TO: THE HONORABLE MAYOR AND CITY COUNCILMEMBERS

SUBJECT: PUBLIC HEARING AND ADOPTION OF INITIAL STUDY / MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM AND INTRODUCE ORDINANCE NO. ___ APPROVING A PUD REZONING AND PUD CONCEPT PLAN AND ADOPTION OF RESOLUTION NO. ____-18 APPROVING A MAJOR SUBDIVISION (VESTING TENTATIVE TRACT MAP, PLN 17-0013) FOR RELIEZ TERRACES SUBDIVISION FOR 17 NEW SINGLE FAMILY RESIDENCES AT 2150 AND 2198 PLEASANT HILL ROAD, APN'S: 149-051-002, 003, 004, 009 AND 011

SYNOPSIS

This is a public hearing to consider recommendations from the Architectural Review Commission (ARC) and the Planning Commission (PC) to approve a Planned Unit Development District (Rezoning) with a Concept Plan and Vesting Tentative Map, submitted by Mt. Diablo View Associates LLC, for a 17 unit single family residential subdivision on Pleasant Hill Road. The applicant also originally requested a waiver of the underground utility requirement along the project’s Pleasant Hill Road frontage which the ARC supported and the PC did not support. Subsequently, the applicant withdrew the waiver request. A Mitigated Negative Declaration (MND) has been prepared for the project. No significant unavoidable impacts to the environment have been identified. Native American tribes were notified as required by State law; however, no requests for consultation were received from the tribes.

DISCUSSION

Background

The project 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 existing structures on the properties. After the demolition, the applicant submitted preliminary/conceptual plans for the proposed subdivision 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.
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 as required by Assembly Bill (AB) 52. 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 ARC conducted a public hearing to consider the project and adopted ARC Resolution No. 01-18 recommending approval of the PUD Concept Plan and 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 5).

The project was initially reviewed by the Planning Commission at its April 24, 2018 meeting. At the meeting, the project was discussed and feedback was provided to the applicant; further consideration of the project was continued to the May 22, 2018 meeting. At the May 22, 2018 meeting, the Commission recommended the City Council approve the Planned Unit Development District (Rezoning), Concept Plan and Vesting Tentative Map, PC Resolution No. 06-18 (see Attachment 6). Recommendations and comments from both Commissions are summarized below.

**Architectural Review Commission Recommendations/Comments**

The Commission recommended approval of the Planned Unit Development Concept Plan, including the following:

- Recommended approval of the underground utilities waiver for the Pleasant Hill Road frontage (previously requested by the applicant, waiver request has now been withdrawn).
- Did not recommend requiring internal project access (from the project private road) to Lot 1.
- Recommended preservation of certain trees to the greatest extent feasible.
- Recommended enhanced architectural interest for homes along Pleasant Hill and Boyd Roads.

**Planning Commission Recommendations/Comments**

The Commission recommended approval of the Planned Unit Development Rezoning and Concept Plan and the vesting tentative map, with certain conditions as noted below:

- Recommended against approval of the underground utilities waiver for the Pleasant Hill Road frontage (previously requested by the applicant, waiver request has now been withdrawn).
- Recommended requiring internal project access (from the project private road to Lot 1).
- Recommended preservation of certain trees to the greatest extent feasible.
• Recommended enhanced architectural interest for homes along Pleasant Hill and Boyd Roads.
• Recommended limiting the height for all residences on the southern edge of the property to one story.
• Recommended requiring a portion of Lot 1 to be common open space to include landscaping and other improvements to commemorate the history of the site.
• Recommended requiring various public improvements including a median along Pleasant Hill Road and completion of a pedestrian crossing and sidewalk on the western side of Pleasant Hill Road.

In addition, various public comments were provided during the review process, including concerns from the west side of Pleasant Hill Road about potential impacts to their properties from the proposed project (concerns that undergrounding could result in new poles on their side of the property and concerns regarding disruption to existing landscape improvements in connection with installation of sidewalks on the west side). Other concerns noted included ensuring adequate guest parking, suggestions for more park/open space area and improvements to pedestrian access/crossings throughout the immediate area.

Analysis

A. Project Description

The proposed development would result in construction of 17 single-family homes with four accessory dwelling units; the proposed subdivision 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 which is consistent with the General Plan designation of Single Family Medium Density.

Proposed site improvements include storm water 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 8,211 to 12,724 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 multiple 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. Final pad elevations for three of the four proposed homes adjacent to the existing homes on Kelsey Court would be at or below the pad elevations of the adjacent existing residences on Kelsey Court. The pad elevation of the lot in the southeast corner of the site would be approximately 5.5 feet above the pad elevation of the adjacent existing lot on Kelsey Court. All four lots adjacent to the existing homes on Kelsey Court would be limited to single story buildings.

The project would generate 13,819 cubic yards of cut and 6,277 cubic yards of fill resulting in a net export of 7,542 cubic yards of material. Retaining walls are proposed primarily on the
eastern edge of the site and would not exceed a maximum height of eight feet (final design to be reviewed and approved by both the ARC and PC, through the Architectural Review and Development Plan Permit process).

B. Rezoning/PUD

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 zoning district with modifications to development standards related to minimum lot area, minimum lot width and depth, and maximum lot coverage. In addition to the PUD rezoning and related Concept Plan, the City Council will be considering the concurrently submitted Vesting Tentative Map application and the accompanying environmental document (Initial Study/Mitigated Negative Declaration).

The PUD includes site specific development standards tailored to the particular project site and proposed development, as noted in the table below:

<table>
<thead>
<tr>
<th>Development Standards</th>
<th>R-10 Single Family Residential Zoning District</th>
<th>Proposed as part of the PUD/Concept Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Setbacks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front Yard:</td>
<td>20 ft.</td>
<td>20 ft.</td>
</tr>
<tr>
<td>Rear Yard:</td>
<td>15 ft.</td>
<td>12.5 ft. (requested reduction of 20%, not approved by the Commission, applicant only proposes reduction for Lot 17)</td>
</tr>
<tr>
<td>Aggregate Side Yard:</td>
<td>20 ft.</td>
<td>20 ft.</td>
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<tr>
<td>Interior Side Yard:</td>
<td>5 ft.</td>
<td>5 ft.</td>
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<tr>
<td>Corner Side Yard:</td>
<td>15 ft.</td>
<td>15 ft.</td>
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<tr>
<td>Building Height</td>
<td></td>
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</tbody>
</table>
### Development Standards

<table>
<thead>
<tr>
<th>Maximum Building Height: 35 ft.</th>
<th>35 ft.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Number of Stories: 2.5</td>
<td>2 stories</td>
</tr>
<tr>
<td><strong>R-10 Single Family Residential Zoning District</strong></td>
<td><strong>Proposed as part of the PUD/Concept Plan</strong></td>
</tr>
<tr>
<td><strong>Lot Dimensions and Site Coverage</strong></td>
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<tr>
<td>Minimum Lot Width: 80 ft.</td>
<td>69 feet.</td>
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<tr>
<td>Minimum Lot Depth: 90 ft.</td>
<td>83 feet.</td>
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<tr>
<td>Minimum Lot Area: 10,000 s.f.</td>
<td>Varies to as small as 8,211 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>

It should be noted that the Planning Commission allowed a 20% reduction for Lots 3 and 4 for side and rear yards to accommodate the internal access from Lot 1 (the access would extend over Lot 3 and be adjacent to Lot 4).

In order to approve a Rezoning/PUD, findings pertaining to how the zoning/map amendments relate to the public interest, consistency with the General Plan, whether the project would be detrimental to the public health, safety and welfare and confirming CEQA compliance are required. Both Commissions have reviewed the project and have determined that the findings required for approval can be satisfied and an Initial Study/Mitigated Negative Declaration has been prepared for the project. The attached proposed City Council Ordinance, provide additional information regarding the required findings (Attachment 1).

### C. Concept Plan

Since the applicant is not proposing final architectural plans at this time, the proposed Concept Plan contains design guidelines that will guide future architectural design of the resulting residences on the property.

The applicant has provided preliminarily six floor plans, of which four have accessory dwelling units. Final sizes of the residences will be determined when the applicant submits for the associated Development Plan and Architectural Review Permit. As currently proposed, the
proposed residences would be a mix of one and two story buildings with single-story buildings designated adjacent to existing residences on Kelsey Court.

In the Concept Plan, the applicant notes that project architecture would be compatible with the existing architecture throughout the neighborhood, including a mix of farmhouse, modern ranch, prairie and contemporary craftsman styles with prominent front porch elements. The residences would have a mix of materials including board and batten, stone and brick veneer. Building colors are expected to be a mix of beiges and grays.

The proposed Concept Plan includes structures that would comply with building floor area ratio, building heights and setbacks of the R-10 zoning district, thus, it is not expected to overpower the existing setting. The Concept Plan does propose to increase the allowed lot coverage limitation from 30 to 35%. With the mix of smaller and larger lots, the project would have similar massing and appearance as other similar density development that is interspersed throughout the City.

1. Site Circulation/Parking

Access to the site is proposed via an internal private road with a single point of ingress/egress at the southwest corner of the site, from Pleasant Hill Road. The private road would have a circular pattern that would terminate at the southeast portion of the site in a cul-de-sac/turnaround. The planned layout would allow for emergency access out of the northern end of the site. All of the proposed lots, as recommended by the Planning Commission, would have access off of this private road.

The applicant’s preference is for the lot at the corner of Boyd and Pleasant Hill Road to have its own separate access directly off of Boyd Road to reduce the need for a lengthy vehicular access to get from this lot to the internal private roadway. Under the applicant’s proposal, this lot would have access solely from Boyd Road and would not have access from within the subdivision. The Planning Commission’s recommendation against the applicant’s proposal was due to the proximity to the Canal Trail crossing east of this lot, to ensure that the lot would have interior access to the open space amenities of the subdivision, and to minimize new driveways/curb cuts on surrounding major public streets.

The project plans also incorporate a sidewalk along the private road on one side, except near the central passive open space area, where a sidewalk would be located on both sides of the private street.

On-site Parking: Every lot would accommodate a two-car garage, and a two car driveway apron fronting each garage. Units with accessory dwelling units would have a third garage space.

On-Street Parking (private street): A total of 18 parking spaces would be available within the private road through the project site.

2. Conceptual Landscape Plan
The conceptual site landscaping plan incorporates street trees along the private road and enhanced landscaping along Pleasant Hill Road and at the entry into the project site. Individual residence landscapes would include a small lawn area, accent trees and shrubs. While it is uncertain whether this will comply with water efficient landscape provisions due to its conceptual nature, it is likely that the use of turf may result in the replacement of other low-water use groundcover. Fences are proposed at the side and rear of lots with a six foot high solid fence with wood lattice work, to be installed at side and rear yard for areas fronting Pleasant Hill Road. The enhanced landscaping proposed along Pleasant Hill Road would have clusters of trees interspersed with shrubs and ground cover. Within the Pleasant Hill Road right of way, the project proposes a new sidewalk with adjoining landscaping. The frontage along Boyd Road would include a new sidewalk and retention areas fronting Boyd Road. Lastly, the applicant is proposing to install a new landscape median within Pleasant Hill Road.

The project proposes to remove 91 existing trees, 68 of which are “protected” trees in accordance with the City’s Tree Preservation Ordinance. The Planning Commission and staff recommend that these trees should be noted as preserved until final building plans are submitted and/or when final grading plans prove preservation is not possible as these trees are all in healthy condition and may not be impacted by development that would require removal.

3. **Compatibility**

The areas surrounding the proposed subdivision include single family residential neighborhoods with R-10 zoning and Planned Unit Development projects with compact development. The site is also buffered to the east by the Contra Costa Canal. The project has a mix of smaller and larger parcels, but would not increase the density beyond the surrounding area, thus, with proposed single-family residences, the site appears to be compatible with the surrounding single-family residential neighborhood.

**D. Vesting Tentative Map**

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 appropriate findings must be made by the City Council prior to approval of the Major Subdivision - Vesting Tentative Tract Map.

The Planning Commission reviewed the Major Subdivision and determined that it would be consistent with the General Plan, would not require significant modifications to the sites physical condition, is consistent with the current density allowance, would not have negative effects on fish, wildlife or habitat, due to its urban location, would not cause public health concerns as discussed in the accompanying environmental document, and would not conflict
with any easements or access and not be subject to the California Land Conservation Act of 1965. The attached proposed City Council Resolution, provides additional information including information related to the specific findings for approval of the major subdivision (Vesting Tentative Map, Attachment 2).

E. Public Comments

Over the course of the planning review process, the following comments/concerns were voiced by the public:

1. Ensuring parking would not spill-over into adjacent neighborhoods.
2. Adequate park/open space for the area.
3. Excessive speed of vehicles along Pleasant Hill Road.
4. Negative effects from undergrounding of utilities and installing a sidewalk on the west side of the Pleasant Hill Road, largely consisting of impacts to properties on the western side of the street, including removal of existing landscaping and features (walls and fences).
5. A desire for access (pedestrian) across Pleasant Hill Road, in large part to access the Contra Costa Canal Trail. There is currently no designated pedestrian crossing on Pleasant Hill Road in this location.

In response to the concerns noted, the applicant has provided adequate parking to meet zoning ordinance provisions, including providing 18 on-street (private road) parking areas for use by the subdivision. The project would also provide common open space within the subdivision and will be required to pay park in-lieu fees as required by City ordinance. The applicant has also proposed installing medians within Pleasant Hill Road to help to slow traffic down along this portion of Pleasant Hill Road as a traffic calming feature.

There have also been concerns expressed by a few residents and the applicant about the installation of a sidewalk on the west side of Pleasant Hill Road. The Engineering Division has identified an estimated 450 LF of sidewalk gap closure along the western side of Pleasant Hill Road, from Kelsey Court to Boyd Road, to serve nearby residents and provide a lighted pedestrian crossing across Pleasant Hill Road to connect the easterly and westerly sidewalk. The cost of these improvements is estimated at $305,000. The installation of this new sidewalk on the westerly side of Pleasant Hill Road would be designed to minimize frontage improvement concerns to adjacent properties to the extent possible and would be constructed within the City’s existing public right of way. While the Planning Commission indicated that installation of the sidewalk and the accompanying crosswalk are a needed public benefit of the proposed Planned Unit Development, nearby residents are concerned that the new sidewalk could impact existing improvements in the public right of way adjacent to their properties, including existing landscaping. Thus, to address this concern the Engineering Division has noted an alternative public benefit in-lieu of the sidewalk and crosswalk:

"Allocate the $305,000 cost of the proposed improvements to other City priority capital improvement projects."
Thus, the City Council could consider the funding for these improvements as public benefits in place of the western gap closure sidewalk and crosswalk over Pleasant Hill Road as currently proposed.

F. Proposed Project Modifications After Planning Commission Review

The applicant has made minor modifications to the map and the project proposal since review by the Planning Commission. Some of the modifications were made in response to comments and recommendations made by the PC, others were made due to refinements of the map by the applicant. None of the modifications have resulted in changes to the proposed Concept Plan, including any of the proposed development standards. A summary of the changes is noted below:

1. Various lot sizes and dimensions have been slightly modified to accommodate the proposed building footprints and to accommodate the internal access for Lot 1 that was recommended by the Planning Commission. The general lay-out of the subdivision remains substantially the same as originally reviewed by the Planning Commission.

2. Lot 1 was also reduced in size due to the direction made by the Commission to provide a common open space amenity at the corner of Pleasant Hill and Boyd Roads. The applicant has provided additional information about the common open space area including installing enhanced landscaping and incorporating a plaque feature that would provide information of the past use of the property. It should be noted that the applicant is still requesting that access for Lot 1 be provided directly off of Boyd Road.

3. The PUD Concept Plan was modified to be consistent with PC recommendations.

4. The applicant has withdrawn the request to waive the undergrounding requirement.

5. Various Planning Commission proposed conditions of approval have been clarified, either in the proposed City Council conditions of approval or in the proposed PUD Concept Plan. The modifications are summarized below:

   a. Engineering condition related to installation of a raised crosswalk across Pleasant Hill Road and the internal private project roadway has been modified to require stamped concrete as the raised component could result in future maintenance and safety concerns (particularly on Pleasant Hill Road).

   b. Engineering condition related to providing both street and pedestrian lights on Pleasant Hill Road has been modified to require either one or the other type of light as appropriate and to meet specific engineering related lighting standards. This would provide increased flexibility while not overly illuminating this segment of Pleasant Hill Road.

   c. The PUD Concept Plan has been modified to note the inclusion of hardscape within the new median of Pleasant Hill Road. This would allow hardscape to be implemented in areas of the median that are too narrow to accommodate
d. The PUD Concept Plan has been modified to note that the City will maintain the proposed median within Pleasant Hill Road, consistent with other medians within City public right-of-way.

e. The PUD Concept Plan has been modified to include a provision that could allow a 20% rear yard (setback) reduction, for Lot 17 only, provided that the reduction would have a resulting project benefit including preservation of trees or improvements to the architectural design of the project.

Remaining Applicant Requests

While the applicant is in agreement with much of what is contained in the proposed PUD Concept Plan and project conditions of approval, the following are applicant requested project modifications:

1. A request to eliminate the requirement to construct a sidewalk (and a related crosswalk) on the west side of Pleasant Hill Road.

2. A request to allow Lot 1 to have access from Boyd Road rather than from within the subdivision.

The Planning Commission previously determined that these applicant-proposed modifications would result in a less desirable subdivision design (lot 1 access) and remove a significant public benefit and safety improvement (west side sidewalk and pedestrian crossing). It should be noted that if the City Council agrees with the applicant and allows access for Lot 1 from Boyd Road, then staff would recommend that the setback reduction for Lot 3 and 4 not be approved since this was allowed to offset the impacts of the vehicular access necessary to Lot 1. This vehicular access would not be needed if external access to Boyd Road is allowed.

G. CEQA

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared for this project and 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. 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 IS/MND, associated Mitigation Measure Monitoring and Reporting Program (MMRP) and Errata to the IS/MND are included as Attachment 7 (combined this constitutes the Final IS/MND). No public comments/responses were received during circulation of the Draft IS/MND.
FISCAL IMPACT

None.

PUBLIC CONTACT

Public Contact was made through posting of the City Council agenda on the City’s official notice bulletin board, in the City Clerk’s office, at the Pleasant Hill Library, and at the Pleasant Hill Police Department. In addition, posting of the project was completed at the project site, public notice was provided on the City’s changeable message sign at City Hall, public notice was posted at the Pleasant Hill Senior Center, and a legal ad was published in the East Bay Times Newspaper at least ten days prior to the public hearing. The agenda and staff report are also posted on the City’s web page and are available in the City Clerk’s Office.

RECOMMENDED CITY COUNCIL ACTION

Introduce the Ordinance approving the PUD rezoning and related Concept Plan and adopt the Resolution approving the Major Subdivision/Vesting Tentative Map and accepting the Planning Commission’s recommendations. Note that final approval of the Major Subdivision/Vesting Tentative Map would be subject to final adoption of the related PUD ordinance.

ALTERNATIVES TO RECOMMENDED ACTION

1. Adopt the Resolution and Introduce the Ordinance with Modifications.
2. Continue the item to a later meeting date with direction provided to City Staff.
3. Do not adopt the resolution and introduce the ordinance.

ATTACHMENT(S):

1 – Proposed Ordinance (including Proposed PUD Concept Plan and Rezoning Map)
2 - Proposed Resolution (including Conditions of Approval)
3 - Project Plans: Vesting Tentative Map
4 - Applicant Information
5 - Architectural Review Commission Resolution No. 01-18
6 – Planning Commission Resolution No. 06-18
7 - 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 – Biological Resources Assessment
   • Appendix Part 2 – Cultural Resources Survey Report
   • Appendix Part 3 – Geotechnical Investigation
   • Appendix Part 4 – Phase I Environmental Site Assessment
   • Appendix Part 5 – Detention Analysis
8 - Pleasant Hill Road Corridor Concept Study
9 - Outside Agency Comments
10 - Public Hearing Notice
11 – Location Map
12 – Public Comment Letters

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