I. INTRODUCTION

1. Project Description

This is a public hearing to consider recommendations concerning PLN 17-0013, consisting of a Planned Unit Development District (Rezoning) & Concept Plan and Major Subdivision (Vesting Tentative Map), submitted by Mt. Diablo View Associates LLC. The Planning Commission (PC) recommendations will be provided to the City Council which will be the final decision-maker on the project.

The project includes a vesting tentative map, and a rezoning to a Planned Unit Development District and an associated Concept Plan to allow 17 single-family homes with four accessory dwelling units, the map includes 17 parcels (in addition to one common open space lot) on an approximately 4.42-acre site. The proposed subdivision would have a density of 4.5 units per acre; the General Plan designation of Single Family Medium Density allows up to 4.5 units per acre, thus, the proposed density would be consistent with the General Plan (and zoning). In addition, the applicant is requesting a waiver of the requirement to underground existing utilities lines/poles that currently existing along Pleasant Hill Road.

Proposed site improvements include stormwater treatment and retention facilities, new pedestrian pathways, open space and the removal of 91 trees from the site. Residential lots would range in size from 8,055 to 13,368 square feet. The project would construct an on-site private road with a circular turnaround with 18 on-street parking spaces. The proposed residences would be one- and two-story homes, all with two and three car garages, with six floor plan options. Four of the 17 units would also include accessory dwelling units with separate entrances. One-story homes would be intermixed with two-story homes along the project’s
internal street. The site slopes from the southwest to the east. A net export of approximately 3,300 cubic yards of soil is proposed to accommodate the final grade and bio-retention areas. The resulting finished grade would not be any higher than the existing grades at the site.

The site is proposed to be rezoned from the existing R-10 Single Family – 10,000 square foot lots zoning district to a PUD (Planned Unit District).

The proposed PUD “Concept Plan” addresses the following:

1. Site plan for the PUD.
2. Standards and criteria for development relative to natural resources and open space.
3. Development regulations.
4. Design guidelines/criteria including architecture and landscaping.
5. General Plan consistency.

The proposed PUD is based on the R-10 Single Family Residential – 10,000 square foot lots Zoning District with modifications to development standards related to minimum lot area, minimum lot width & depth, and maximum lot coverage.

Note: PHMC Section 18.30.060 states that PUD’s shall be forwarded to the Architectural Review Commission and Planning Commission for review and recommendations prior to consideration by the City Council. In addition, in accordance with Section 18.30.060.D (PUD/PPD) of the Zoning Ordinance: A development plan, architectural review permit, use permit, and/or any associated permits may be submitted for review concurrently with a PUD plan. In a concurrent submittal, the City Council shall be the final decision-maker on all applications after considering recommendations from the Planning Commission (PC) and/or Architectural Review Commission (ARC). The applicant has elected to submit only a Major Subdivision (Tentative Map) with the proposed PUD and Concept Plan. The City Council will consider the ARC’s recommendations, and any recommendations by the Planning Commission, prior to taking final actions on all concurrently submitted entitlements.

In addition to the PUD rezoning and related Concept Plan, the Planning Commission will be considering the accompanying environmental document (Initial Study/Mitigated Negative Declaration), and all related concurrently submitted entitlement applications.

2. Background

The site was owned by the Molino Family for an extended period of time until it was sold to the applicant. In 2016, prior to an application being submitted to the City, the applicant obtained demolition permit approval from the City and demolished the structures on the properties. After the demolition, the applicant submitted
preliminary/conceptual plans for feedback from the City. The Planning Commission (PC) held two study sessions on the proposed project. The first study session was held on February 28, 2017 and a follow up study session was held on July 11, 2017.

Preliminary PC comments provided at the last (second) study session were as follows:

1. Additional information was requested on the costs and difficulties of undergrounding utilities. This includes, but is not limited to, providing more detailed information on the location of utilities within Pleasant Hill Road, cross-section of Pleasant Hill Road with existing utility locations, and the resulting impacts to the western side of Pleasant Hill Road.

2. Photos were requested of the existing streetscape condition of Pleasant Hill Road (showing all existing above ground utilities along both sides of the street along the project site’s frontage).

3. Noted that tree preservation and impacts are still open for discussion.

4. One Commissioner noted that there are still concerns that the project has not solidified the basis (and findings) for approval of the Planned Unit Development by demonstrating sufficient public benefit beyond the improvements that would already be required for a residential subdivision.

A summary of the study session comments, both from the Commission and the public is provided in Attachment D-1.

Subsequent to the applications being determined complete, an environmental consultant was selected by the City to commence preparation of the Initial Study and Draft Mitigated Negative Declaration (IS/MND) for the project.

Projects that require CEQA review must also implement tribal notification/consultation under Assembly Bill (AB) 52. AB 52 states, “Prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project, the lead agency shall begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.” In September 2017, the City of Pleasant Hill notified various tribal organizations in accordance with the requirements of AB 52. As the City did not receive any responses, the draft IS/MND was finalized and circulated for public review and comment between March 13, 2018 and April 2, 2018. No public comments were submitted on the draft IS/MND.

On April 19, 2018 the Architectural Review Commission (ARC) conducted a public hearing to consider the project and adopted ARC Resolution No. 01-18 recommending approval of the PUD Concept Plan, in addition to the accompanying environmental document (Initial Study/Mitigated Negative Declaration), for the project. The ARC’s findings are contained in ARC Resolution No. 01-18 (see Attachment E-1). In addition, three members of the public spoke on the item in
favor of the project, with concerns that if undergrounding of the utilities are required, would the residents on the west side of Pleasant Hill Road incur any costs.

II. GENERAL INFORMATION

A. A. General Plan

The General Plan designates the site as *Single-Family Medium Density*.

B. Zoning

The zoning designation is *Single Family – 10,000 sq. ft. lots*.

C. Site Description and Existing Land Use

The site is currently vacant and contains multiple parcels that together total approximately 4.46 acres. The site currently contains multiple access points from Pleasant Hill Road. The site is located at the southeast corner of Pleasant Hill Road and Boyd Road. The site generally slopes from in a northeast direction.

D. Surrounding Zoning and Uses

<table>
<thead>
<tr>
<th></th>
<th>Zoning</th>
<th>Uses</th>
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</thead>
<tbody>
<tr>
<td><strong>North</strong></td>
<td>Single Family – 10,000 sf lots</td>
<td>Single Family Residential</td>
</tr>
<tr>
<td><strong>South</strong></td>
<td>Single Family – 10,000 sf lots</td>
<td>Single Family Residential</td>
</tr>
<tr>
<td><strong>East</strong></td>
<td>Single Family – 10,000 sf lots</td>
<td>Single Family Residential</td>
</tr>
<tr>
<td><strong>West</strong></td>
<td>Single Family – 10,000 sf lots</td>
<td>Single Family Residential</td>
</tr>
</tbody>
</table>

E. CEQA Status

Pursuant to the California Environmental Quality Act (CEQA), the City of Pleasant Hill intends to issue a Mitigated Negative Declaration for this project. The Draft Initial Study and Mitigated Negative Declaration (IS/MND) prepared for this project was available for public review from **March 13, 2018 through April 2, 2018** at the Planning Division and on the City of Pleasant Hill webpage at [www.pleasanthillca.org](http://www.pleasanthillca.org). The IS/MND has identified potential project issues requiring mitigation in the following areas: Biological Resources, Air Quality, Cultural Resources, Geology & Soils and Hazards/Hazardous Materials. After mitigation, the project would not have any significant unavoidable impacts, nor impacts which would be cumulatively considerable. The Final IS/MND and associated Mitigation Measure Monitoring and Reporting Program (MMRP) are included as Attachment F-1. No public comments/responses were received.
F. Public Notice

A notice of the public hearings, and Initial Study/Mitigated Negative Declaration, was mailed to each residence and/or owner of properties within 300 feet (+/-) of the project site. Notices were also sent to all applicable/required public and private agencies. In addition, notice for the public hearing was provided on signs posted at the site, on the City website and planning project website, on the City Hall electronic changeable message sign and via publication in the Contra Costa Times Newspaper on March 13, 2018.

III. FINDINGS

1. Major Subdivision

When reviewing and approving a Major Subdivision, the Planning Commission and City Council must make findings of conformance with the General Plan and the Zoning Ordinance. In addition, the project must comply, or substantially comply, with the standards contained in the City’s Subdivision Ordinance (Title 17 of the Pleasant Hill Municipal Code). Lastly, the project must comply, or substantially comply, with the standards governed by the 2017 Subdivision Map Act and those governed by the California Environmental Quality Act (CEQA).

Required findings:

1. The proposed map is consistent with the general plan or any applicable specific plan, or other applicable provisions of this code.

2. The site is physically suitable for the type of development.

3. The site is physically suitable for the proposed density of development.

4. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife to their habitat.

5. The design of the subdivision or the type of improvements is not likely to cause serious public health problems.

6. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

7. The land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 and the resulting parcels following a subdivision of the land would not be too small to sustain their agricultural use.
2. **Rezoning to PUD**

When reviewing and approving a Rezoning request, the Planning Commission and City Council must make findings of conformance with the General Plan and the Zoning Ordinance. Section 18.125.050B of the Zoning Ordinance addresses Planning Commission recommendations to the City Council and reads as follows:

*Following a public hearing, the Commission would make specific findings as to whether the proposed zoning regulation or zoning map amendment is consistent with the policies of the general plan, the purposes of this title, and the limitations on residential rezoning prescribed in PHMC § 18.125.070, and would then recommend approval, conditional approval, or denial of the proposal as submitted or in modified form.*

In order to approve a *PUD Concept Plan*, the following findings must be made by the various Commissions and the City Council:

First, the following findings must be made by the Architectural Review Commission (ARC) prior to recommending approval of the *PUD Concept Plan*:

1. *The design of the structures conforms to the topographic features of the particular site;*

2. *The design of the structures enhances the natural attributes of the particular site;*

3. *The scale and bulk of the structures are appropriate to the particular site; and*

4. *The landscape plan is appropriate to the particular site.*

Secondly, the following findings must be made by the Planning Commission prior to recommending approval of the PUD Concept Plan to the City Council:

1. *The PUD plan or specific plan is consistent with the general plan and other applicable policies and is compatible with surrounding development;*

2. *The PUD plan or specific plan will enhance the potential for superior urban design in comparison with the development under the base district regulations that would apply if the plan were not approved;*

3. *Deviations from the base district regulations are justified by compensating benefits of the PUD plan or specific plan;*

4. *The PUD plan or specific plan includes adequate provisions for utilities services, and emergency vehicle access; and public service demands will not exceed the capacity of existing and planned systems; and*
5. The PUD plan or specific plan has been approved by the architectural review commission.

Third, per Pleasant Hill Municipal Code § 18.30.040(A), the Zoning Ordinance requires a minimum area of four contiguous acres for sites to be rezoned as PUD. The site is in excess of the four acre minimum.

The findings pursuant to Section 18.125.070 (“Limitations on Residential Rezoning”) are not applicable since the project does not propose to increase the existing density, nor change the land use designation at the site.

Lastly, the proposed zoning map amendment must be consistent with the overall “purposes” of the Zoning Ordinance.

IV. ANALYSIS

A. General Plan Consistency

The site’s is designated Single Family Medium Density Residential in the General Plan. The proposed single family structures would be detached, and the proposed density would be 4.5 units per net acre, which is consistent with the General Plan density range of 3.1 to 4.5 units per net acre. The lot sizes would range from 8,055 square feet to 13,368 square feet, which are larger than the minimum 7,000 square foot area identified in the General Plan.

In addition, there are various General Plan goals, policies and programs applicable City-wide that should be considered in connection with the project:

Community Development Goal 2. Maintain the historic balance among different types and intensities of residential development, commercial retail, office uses, and open space.

Community Development Policy 2A. Encourage uses needed by the community at appropriate locations.

The proposed project would result in a single residential development that is similar to existing uses in the area. In addition, the density would be consistent with the surrounding neighborhood (single family medium density). Additional housing is needed throughout the region, as well as within the City, thus, adding residential units, including accessory dwelling units, within an existing single family neighborhood is appropriate.

Community Development Goal 3. Generate thriving, attractive and cohesive development at vacant or underutilized sites.

The proposed project would improve a large undeveloped site, with 17 single-family dwelling units and four accessory dwelling units and would substantially improve the appearance of the site, while also significantly enhancing the streetscape along...
Pleasant Hill Road. In addition, staff is recommending that the project underground overhead utilities along Pleasant Hill Road to further enhance the appearance of the site.

**Community Development Policy 9A.** Protect and enhance the views from and visual qualities of scenic routes and corridors in Pleasant Hill.

The project site is located along a designated scenic corridor, which merits additional landscaping and other improvements to enhance the visual quality, according to the General Plan. The proposed project includes enhanced landscaping along the Pleasant Hill road frontage, including a new landscaped median within the public right-of-way. In addition, the project would not exceed the R-10 zoning district 35 foot height limit, thus, preserving and maintaining the low profile single family character of the area. The homes that would front along Pleasant Hill Road are designed with a variety of heights and architectural features to provide visual interest along this scenic corridor.

**Community Development Goal 24.** Place utility lines underground.

**Community Development Policy 24A.** Achieve undergrounding of utilities when and where feasible.

The project proposes to underground facilities on the site, however, the applicant is requesting a waiver from the requirement to underground the existing overhead utilities along the project’s Pleasant Hill Road frontage. The applicant notes that undergrounding is costly and is not completed elsewhere north and south on Pleasant Hill Road. The City is requiring a small subdivision across the street from the site to underground their portion of overhead facilities along the Pleasant Hill Road frontage. In addition, the applicant has not provided adequate information that undergrounding these facilities would be infeasible. Lastly, existence of overhead utilities elsewhere should not be a basis for waiving the undergrounding requirement, since undergrounding nearly always occurs incrementally in a phased manner as projects and infrastructure are developed and improved.

**Circulation Program 4.1.** Continue to implement adopted criteria/policies regarding the installation of traffic-calming measures (including consideration of narrower travel lanes where appropriate, chicanes, raised medians, speed tables and planting strips).

**Circulation Goal 8.** Ensure that streets are safe and pedestrian-friendly.

The project proposes a new landscape median within Pleasant Hill Road, which is intended to calm traffic and reduce speeds in this portion of the roadway. In addition, a new sidewalk would also be installed on the project frontage which will increase pedestrian safety (there is currently no public sidewalk along the project frontage).
Growth Management Goal 1.3. Ensure development is within the City of Pleasant Hill Urban Limit Line.

The proposed project is an infill development, within the adopted urban limit line.

Growth Management Policy 2B. Require that new development pay its share of costs associated with the overall growth in the region.

Growth Management Policy 2C. Require that all development projects comply with the City’s performance standards for fire, police, parks, water, flood control, sanitary sewer, and transportation facilities.

The project can be accommodated by existing services, with acceptable impact levels, to include: water supply, sewage disposal, school districts, parks and open space, fire protection, police and storm drainage. In addition, the project is required to pay its share of costs including traffic mitigation fees, park fees, school fees, sewer, water, and drainage fees.

Housing Goal 1. Maintain a housing supply sufficient to meet the housing needs of all Pleasant Hill residents.

The proposed project would provide additional housing opportunities to the residents of Pleasant Hill.

Housing Goal 3. Increase housing opportunities for people of limited incomes.

Housing Program 3.3. Require all housing project of five or more units to include affordable housing.

The proposed project would provide additional affordable housing opportunities by constructing four accessory dwelling units throughout the site to comply with the City’s Inclusionary Housing ordinance.

B. Conformance with the Zoning Ordinance

The project site is currently zoned R-10 Single Family 10,000 square foot lots. The project proposes to rezone the site to Planned Unit Development District (PUD). The proposed PUD would result in lot smaller than 10,000 square feet, with lot widths and depths less than the R-10 minimum, and in some cases, the proposed building footprints would exceed the maximum lot coverage allowed in the R-10 district. However, the project would comply with the R-10 zoning district density (4.5 units per acre) and the project would have lots that vary in size, with some lots larger than 10,000 square feet. Through the PUD process, modifications to development standards may be approved provided the findings for PUD approve can be satisfied as noted below.

C. Purposes of Planned Unit Development
Section 18.30.010 (Specific Purposes) of the Zoning Ordinance provides that the specific purposes of the PUD are to:

1. *Establish a procedure for the development of large parcels of land in order to reduce or eliminate the rigidity, delays, and conflicts that otherwise would result from application of zoning standards and procedures designed primarily for small parcels.*

   The applicant is proposing to develop a large parcel of land (4.42 acres) in conformance with the allowable maximum density specified in the General Plan for this site. The PUD/Concept Plan process provides for streamlined review and flexibility in design of the subdivision and associated public improvements to provide for a superior project design.

2. *Ensure orderly and thorough planning and review procedures that will result in quality urban design.*

   The proposed project is required to go through an extensive review process that includes design review and review for compliance with Citywide Design Guidelines. In addition, the Architectural Review Commission will review and make a recommendation to the Planning Commission and City Council on the proposed Concept Plan. Final site and architectural design review for the project (including finding the project consistent with City-Wide Design Guidelines) will occur at a later date prior to construction of the project.

3. *Encourage variety and avoid monotony in large developments by allowing greater freedom in selecting the means to provide access, light, open space, and amenities.*

   The project does not proposed floor area ratios or building heights any greater than what is currently allowed within the R-10 zoning district. Setbacks would also comply with R-10 zoning district standards. The ARC will further review the final building plans prior to construction and will further review and ensure adequate access, light and open space for the project.

4. *Encourage allocation and improvement of common open space in residential areas, and provide for maintenance of the open space at the expense of those directly benefiting from it.*

   While the site does not propose any significant usable open space, the site has the same setbacks that can be found in other R-10 zoning district. In addition, the project does propose a small open area that would be used for stormwater retention purposes and a passive open space area. Staff recommends increasing the amount and/or the usability of common open space as noted in the staff report including reducing the size of lot 1 and creating a trailhead or additional enhanced landscaping at the corner of Boyd and Pleasant Hill Road, adding amenities or potential historical remembrances within that new or the existing open space areas.
5. *Encourage the assembly of properties that might otherwise be developed in unrelated increments to the detriment of surrounding neighborhoods.*

The proposed project is assembling five existing parcels into one site. If developed separately, there would likely be more access points off of Pleasant Hill Road, would have reduced number of residential units (both market rate and affordable), and would be developed at different points of time, potentially resulting in a disjointed overall development.

D. **Planned Unit Development Concept Plan Development Standards**

The proposed PUD “Concept Plan” addresses the following:

- Distribution and location of uses within the PUD.
- Discussion of the project relative to transportation and utilities (infrastructure).
- Standards and criteria for development relative to natural resources and geological features.
- Land use schedule defining permitted, conditional and temporary and accessory uses.
- Development regulation schedule.
- Design criteria.
- Relationship to the General Plan.

The proposed PUD is based on the standards associated with the proposed R-10 Single Family 10,000 square foot lots zoning district, with modifications to the following development standards: minimum lot area, minimum lot width and lot depth, and maximum lot coverage. A PUD may include site specific development standards tailored to the particular project site and proposed development; however, with respect to building setbacks, the maximum reduction allowable through a PUD in a single family residential land use designation/zone is 20% compared to the existing base zone district setback standards, as noted previously no reduction in setbacks is proposed.

The table below compares the existing R-10 Single Family – 10,000 square foot lots development standards and subdivision standards with the proposed PUD development standards for the project.

<table>
<thead>
<tr>
<th>Development Standards</th>
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<tr>
<td>R-10 Single Family Residential Zoning District</td>
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</table>
### Development Standards

<table>
<thead>
<tr>
<th>Setbacks</th>
<th></th>
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<tbody>
<tr>
<td>Front Yard: 20 ft.</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Rear Yard: 15 ft.</td>
<td>15 ft.</td>
</tr>
<tr>
<td>Aggregate Side Yard: 20 ft.</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Interior Side Yard: 5 ft.</td>
<td>5 ft.</td>
</tr>
<tr>
<td>Corner Side Yard: 15 ft.</td>
<td>15 ft.</td>
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<table>
<thead>
<tr>
<th>Building Height</th>
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<tbody>
<tr>
<td>Maximum Building Height: 35 ft.</td>
<td>35 ft.</td>
</tr>
<tr>
<td>Maximum Number of Stories: 2.5</td>
<td>2 stories</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>R-10 Single Family Residential Zoning District</th>
<th>Proposed as part of the PUD/Concept Plan</th>
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<table>
<thead>
<tr>
<th>Lot Dimensions and Site Coverage</th>
<th></th>
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<tbody>
<tr>
<td>Minimum Lot Width: 80 ft.</td>
<td>69 feet.</td>
</tr>
<tr>
<td>Minimum Lot Depth: 90 ft.</td>
<td>83 feet.</td>
</tr>
<tr>
<td>Minimum Lot Area: 10,000 s.f.</td>
<td>Varies to as small as 8,055 square feet.</td>
</tr>
<tr>
<td>Minimum Site Area Per Dwelling Unit: 10,000 s.f.</td>
<td>11,328 square feet</td>
</tr>
<tr>
<td>Maximum Lot Coverage: 30%</td>
<td>35%</td>
</tr>
<tr>
<td>Maximum Floor Area Ratio: 40%</td>
<td>40%</td>
</tr>
<tr>
<td>Front Yard Landscaping: 50% of front yard setback area</td>
<td>50%</td>
</tr>
</tbody>
</table>

Section 18.30.040 (Development Regulations) governs site features such as minimum area, residential unit density, performance standards and other miscellaneous development regulations.

1. **Minimum area.** The minimum area of a PUD district shall be four contiguous acres. The City Council may approve a PUD district that contains less than four acres, but at least two acres, upon a finding that special site characteristics exist.

   *Complies, site larger than four acres.*

2. **Residential unit density.** The total number of dwelling units in a PUD plan shall not exceed the minimum number permitted by the General Plan for the total area allocated to residential use unless findings under Government Code section 65589.5
are met and in no instance shall the maximum number of dwelling units exceed the maximum permitted by the General Plan unless a density bonus is approved under PHMC § 18.20.150.

Complies, as currently proposed in accordance with the Single Family Medium Density designation.


The project will be conditioned to comply with all performance standards, to include, but not be limited to: noise, vibration, odors, hazardous materials, etc.

These performance standards were reviewed and addressed in the associated Draft Initial Study/Mitigated Negative Declaration, with mitigation recommended where applicable. In addition, the applicant prepared a noise study that provided recommendations for project design, and staff recommends this be incorporated into the final design (Condition 3).

4. Other development regulations. Other development regulations shall be as prescribed by the PUD or specific plan.

Noted in the table above.

5. Accessory dwelling units. Any accessory dwelling unit or units approved within a PUD shall comply with all applicable regulations contained in PHMC § 18.20.100

The applicant is proposing four accessory dwelling units. Once the final home plans come in for design review, they will be further reviewed for compliance with City provisions.

Additional PUD Concept Plan Considerations

Since the project site is located on a Scenic Corridor (Pleasant Hill Road), to ensure that aesthetics and the appearance of the project are held to a high design standard, staff recommends that the Concept Plan require design guidance that ensure homes located adjacent both Pleasant Hill Road and Boyd Road will not have a boxy appearance and will be articulated and have massing variation that will not result in one or two story “box/block” appearances (Condition No. 3)

In addition, in response of consideration of existing residences on Kelsey Court, the proposed site plan notes that the future residences at the southern end of the site, adjacent to the existing homes on Kelsey Court, will be one story, however, to ensure that this will be the case, staff recommends that the PUD Concept Plan include direction that these homes shall be limited to one story (Condition No. 3).

The applicant proposes direct access of Lot 1 onto Boyd Road. While the Engineering Division has noted that there are no significant safety issues with this
layout, from a design standpoint the subdivision would be more cohesive if all of the lots would access the private roadway; this would reduce access onto the surrounding major roadways, thus, improving safety, and this access is in close proximity to the Pleasant Hill and Boyd Roads intersection. As noted previously, while not a safety concern from an Engineering perspective, generally, reducing the number of driveways accessing directly onto an adjoining public road would reduce the potential for conflicts (Condition No. 3). Note: as part of ARC’s review of the project, the Commissioners were supportive of Lot 1 retaining direct access off of Boyd Road.

In addition, at the ARC public hearing, the Commission expressed concern with the appearance and mass and bulk of retaining walls, particularly on the eastern edge of the property, where the height could be up to nine feet. Thus, staff recommends the Commission include provisions in the Concept Plan to minimize the appearance of mass and bulk through design or landscaping solutions (Condition No. 3).

Lastly, there are other deviations to the base R-10 Single Family – 10,000 square foot lot provisions that are requested but not explicitly noted in the Concept Plan, including lot width and depth, and this should be reflected in the revised/final Concept Plan (Condition No. 3).

E. Planned Unit Development Findings

The following findings must be made by the Planning Commission prior to recommending approval of the PUD Concept Plan to the City Council:

1. *The PUD plan or specific plan is consistent with the general plan and other applicable policies and is compatible with surrounding development;*

   The proposed PUD Concept Plan would be consistent with the General Plan as noted in the analysis above in Section IV.A (General Plan Consistency).

2. *The PUD plan or specific plan will enhance the potential for superior urban design in comparison with the development under the base district regulations that would apply if the plan were not approved;*

   The PUD/Concept Plan would be consistent with this finding as it would provide for more creative development than what would be allowed under the base zoning district. The PUD for the consolidated site would allow reduced vehicular access points from surrounding streets, making it a safer, more attractive project as it would allow increased perimeter landscaping. The Architectural Review Commission has also reviewed the Concept Plan and the associated design guidelines, and will have final review of the architecture of the homes when that is submitted for architectural design review.

3. *Deviations from the base district regulations are justified by compensating benefits of the PUD plan or specific plan;*
While the project proposes new housing, affordable housing, frontage improvements, private streets, and a small passive open space area, all of these improvements would be required of any new development, subdivision, whether it needs a PUD or not. Thus, staff only recognizes the following as benefits that go beyond what would be required per ordinance or to address project impacts, whether a PUD is requested or not:

- The applicant proposes a new landscaped median within the right-of-way of Pleasant Hill Road.

Staff recommends consideration of additional public benefits that could be incorporated into the project include enhanced site identification of the history of the site, increased affordable housing beyond the City’s inclusionary ordinance (e.g. ADU’s for every lot; and increased usable open space area (e.g. at the corner of Boyd Road and Pleasant Hill Road, including an enhanced pedestrian connection to the Canal Trail).

4. **The PUD plan or specific plan includes adequate provisions for utilities services, and emergency vehicle access; and public service demands will not exceed the capacity of existing and planned systems; and**

The PUD/Concept Plan would be consistent with this finding because the site abuts all necessary utility and City services with sufficient capacity available and the proposed development will not significantly impact these services significantly as further discussed in the technical analysis considered in the Initial Study/Mitigated Negative Declaration document prepared for this Project.

5. **The PUD plan or specific plan has been approved by the architectural review commission.**

The Architectural Review Commission held a public hearing on the proposed PUD at its April 19, 2018 meeting. At the meeting the ARC adopted Architectural Review Commission Resolution No. 01-18 (see Attachment E-1) recommending approval of the PUD/Concept Plan.

**F. Zoning Ordinance (Map) Amendment**

In accordance with Chapter 18.125 (Zoning Ordinance Amendments) of the Zoning Ordinance the following findings must be made by the Planning Commission prior to recommending approval of the PUD rezoning to the City Council if a project involves a change of use and/or increase in residential density. The project does not involve a change of use or increase in density; consequently these findings are not applicable to the project:

1. **Seventy-five percent of the boundary of the area or property to be rezoned must be adjacent to land having the same or greater density zoning designation than the proposed zoning for the area or property. This provision shall not apply to properties not greater than 20,000 square feet deemed unsuitable for residential**
use by virtue of noise, traffic, and immediate proximity to commercial uses, which provide a buffer between business and residential areas; and for properties with a lower density zoning than R-10 which may be rezoned R-10.

2. Development of the area or property to be rezoned shall not have growth-inducing impacts on existing residential neighborhoods.

3. Development of the area or property to be rezoned shall not have a significant traffic impact on existing residential neighborhoods.

4. Development of the area or property to be rezoned shall not have a significant noise impact on existing residential neighborhoods.

Lastly, the proposed zoning map amendment would be consistent with the overall purposes of the zoning ordinance as noted below:

• Provide a precise guide for the physical development of the city in order to:
  o Preserve the character and quality of residential neighborhoods;
  o Foster convenient, harmonious, and workable relationships among land uses; and
  o Achieve the arrangement of land uses described in the general plan.

The proposed project includes a Concept Plan that includes precise development patterns and standards for the project. The project is residential in nature, similar to surrounding uses, and would not conflict with the General Plan as discussed earlier in the staff report.

• Promote the economic stability of existing land uses. The proposed project would not have a negative effect on surrounding land uses, as the surrounding uses are similar single family residences and the rezoning would not decrease setbacks, decrease densities or allow increased building heights.

• Prevent excessive population densities and overcrowding of land or buildings. The proposed project would be consistent with the current underlying general plan density designation of Single-Family Medium Density. In addition, no reduction in setbacks from the current R-10 Zoning District is requested.

• Ensure the provision of adequate open space for light, air, and fire safety. As noted previously, the project would not propose to increase density, building heights, decrease setbacks, nor increase floor area ratio’s, thus, preserving adequate open space, light and air access. The project proposes an increase in lot coverage from 30% to 35%, however, this increase is similar to what is allowed within R-10A zoning districts, which are also consistent with the current, underlying Single Family Medium Density designation.
• **Ensure that service demands of new development will not exceed the capacities of existing streets, utilities, or public services.** The project has been reviewed by affected agencies, the City Engineering Division, School and Recreation and Park Districts, Fire District and Police Department, and none have noted concerns with exceeding capacities.

G. **Major Subdivision**

When reviewing and approving a Major Subdivision the Planning Commission and City Council must make findings of conformance with the General Plan and the Zoning Ordinance. In addition, the project must comply, or substantially comply, with the standards contained in the City’s Subdivision Ordinance (Title 17 of the Pleasant Hill Municipal Code).

More specifically, in accordance with Chapter 17.25 of the PHMC, the following findings must be made by the Planning Commission prior to recommending approval of the Major Subdivision (Vesting Tentative Tract Map) to the City Council.

1. **The proposed map is consistent with the general plan or any applicable specific plan, or other applicable provisions of this code.**

   The proposed map satisfies the requirements and conditions imposed by the Subdivision Map Act and the City of Pleasant Hill Subdivision Ordinance, because the procedural requirements of the Map Act are being followed. Also, the proposed subdivision would be consistent with the General Plan because the proposed development conforms to the requirements of Single Family Medium Density General Plan land use designation (and as discussed earlier in the staff report, Section IV.A.) for the site. Lastly, no portion of the project site is located in a specific plan zoning district.

2. **The site is physically suitable for the type of development.**

   The physical characteristics of the project site are suitable for the intended land use because the site is located within an existing single family residential neighborhood. The proposed grading plan would not result in significant import or export of soil to the site, and the finished grades would be similar to the existing site topography.

3. **The site is physically suitable for the proposed density of development.**

   The project does not propose to increase the current allowed density for the site. The proposed density is similar to the surrounding area, thus, the site would be suitable for the proposed density of development.

4. **The design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife to their habitat.**
The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, because the project site does not contain any special status plan species and is not expected to house many special status animal species, except for five special status species. However, with the mitigation proposed it will avoid, minimize or mitigate for potential impact (as noted by the project Draft Initial Study/Mitigated Negative Declaration).

5. *The design of the subdivision or the type of improvements is not likely to cause serious public health problems.*

The design of the subdivision and the type of improvements are not likely to cause serious public health problems, because the review process of the subdivision has taken those concerns into consideration and has found the proposal in conformance with the City of Pleasant Hill policies. The project will be served by public sewer and water. In addition, public health issues are addressed in the associated Initial Study/Mitigated Negative Declaration and project’s associated improvements are not found to pose a public health problem.

6. *The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.*

Through preliminary review of the proposed map, no conflicts with easements were noted. In addition, any acquisition of new easements, if applicable, will be required prior to the acceptance of the Final Map for this project.

7. *The land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 and the resulting parcels following a subdivision of the land would not be too small to sustain their agricultural use.*

The land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965.

**Retaining Walls**

During the April 19, 2018 Architectural Review Commission (ARC) meeting, the ARC noted concerns with the proposed retaining walls, particularly those on the eastern edge of the property (where the retaining walls could be up to approximately nine feet in height). To ensure that the walls have a minimized appearance of mass and bulk, staff recommends the Commission approve a condition of approval that requires final design of the retaining wall to be reviewed and approved by the ARC to ensure mass and bulk is minimized, through the use of increased landscaping, tiering of the retaining wall (reducing the height), and/or incorporating increased architectural/design interest (Condition No. 2).

**F. Waiver for Undergrounding of Utilities**
The applicant is requesting a waiver from the underground utilities provision noted below:

**“18.50.120 Underground utilities.**
All electrical, telephone, cable television, and similar distribution lines providing direct service to a development site shall be installed underground within the site and within any public right-of-way or public easement directly adjacent to the site subject to review and approval by the final decision-making body (zoning administrator, planning commission, architectural review commission or city council) on the development project.”

While, the City Council will be making a final decision on the waiver request, staff is requesting the Commission to provide a recommendation to the City Council concerning this issue. The applicant has provided the following justifications for the waiver request (Attachment D-1). The applicant has noted that undergrounding utilities would result in a non-conforming condition (all other poles on Pleasant Hill Road, are above ground), disruption to properties on the east west side Pleasant Hill Road, cause significant closures on Pleasant Hill Road and would have minimal effects on the streetscape with significant costs and disruptions.

In-lieu of the undergrounding, the applicant proposes to add curb, gutter and sidewalks on the west side of Pleasant Hill Road, installing a crosswalk on Pleasant Hill Road and add street trees and landscaping within new medians along Pleasant Hill Road.

Staff notes that if the City approves the waiver request, there should be some additional public benefit provided in-lieu of the undergrounding, beyond what the applicant notes, some of which would be required as part of the subdivision and would be necessary to make the public benefit finding of the proposed Planned Unit Development. Consequently, the following suggestions for additional public benefit are provided for Commission consideration, and can include, but not be limited to the following:

- Additional on-site or off-site affordable housing;
- Additional public right-of-way improvements, including illuminated/flashing pedestrian crossings at the canal crossing;
- Provide enhanced crosswalks at the intersection of Boyd and Pleasant Hill Road and/or at the project entrance;
- Enhanced paving at the entrance to the project;
- Inclusion of artwork reflecting the history of the site;
Reducing the size of lot 1, by 1,000 to 2,000 feet and incorporating a public amenity such as a trail head feature or enhanced landscaping that may incorporate historical remembrances of the site;

- Contribute to stormwater retention (green) facilities in other parts of the City;
- Enhance the frontage along Boyd Road that would provide a link from Pleasant Hill Road to the Contra Costa Canal Trail.

At the April 19, 2018 ARC Meeting, the Commission provided input and feedback on the proposed waiver for undergrounding of utilities. In general, the ARC supported a waiver for the undergrounding, but wanted to see in-lieu project benefits provided. At a minimum the Commission indicated additional Accessory Dwelling Units could be provided within the project site.

G. Tree Preservation

91 trees are proposed to be removed, 68 of which are “protected” trees in accordance with the City’s Tree Preservation Ordinance. While many of the trees will be removed from the site to allow development of the project, the applicant does propose to preserve a large specimen oak tree (#49) that is located in the northeast corner of the site and four other trees (#17, 18, 19 & 20) that are not affected by development. Thus, the existing condition of a heavily vegetative site will be changed, the applicant is proposing a conceptual landscape plan that will provide a softened appearance of the site, while helping to break up the appearance of structures on the site. The Architectural Review Commission is expected to provide a recommendation at their public hearing of April 19, 2018. The trees that staff recommends be preserved until final building plans are submitted and/or when final grading plans prove preservation is not possible, including trees #9, 15, 25, 26, 29, 38, 41, 86, 191, 193, 199. These trees are all in healthy condition and may not be impacted by development that would require removal.

H. PC Summary Letter from July 2017 Study Session

The following is a summary of the comments and responses (in italics) made from the last Planning Commission study session. It should be noted that no study session was held with the Architectural Review Commission as the applicant is not proposing to concurrently submit for Architectural Review Permit.

- Additional information was requested on the costs and difficulties of undergrounding utilities. This includes, but is not limited to, providing more detailed information on the location of utilities within Pleasant Hill Road, cross-section of Pleasant Hill Road with existing utility locations, and the resulting impacts to the western side of Pleasant Hill Road.

Information was provided by the applicant addressing difficulties with undergrounding existing utilities in the area, the condition of existing poles in the area and disruption to neighbors. Preliminary cost estimates indicates to
underground facility would add $40,000 to $60,000 price increase to each residential unit.

- Photos were requested of the existing streetscape condition of Pleasant Hill Road (showing all existing above ground utilities along both sides of the street along the project site’s frontage).
  
  Provided by the Applicant and Staff.

- Noted that tree preservation and impacts are still open for discussion.

  Tree removal and preservation remains as noted from Study Session.

- One Commissioner noted that there are still concerns that the project has not solidified the basis (and findings) for approval of the Planned Unit Development by demonstrating sufficient public benefit beyond the improvements that would already be required for a residential subdivision.

  The applicant has noted the following public benefits of the project:

  - Providing additional new housing, including four accessory dwelling units (ADU’s).
  - Open space within the project site.
  - 18 guest parking spaces.
  - High quality architecture.
  - Sidewalks and traffic calming within the project site.
  - Pleasant Hill Road frontage will be improved with sidewalks and landscaping.
  - No solid wall along Pleasant Hill Road.
  - Medians within Pleasant Hill Road.

  Staff would note that the public benefits noted by the applicant are either within the project site, mostly for the benefit of project residents (sidewalks within the site, guest parking spaces, etc.), or would be required through the Planning process (frontage improvements, high quality architecture). The one benefit noted by the applicant is the median improvements within Pleasant Hill Road. However, staff notes that while this one public benefit is provided, staff recommends that additional benefits should be identified and incorporated, such as additional ADU’s or actual parking facilities, not just a passive open area.

  The following comments were made by members of the public:

  - The need for park area within the project was noted.

  Only a passive open area is proposed, largely for stormwater collection purposes. However, as noted in the section above in the staff report, there are opportunities to add amenities to make an active use area.

  - The project should be sensitive to the historical narrative of Pleasant Hill.
No modifications to project made, pertaining to historical narrative, since Study Session. Consideration of a marker or other similar feature recalling the prior use of the site as an orchard and as the location of the Molino home and ravioli business was suggested.

- Concerns were expressed about the size of the future residences.

  The size of the residences are noted in the project plans. There is a mix of one and two story residences, with one story on the southern boundary of the site.

- Concern with the potential public improvements on the western side of Pleasant Hill Road and the effects of undergrounding of utilities on the western side of Pleasant Hill Road.

  The applicant is not proposing any public improvements on the western side of Pleasant Hill Road, nor undergrounding on the western side, except as in-lieu of having to underground utilities. Engineering staff is recommending that the utilities be undergrounded.

I. Engineering Division Comments

Engineering staff has reviewed the vesting tentative map submittal, and in general, addresses most of the concerns noted by staff. In addition, staff has added conditions of approval to further clarify proposed improvements along Pleasant Hill Road, Boyd Road, and on-site improvements.

The grading in general appears to meet current standards of maximum slope of 2:1. The applicant has provided retaining walls at select locations adjacent to developed areas to minimize disturbance to the existing homes to the south on Kelsey Court and to the open space area next to the Contra Costa Canal Trail. A COA has been added to keep the individual driveway approach to maximum of 11% longitudinal slope as well.

The preliminary drainage plan indicates that runoff from developed areas will be collected and conveyed into the proposed bio-retention areas. There appears to be sufficient hydraulic capacity in the proposed storm drain network and will be confirmed during final design. The applicant proposes to meet C.3 stormwater quality requirements for the development by utilizing low-impact development (LID) strategies including bio-retention. There are three proposed bio-retention areas which appear to be sized correctly from a preliminary review of the calculations and the site plan. The future homeowner’s association will be expected to maintain these areas.

The proposed roadway configuration allows sufficient access for residents, emergency responders, and service providers. The private roadway indicates four foot wide sidewalk on one side of the road to provide an accessible link to the residential units, Pleasant Hill Road and on-street visitor parking. The proposed improvements such as landscaped median, raised pedestrian crosswalk, parkway strip between the road and the sidewalk on Pleasant Hill Road will provide safer pedestrian access and a traffic calming measure as outlined in the “Pleasant Hill Road Corridor Concept Study.”
J. Outside Agency Comments

Comment letters provided by outside agencies are included in Attachment D-1, of this staff report. Some project modifications have already been made and will need to be made to comply with their provisions. In addition, a comment received by the Contra Costa Water District noted concerns with adequate water pressure for the site. However, the applicant has worked with the water district and received approval through designation of a Modified Pressure Service Area (MPSA) that would require additional measures for the proposed project includes individual pumping systems, separate sprinkler systems, and private booster pumping services for each unit.

K. Public Comments Associated with CEQA Document (IS/MND)

The City did not receive any public comment letters on the Draft Mitigated Negative Declaration for the proposed Reliez Terraces Subdivision. However, it should be noted that public comments were received from affected public agencies as part of their normal review of proposed City projects (see Attachment D-1).

V. CONCLUSION

The project is before the Planning Commission for recommendations concerning the proposed Rezoning (and associated PUD Concept Plan) and for the concurrently submitted Major Subdivision (Vesting Tentative Tract Map), for the project.

The Planning Commission recommendations will be forwarded for consideration, to the City Council, which will be the final decision-maker on all permits associated with the project (including the Major Subdivision). The project design and density is consistent with the proposed General Plan Amendment and applicable development policies.

The proposed Concept Plan does not propose to increase R-10 zoning district density, building height, floor area ratio’s and will not decrease setbacks provisions. As a result, the development would be similar and consistent with the surrounding R-10 zoning district development. In addition, there are nearby projects that appear to be more clustered than the proposed project, thus, further justifying its consistency with the area.

However, despite the public benefits noted by the applicant, the project only includes additional public benefits related to a new landscape median within Pleasant Hill Road. Typically, a PUD would provide additional public benefits such as more open space, additional infrastructure improvements, additional affordable housing, etc. Furthermore, the applicant is also requesting a waiver of the requirement to underground utilities along Pleasant Hill Road. While supporting such a waiver is not recommended, if the Commission believes the waiver may be appropriate, staff recommends that additional public benefits or off-setting improvements be required. As a result, while the project is generally in conformance with the type of development envisioned by the City for this site in the General Plan, further consideration of the undergrounding waiver, adequacy of public benefits and issues related to access to Lot 1 is recommended as follows:
1. **Undergrounding:** The applicant is requesting a waiver for the undergrounding of adjacent utility facilities along Pleasant Hill Road. Staff recommends against supporting the requested waiver; however, if the Commission determines that recommending in favor of a waiver may be appropriate, staff recommends requiring some, or all of the additional public improvements/benefits identified in the staff report in lieu of completion of the required utility undergrounding.

2. **Public Benefits:** As noted in the staff report, staff believes that the applicant has not demonstrated that adequate public benefits would be included as part of the project to justify approval of a PUD. Potential additional public benefits were noted in the staff report (e.g. open space, trail connection, historical marker, various infrastructure improvements, additional improvements to the interior passive open space, additional ADU’s to provide more opportunities for affordable housing and/or in-lieu funds for affordable housing, etc.).

3. **Lot 1 Access:** As noted in the staff report, it would be more desirable from the standpoint of reducing potential circulation conflicts if the access to Lot 1 could be from the interior of the subdivision rather than from Boyd Road. If the Commission concurs, the applicant should be directed to provide a revised access plan for Lot 1.

Once the Commission has considered these issues and provided any further direction to staff and/or the applicant, it may be necessary for the applicant to submit revised plans addressing items 1-3 above as well as to address any of the issues that the ARC identified. In addition, staff recommends that the changes to the Concept Plan noted in the staff report regarding various issues should be addressed in an updated Concept Plan prior to final Planning Commission consideration of a resolution recommending approval of the project to the City Council.

VI. **RECOMMENDATION**

Staff recommends that the Commission receive public testimony, review the proposed project, provide further direction regarding the following issues identified in the staff report and continue the item to the May 22, 2018 Planning Commission public hearing for consideration of any revised plans and proposed findings.

VII. **ATTACHMENTS**

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<thead>
<tr>
<th>Attachment</th>
<th>Description</th>
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<tbody>
<tr>
<td>A-1</td>
<td>Draft Recommended Planning Commission Conditions of Approval</td>
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<tr>
<td>B-1</td>
<td>Proposed PUD Concept Plan and Map – Rezoning Map</td>
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<tr>
<td>C-1</td>
<td>Project Plans: Vesting Tentative Map</td>
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<td>D-1</td>
<td>ARC Staff Report dated April 19, 2018 to include (but not be limited to) the following Attachments:</td>
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<tr>
<td></td>
<td>• <strong>Attachment B:</strong> Location Map</td>
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<td>• <strong>Attachment D:</strong> Applicant information (including noise assessment)</td>
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<td>• <strong>Attachment E:</strong> Applicant discussion on Waiver for Undergrounding of Utility Poles</td>
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</table>
- **Attachment G**: Planning Commission Study Session Summary Letters
- **Attachment H**: Public Hearing Notice
- **Attachment I**: Outside Agency Comments

Attachment E-1  Architectural Review Commission Resolution No. 01-18
Attachment F-1  Final Initial Study/Mitigated Negative Declaration (IS/MND) and associated Mitigation Monitoring Report Program (includes Errata to the IS/MND)
  - Mitigation Monitoring Report Program
  - Errata to the IS/MND
  - Appendix Part 1
  - Appendix Part 2
  - Appendix Part 3
  - Appendix Part 4
  - Appendix Part 5

Attachment G-1  Pleasant Hill Road Corridor Concept Study
Attachment H-1  Public Comment Letters