowners Association: No matter which option is selected by Council, the applicant will create a homeowners association to own and maintain the development's common areas including private streets and guest parking areas, common utilities, and the pedestrian pathway. The homeowners will maintain their private lots including homes, yards, and driveways. The homeowners association will not be responsible for the

maintenance of the trail along the Arroyo del Valle. Staff has included a condition that the applicant will be required to establish a Homeowners Association.

Staff notes that Ponderosa has submitted a minor subdivision map that proposes to subdivide Lot 13 in Option 1, the existing home that faces Stanley Boulevard, from the 13-unit development. Should the Council decide to have the applicant retain the existing house, Ponderosa would pursue the minor subdivision application and, if approved, Lot 13 would not be a part of the established homeowners association. To ensure that the landscaping and other site improvements for Lot 13 are maintained, a condition of approval has been added that requires the applicant and/or responsible party to enter into a Landscape Maintenance Agreement with the City for Lot 13, should the minor subdivision application be approved. Staff notes that a minor subdivision application is processed at staff level with the City Council being notified on the Zoning Administrator Action Report.

Existing Trees

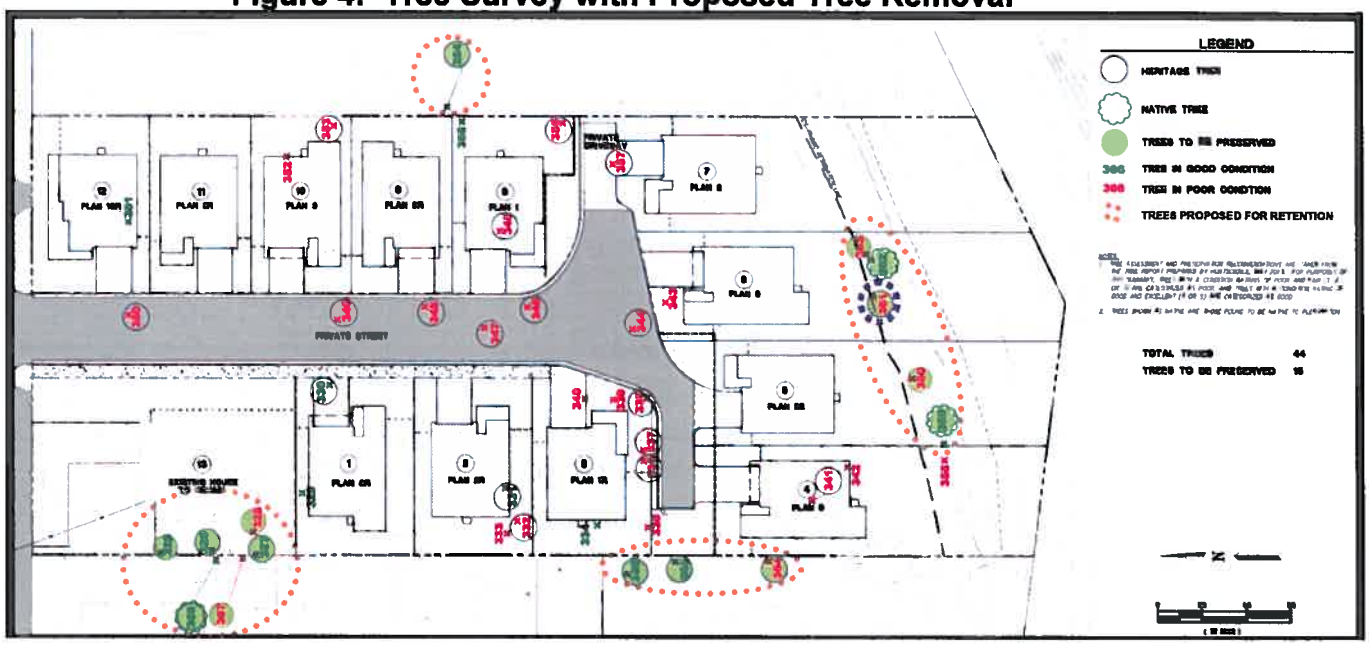
Option 1
Ponderosa is proposing to remove 29 of the 39 trees on-site, 18 of which are heritage-sized trees (as defined by the Municipal Code) to accommodate the proposed development. Of the 18 heritage-sized trees, 12 have a rating of three, four or five out of five.

Option 2
In addition to the 29 trees noted in Option 1, Ponderosa is proposing to remove the four trees, two of which are heritage sized trees, which were slated for retention with the existing house to accommodate the development of the new single-family homes.

The tree report is attached as Exhibit E in Attachment 6 for the Council's consideration. Please refer to Figure 4 below for the location of the trees to be removed. Those trees shown on Lot 13 in Figure 4, shown on page 11, will be removed should Option 2 be approved.

Please refer to page 11 for Figure 4

Figure 4: Tree Survey with Proposed Tree Removal

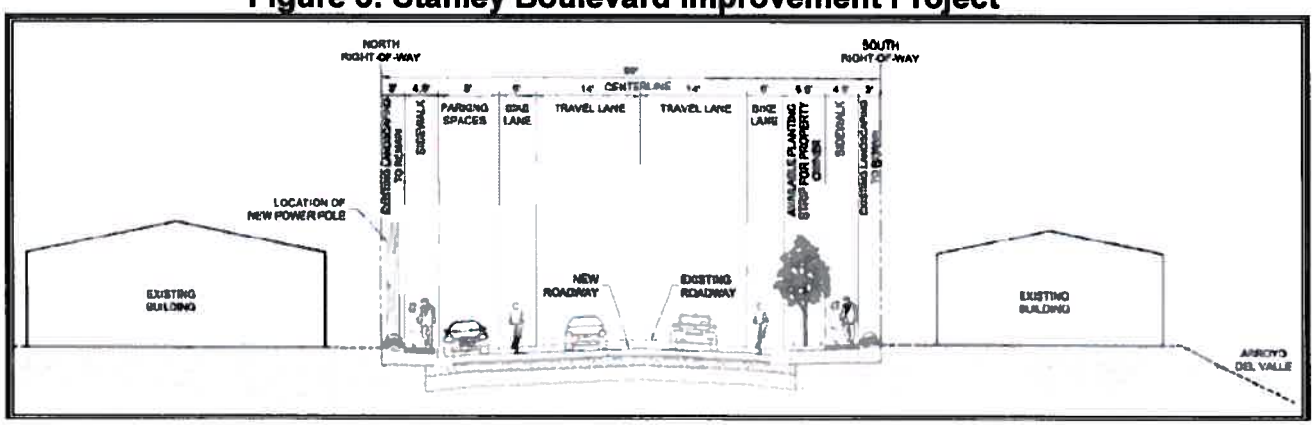


Green Building: As required by the City's Green Building Ordinance, the proposed project is required to qualify for at least 50 points on BuildItGreen's GreenPoint Rated Single-Family Checklist. The applicant has proposed to incorporate green building measures into the project that allow each home to qualify for 80-90 points. Staff has included the Single-Family GreenPoint checklist in Exhibit F of Attachment 6 for the Council's review.

STANLEY BOULEVARD IMPROVEMENT PROJECT

As one of the Capital Improvement Projects (CIP) approved by the City Council, the Stanley Boulevard widening project is scheduled to begin in the Spring of 2016. It would include eliminating the on-street parking to allow for a bike lane, landscaping strip, and sidewalk in front of the subject property (see Figure 5 below).

Figure 5: Stanley Boulevard Improvement Project



Ponderosa may choose to construct frontage improvements prior to the Stanley Boulevard improvements. Should that occur, Ponderosa will be required to pay a pro-rata share of the City's CIP to reconstruct Stanley Boulevard along the project frontage. Reconstruction along the project frontage by the City would only be required if Ponderosa's improvements gave the appearance of piecemealing - not having a continuous tie-in with Stanley Boulevard. If it can be demonstrated to the satisfaction of the City Engineer at the time Stanley Boulevard CIP project is completed that the street improvements that Ponderosa constructed as a part of the project are consistent in appearance and quality with the balance of the CIP project, the pro-rata share will be refunded or adjusted.

PLANNING COMMISSION ACTION

The Planning Commission held a public hearing on July 10, 2013, to review the 13-unit development plan and the applicant's response to the Planning Commission comments of the November 28, 2012, work session. Detailed information on this meeting is provided by Exhibit C in Attachment 6, excerpts of the Planning Commission minutes. The applicants and their architect were the only ones that spoke at the Planning Commission hearing.

Staff notes that Pam Hardy, Ponderosa representative, expressed her desire to modify some of the proposed conditions of approval to allow more flexibility regarding pools, easements, raised mullions on the windows, Title 24 requirements, the pedestrian pathway, and requiring a range of Green Building points instead of a "final" number. Mrs. Hardy also noted Ponderosa's objection to staff's requirement of retaining the two Ash trees on the east property boundary. Staff notes that the proposed conditions of approval that were discussed at the Planning Commission hearing have been modified to allow more flexibility for the applicant.

After receiving the applicants' public testimony, the Planning Commission determined that they could not support the development plan since Ponderosa was not willing to make improvements to Lot 13 as they considered the existing home that faces Stanley Boulevard to be a "gateway" to the new development. Chair Pearce voiced her concerns regarding the project being presented for formal review before the Historic Preservation Task Force finished its work and said that she may have been able to support the project if the applicant had included a plan for the existing house. Commissioner Ritter noted that the applicant can develop a "beautiful entrance to this whole property" if they included the existing house and its designated lot into the entry. He noted that the lot and existing home should be integrated with the development and he could not support this project without knowing what would be proposed. He was also concerned that the applicant could not guarantee improvements given their proposal to separate the lot from their development. Commissioner Allen noted that she would be more open and amendable to supporting this project if she saw a plan where the house was upgraded (i.e., new roof and paint). Commissioner O'Conner noted that the Commission informed the applicant during the work session that something needed to be done with the home and felt that it is an amenity and it added "draw" to the development.

Chair Pearce summarized the Commissioners thoughts and noted that the Commission was concerned about the plan, "or lack thereof," for the house, and the concern about, not only the house's location to the street but with regard to this project and its gateway aspect. Therefore, the Planning Commission recommend denial of the application on a 4-0 vote (Commissioners Olson and Posson were absent).

DISCUSSION

Since the July 10, 2013, Planning Commission meeting, staff and the applicant have agreed upon two options to present to the City Council for review and action. Option 1 is similar to what was presented to Planning Commission; however, Ponderosa has incorporated a private, pedestrian pathway and instead of allowing residential uses, limited commercial personal services and/or office uses would be allowed to occur within the existing house on Lot 13. Option 1, as a residential project, has been designed in conformity with the General Plan and Downtown Specific Plan. Should the Council decide to approve Option 1, the Council would not be approving a change the Downtown Specific Plan and/or General Plan Land Use designations and the applicant and/or property owner, would later have to apply for a: 1) PUD modification to amend the zoning to allow limited, commercial personal services and/or office uses; and 2) Downtown Specific Plan and General Plan amendments to change the Land Use designation from residential to a special limited, commercial personal services/office designation. Until such an application is filed and approved by the City Council, Lot 13's use would remain residential. Furthermore, since the existing house contains one illegal unit on the second-floor, action on Option 1 would legalize Lot 13 as two units.

Ponderosa has also agreed to invest a minimum of $30,000 in landscaping the lot, and re-roofing and painting the existing home instead of paying that amount into the Bernal Sports Park fund. To ensure the work is completed by the applicant, staff has recommended a condition of approval that requires Ponderosa to complete the landscaping and building improvements prior to occupancy of the project homes.

Option 2 would allow Ponderosa to demolish the existing house and construct 14 new single-family homes. This option also has a private, pedestrian pathway in addition to providing an area adjacent to the pathway that will accommodate two additional off-street parking spaces and a small common landscaped area. The house designs and development standards would be the same as those proposed in Option 1. Option 2 has been designed to be in conformance with the General Plan and Downtown Specific Plan Land Use designations. The City's standard condition of approval for the Bernal Sports Park would apply to Option 2 ($2,500/new unit). Should the City Council select Option 2, staff has included draft conditions of approval in Attachment 2 for consideration.

The architectural style is the same for both Options, therefore, staff believes that the design of the homes are appropriate for Downtown and the homes will be an attractive addition to the Stanley Boulevard area. A detailed analysis and discussion of the 13-unit proposal is included in the attached Planning Commission staff report (Attachment 6) including: General Plan and Downtown Specific Plan conformity, zoning and uses, site design, retention of the existing dwelling, cultural resources, traffic and circulation,

parking, grading, drainage, utilities, tree removal, noise and vibration, Green Building, architecture and design, house sizes and FAR, site development standards, common and private open space, landscaping and fencing, and Climate Action Plan.

Since the Council would not be taking action on rezoning to allow limited, commercial personal services and/or office uses or amending the Downtown Specific Plan and General Plan Land Use designations, Option 2 only differs in the number of new units, therefore, the analysis in the Planning Commission staff report, regarding General Plan and Downtown Specific Plan conformity, zoning and uses, site design, traffic and circulation, grading, drainage, utilities, noise and vibration, Green Building, architecture and design, house sizes and FAR, site development standards, common and private open space, landscaping and fencing, and Climate Action Plan are applicable to Option 2.

Staff notes that Option 2 would be providing two less guest parking spaces than what Option 1; however, the residential driveways will be at least 21-feet long and able to accommodate two parked vehicles with the garage door in a closed position. Adding each unit's driveway apron parking will increase the assigned and guest parking total to four parking spaces per unit in addition to the 10 guest parking spaces provided within the development for Option 2. Furthermore, Ponderosa's Noise Assessment Study in Exhibit K of Attachment 6 addressed the construction of 15 new residential units, therefore, Option 2 would be conditioned to adhere to the applicable recommendations listed in the noise study.

Given that Option 2 does not involve retaining the existing home, staff believes that the City Council should approve Option 1. While the property is not specifically listed in the General Plan or Downtown Specific Plan as an historic resource, the General Plan, Downtown Specific Plan, and Downtown Design Guidelines contain policies regarding the City's preservation goals. The General Plan has a policy which states:

> *Preserve and rehabilitate those cultural and historic resources which are significant to Pleasanton because of their age, appearance, or history.*

The Downtown Specific Plan states:

> *Future residential development should generally provide for the preservation and rehabilitation of existing on-site frontage homes which exceed 50 years in age or which otherwise substantially contribute to the "small town" character of the neighborhood in terms of architecture and scale. Exceptions may be permitted to: (1) relocate such homes to other appropriate Downtown locations for permanent preservation and rehabilitation; or (2) demolish and replace such homes which are specifically found by the City to demonstrate minimal redeeming historic and/or architectural significance.*

The Downtown Design Guidelines indicate that demolition of buildings over 50 years of age is generally discouraged and that remodeling is encouraged over replacement.

Although the Historic Architecture Evaluation Report (Exhibit G in Attachment 6) states that the existing house does not meet the criteria of a historic resource or place, given the Downtown Specific Plan polices and the Downtown Design Guidelines, staff recommends that the house be retained as provided for in Option 1.

PUD FINDINGS

Please refer to the attached, July 10, 2013, Planning Commission Staff Report (Attachment 6), pages 28-30, for a discussion of the considerations needed to approve the proposed PUD development plan. Staff notes that the PUD considerations would apply to Option 2 as well.

PUBLIC NOTICE

Notice of this application was sent to all property owners within 1,000 feet of the subject property. At the time this report was published, staff had received one email of support from Brad Hirst regarding this application. Please refer to Attachment 7 for Mr. Hirst's email. Public comments received after publication of the notice will be forwarded to the City Council as they are received.

ENVIRONMENTAL ASSESSMENT

In 2012, the City Council certified a Supplemental Environmental Impact Report (SEIR) and adopted the CEQA (California Environmental Quality Act) Findings and a Statement of Overriding Considerations for the Housing Element update and Climate Action Plan General Plan Amendment and Rezonings. This SEIR was a supplement to the EIR prepared for the Pleasanton 2005-2025 General Plan which was certified in July 2009. The subject property was one of the 21 potential housing sites analyzed in the SEIR. A total of 54 multi-family housing units were analyzed in the SEIR for this site.

The California Environmental Quality Act specifies that residential development projects, such as this site, that are proposed pursuant to the requirements of an adopted SEIR that has been prepared and certified are exempt from additional environmental review provided: 1) 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; or 2) that new information of substantial importance which was not known at the time the previous EIR was certified shows the project will have one or more significant effects not discussed in the EIR. Although the subject site was removed as a potential multi-family housing site, the SEIR analyzed development for 54 multi-family units. The project density currently proposed, in Options 1 and 2, are significantly lower than analyzed in the SEIR and, therefore, staff does not believe that there are any changes in the project, circumstances, or new information causing new significant environmental effects. The applicant has provided site specific studies (e.g., noise, riparian, cultural resources, geological, etc.) to address development mitigations and staff has added conditions of approval to address additional mitigation measures that are specific to this site that were discussed in the SEIR and the Mitigation Monitoring and Reporting Program. Thus, staff recommends this project be reviewed without any additional CEQA review or process.

CONCLUSION

Rezoning the site to PUD-MDR/OS-PH&S/WO (Planned Unit Development – Medium Density Residential/Open Space – Public Health and Safety/Wildland Overlay) is consistent with Pleasanton General Plan and the Downtown Specific Plan Land Use Designations of High Density Residential. Infill developments, especially those located on the relatively small parcels in the Downtown, face various challenges and site constraints that oftentimes require and benefit from the flexibility allowed by the Planned Unit Development zoning process.

Option 1, as revised and now proposed, blends well with the Downtown's character and impacts to the adjacent residents have been minimized by keeping the density to 12 new single-family homes instead of the 14 proposed in Option 2. The positioning of homes in Option 1 is appropriate and the homes are modest in height for two-story structures. The units are designed and sized to provide an attractive and livable environment for the future residents and with the incorporation of the private, pedestrian pathway into Option 1, future residents who live in this development will be able to have direct access to the Downtown, patronizing Downtown businesses and amenities, thus supporting and adding to the economic viability of Downtown. Therefore, staff recommends that the Council approve Option 1 and require the applicant and/or responsible party to return with a PUD modification and General and Specific Plan amendments to allow limited, commercial personal services and/or office uses.

Submitted by:	Fiscal Review:	Approved by:
Brian Dolan Director of Community Development	Emily Wagner Director of Finance	Nelson Fialho City Manager

Attachments:

1. Draft City Council Ordinance for Option 1 for PUD-97 with Exhibit A, Recommended Conditions of Approval
2. Draft City Council Ordinance for Option 2 for PUD-97 with Exhibit A, Recommended Conditions of Approval
3. Exhibit B: Proposed PUD Development Plan, dated "Received June 14, 2013" with Site Plans, Grading and Utility Plan, Slope Classification Plan, Stormwater Treatment Plan, Existing Trees Plan, Floor, Roof, and Elevation Plans, Landscape Site Plan, Landscape Streetscape, and Landscape Details Plan
4. Exhibit B.1: Alternative Site Plan, dated "Received August 2, 2013."
5. Excerpts of the Planning Commission meeting minutes, dated July 10, 2013
6. July 10, 2013, Planning Commission Staff Report with the following Attachments:

   C. Planning Commission Meeting Minutes Excerpt dated November 28, 2012

D. Planning Commission Work Session Staff Report dated November 28, 2012
E. HortScience Tree Report dated "Received June 19, 2013"
F. GreenPoint Rated Checklist for Single-Family dated "Received May 8, 2013"
G. Historic Architecture Evaluation Report dated "Received February 6, 2013"
H. Cultural Resources Review dated "Received February 6, 2013"
I. Preliminary Geotechnical Report dated "Received February 6, 2013" and Addendum dated "Received June 13, 2013"
J. Riparian Survey dated "Received February 6, 2013"
K. Noise Assessment Study dated "Received February 6, 2013" and Addendum dated "Received June 13, 2013"
L. Climate Action Plan Checklist
M. Location and Noticing Maps

7. Email from Brad Hirst dated August 13, 2013