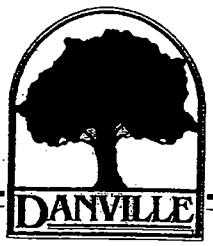

"Small Town Atmosphere Outstanding Quality of Life"

May 20, 2010

Cathy E. Creswell, Deputy Director
Department of Housing & Community Development
- Division of Housing Policy Development
1800 Third Street, Suite 430
PO Box 952053
Sacramento, CA 94252-2053

Dear Ms. Creswell:

This letter responds to the Department of Housing and Community Development "Review Letter" dated March 22, 2010 (see Attachment A) which passed on the Department's comments on the Adopted Danville 2007-2014 Housing Element (the "Adopted Housing Element").

In response to the Town of Danville's submittal of the Draft Danville 2007-2014 Housing Element (the "Draft Housing Element") on July 21, 2009, the Department of Housing and Community Development (HCD) issued a "Review Letter" dated September 17, 2009 (see Attachment B) passing on its review comments on the document.

Based on HCD's comments on the Draft Housing Element, Danville forwarded a copy of the Revised Danville 2007-2014 Housing Element (the "Revised Housing Element") to HCD in November, which was received by HCD on November 25, 2009. The Revised Housing Element responded to all the comments contained in the September 17, 2009 "Review Letter". The HCD-prompted edits made to the draft Danville 2007-2014 Housing Element were depicted in this document as strike-out/red-line edits. Each edit shown was accompanied with a "comment balloon" providing narrative explanation of the edits and indicating which HCD comment from the September 17, 2009 "Review Letter" was addressed in the edit.

In subsequent conversations between Danville Development Services Department – Planning Division staff (the "staff") and Jess Negrete, the HCD reviewer assigned to Danville, the Town was advised of HCD's general satisfaction with the scope and content of the Revised Housing Element. Mr. Negrete indicated he anticipated the need for additional discussion regarding aspects of the "Adequate Sites" shortfall analysis contained in the Revised Housing Element.

Unfortunately, despite efforts made to contact Mr. Negrete, discussion on that topic area did not occur prior to the Town Council's approval of the Housing Element on December 15, 2009. Given changes to the Draft Housing Element prompted by HCD's September 17, 2009 "Review Letter", the Town felt confident that any prior reservations HCD had regarding the "Adequate Sites" shortfall analysis would be addressed to HCD's satisfaction in the Adopted Housing Element.

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The Adopted Housing Element was forwarded to HCD on December 22, 2009. Within the transmittal letter accompanying the document (see Attachment C) HCD was advised that the differences between the Revised Housing Element and the Adopted Housing Element were extremely limited. The transmittal letter indicated that the changes were limited to additions and deletions to Table 34 of the document ("Preliminary Site Listing for Increased Densities"). The transmittal letter advised that the Town Council's adoption action included a decision to delete seven sites from the Table 34. The transmittal letter continued by explaining that all seven sites removed were sites indicated for consideration for changes to less than a 20 units per acre land use designation. This information was supplemented in the letter with detailed discussion about the addition of a new site to Table 34. The added site, Site H-26 on the table, more than counterbalanced any effects the deletion of the seven sites would have relative the "Adequate Sites" shortfall analysis.

The transmittal letter indicated that Site H-26 was placed on Table 34 in acknowledgement that the site was actively being marketed for redevelopment for multi-family residential use. The Town advised HCD that the property owner had indicated that the partially occupied office facility that occupies the property was a "fully depreciated commercial activity." He had further indicated that he was not anticipating being able to secure full occupancy of the project in the foreseeable future, reflecting uncharacteristically high office vacancy rates in San Ramon's nearby 400-plus acre Bishop Ranch Office Park, and that residential builders were interested in the property for redevelopment with a for-rent, market rate multi-family residential project containing 125 to 175 units.

The transmittal letter indicated that the addition of Site H-26 took the aggregate acreage of the nineteen remaining sites on Table 34 to just under forty acres. Importantly, the letter indicated that over 26 acres of the land involved had been preliminarily cited as candidate sites for consideration of a 25 units per acre minimum density land use designation. The 25 units per acre minimum density land use designation is the designation needed to address the 7.9 acre "Adequate Sites" shortfall for the extremely low and very low income household portions of Danville's RHNA. With the changes made to Table 34, there remained greater than 3:1 match of sites to be reviewed-to-minimum acreage to be supplied. The transmittal letter also advised that several of the sites cited for consideration for higher density use were already engaged with either a developer-sponsored general plan amendment request (i.e., Sites H-24 and H-25) or were topics of ongoing pre-submittal discussions with the Town for such land use designation change (i.e., Sites H-3, H-11, H-18, H-19 and H-26).

HCD, by way of the "Status Letter" dated January 13, 2010 (see Attachment D), advised Danville that it had elected to reset the 90-day statutorily mandated review period for Danville's housing element to run from the receipt of Adopted Housing Element received on December 22, 2009 - as opposed to tying the 90-day review to HCD's receipt of the Revised Housing Element received on November 25, 2009. Resetting the review period extended the allowable review period out another month, taking it to March 22, 2010. While the extension of the review date was a concern to Danville, those concerns were softened by the commitment forwarded in the

"Status Letter" that HCD would "continue to work with Danville to expeditiously review the element".

The next contact made by HCD staff was in the form of phone conversations commencing in the second week of March, 2010 - roughly 100 days after the Town's submittal of the Revised Housing Element to HCD. Mr. Negrete advised staff of HCD's concerns regarding the nature and extent that the housing element looked to second dwelling units to meet Danville's share of lower income housing for the 2007- 2014 planning period. Specifically, concerns were voiced regarding projected housing production involving future second dwelling units - as expressed in Table 32- Projected Housing Production for 2007-2014 RHNA by Product Type, Table 33- Projected Housing Production for 2007-2014 RHNA by Income Level, and Table 38 - Quantified Objectives. Despite having a very limited amount of time to react to the newly identified concerns, Danville successfully addressed the concerns by arranging to have comment letters sent to HCD from residential developers and locally knowledgeable real estate agents that spoke directly to the concerns that had been raised. The letters served to attest to the reasonableness of the second dwelling unit assumptions forwarded in the Adopted Danville Housing Element.

While the mid-March telephone conversations had indicated there might still be HCD concern relative aspects of the "adequate sites analysis", comments regarding that topic area and comments regarding SB 2 and emergency shelters were not supplied to Danville until the "Review Letter" dated March 22, 2010 was faxed to Danville. As indicated above, March 22, 2010 constituted the final date of the 90-day statutorily mandated review period for Danville's Revised Housing Element. March 22, 2010 marked 120 days since HCD had received a copy of the Revised Housing Element.

Obviously the Town had no opportunity to address review comments that were not surfaced prior to the receipt of the March 22, 2010 "Review Letter". Waiting until the final day of the statutory review period to pass on new review comments does not, in Danville's estimate, align with HCD's previously expressed commitment to work "to expeditiously review the element."

As indicated above, the March 22, 2010 "Review Letter" forwarded comments on two topic areas.

The comments regarding SB 2 and emergency shelters read as follows:

> Emergency Shelters (Programs 3.2.3 and 3.2.4): While the element now clarifies emergency shelters will be permitted without discretionary action, Programs 3.2.3 and 3.2.4 must still be revised to commit to only subject shelters to the same development and management standards that apply to other allowed uses within the identified zone. Please see the Department's prior review.

For context, HCD's comment regarding SB 2 and emergency shelters in the September 17, 2009 "Review Letter" was as follows:

(Comment #A.2. – Page 2) Emergency Shelters:
Policy 3.2 proposes to identify a zone and/or overlay districts where emergency shelters will be permitted through a ministerial permit process. However, pursuant to Chapter 633, Statutes of 2007 (SB2), the element must specifically indentify the zone(s) under consideration and demonstrate the capacity of the zone(s) to accommodate the need for emergency shelters. In addition, it should include an analysis demonstrating the appropriateness of the zone(s) for emergency shelters. See Department's SB 2 technical assistance memo at http://www.hcd.ca.gov/hpd.housingelement2/SB2memo071708 final.pdf

(Comment #B.1. – Page 3)
Policy 3.2 (Emergency Shelters): The Policy should identify the zone(s) where emergency shelters will be permitted without discretionary review and commit to only subject shelters to the same development and management standards that apply to other allowed uses within the identified zone.

As recommended by the September 17, 2009 comments, staff reviewed the referenced assistance memo. Additionally, knowing that the City of San Ramon and Contra Costa County both had draft housing elements in for HCD review, staff also reviewed their draft elements and the HCD "Review Letters" they had respectively received as a means to seek further direction on the appropriate format and content of both narrative discussion and policy language pertaining to SB 2 and emergency shelters.

The Town clearly understands that it is obligated, through the work programs set forth in Programs 3.2.3 and 3.2.4 of the Adopted Housing Element, to "meet the intent and requirements of SB 2 regarding zoning requirements for emergency shelters." Danville's policy makers are aware of this obligation based on their review and acceptance of the comment balloon on Page 53 of the Revised Housing Element – which forwarded the above-cited language for Town Council consideration. It is reasonable to assume that committing to "only subject shelters to the same development and management standards that apply to other allowed uses within the identified zone" (HCD's language from the March 22, 2010 "Review Letter") is one and the same as committing to "meet the intent and requirements of SB 2 regarding zoning requirements for emergency shelters" – which Danville has committed to do through the cited work programs.

The language inserted into the Revised Housing Element regarding SB 2 and emergency shelters was intended to address, on a point-by-point basis, the comments that had been raised in HCD's "Review Letter" dated September 17, 2009. Additions and revisions made both to the narrative language (see Page 53 of the Revised Housing Element) and to the policy language (i.e., Policy 3.2 on Pages 125 and 126 of the Revised Housing Element) were made with full knowledge that SB 2 would restrict the review of any proposed emergency shelter, after the requisite zoning changes are made, to a ministerial permit that would limit such a shelter to "development and management standards that apply to residential or commercial uses within the same zone" and to development and management standards that must be "objective and encourage and facilitate the development of, or conversion to, emergency shelters".

Based on a review of HCD's website, the Town is aware that the housing elements for both the City of San Ramon and for Contra Costa County have been certified by HCD. A review of the policy sections of those two certified housing elements that pertain to SB 2 and homeless shelters reveal no substantive differences when compared to Policy 3.2 of Danville's Adopted Housing Element.

Danville's operative language in the Comment Section for Policy 3.2 reads "In recognition of Senate Bill 2 (enacted in 2007), the Town's zoning regulations will need to be amended to make emergency shelters a permitted use upon issuance of a ministerial permit." Accompanying Program 3.2.3. reads "Consistent with SB 2, and within one year of adoption of the 2007-2014 Housing Element, initiate and complete a zoning text amendment to amend Danville Municipal Code to permit the establishment of emergency shelters through a ministerial permit process within DBD: Downtown Business District – Area 3 Old Town Mixed Use, with such review verifying there is sufficient capacity to accommodate the need for the emergency shelter and to develop at least one shelter." (*Emphasis added*)

Taken collectively (i.e., the "Comment" and "Programs" sections of Policy 3.2), Danville's policy section pertaining to SB 2 and emergency shelters matches more than favorably with San Ramon's policy language (i.e., Program 24. Emergency Shelter on Page 11-97 of San Ramon's adopted housing element). San Ramon's policy language relative to SB 2 and emergency shelters is arguably more generalized in nature, committing the City to amend the zoning ordinance to "allow emergency shelters with a ministerial permit within the CT zone pursuant to SB 2 enacted in 2007." (*Emphasis added*)

Contra Costa County's policy language (i.e., Program Summary 27 – Review Zoning & Subdivision Ordinance on Page 6-115 of their housing element) is even more generalized in nature, reading simply "Revise Zoning Code to allow emergency homeless shelters by right…". (*Emphasis added*)

Where the policy language is linked to the narrative language, it is acknowledged that the County's housing element forwards language taken directly from the Department's SB 2 technical assistance memo as to "objective development and management standards for emergency shelters". Inclusion of language pertaining to development and management standards into narrative section of the housing element, does not, in and of itself, bind the County to insert the language into the zoning text amendment that may be ultimately adopted – as commitment of such inclusion is offset in the narrative language by the qualifier statement that "any text amendment will likely include specific requirements …". (*Emphasis added*)

Given the above, Danville maintains that it does not appear necessary or warranted that it spend six to eight weeks to take the Adopted Housing Element back to through public hearing before the Town Council, through the requisite noticed public hearing process, simply to amend the document to modify and/or expand either the narrative language or the policy language in regarding SB 2 or emergency shelters. Danville is definitely leery of amending the Adopted Housing Element if it means such action would start a new 90-day statutorily mandated review

period for HCD. It is Danville's sense that regurgitating SB 2 language and/or technical assistance memo language into the narrative and/or policy language does little more than cloud the current acknowledgement that the intent and requirements of SB 2 must be met through a zoning text amendment – which Danville has committed to do in a timely fashion by Program 3.2.3.

In an attempt to quell any remaining HCD concerns regarding this topic area, Danville commits to pass the draft language for the requisite zoning text amendment to HCD prior to its adoption, with this review opportunity supplied to provide HCD the opportunity to review and comment on the actual language that will be inserted into the municipal code regarding SB 2 and emergency shelters.

Danville has shifted gears from the a "housing element-preparation mode" to a "housing element-implementation mode" – as most directly evidenced by work completed to date with the update of the Danville 2010 General Plan and by numerous, ongoing, and detailed discussions with residential developers regarding housing opportunity sites to address the "Adequate Sites" shortfall analysis set forth in the Adopted Housing Element.

The second topic area in the March 22, 2010 "Review Letter" dealt with "Adequate Sites" analysis. Following framing commentary, the "Review Letter" forwarded the following concerns:

> Adequate Sites: The element identifies a shortfall of sites to accommodate the City's housing needs for lower-income households (221 units). To address this shortfall, the element identifies several candidate sites for rezoning (Table 34) and Programs 1.7.1. to 1.7.4. However, the element was not revised to commit to rezone sites that provide a minimum capacity of 16 units per site and several sites permit commercial use. This is particularly important since many sites in Table 34 do not allow 16 units per site and appear to require assemblage. This program should also clarify when sites will be rezoned since it only mentions when sites will be re-designated as part of the General Plan update. Please see Government Code Section 65583.2(h) on the previous page and the Department's prior review available on the website at http://www.hcd.ca.gov/hpd/hrc/plan/he/he.reviewletters/ccodanville091709.pdf
>
> In addition, pursuant to Section 65583(c)(B), the element must include an analysis of the suitability and availability of candidate sites for rezoning with all components specified in Section 65583.2. For example, the element should list existing uses for non-vacant sites and sufficiently demonstrate their potential for redevelopment and evaluate the extent to which existing uses may impede additional residential development.

The number and variety of sites identified on Table 34 – Preliminary Site Listing for Increase Densities of the Adopted Housing Element (see Attachment E), may have lead to HCD's concerns surrounding "Adequate Sites" discussion. In the end, there are clearly reasonable candidate sites for rezoning identified on the table, with enough sites identified to provide in

excess of a 3:1 buffer in meeting the 221 unit lower-income household need established through Danville's "Adequate Sites" shortfall analysis.

It is unfortunate that an opportunity for Danville to discuss the "Adequate Sites" concerns with HCD staff was not provided during the 120 days that HCD staff had the pertinent language available for review. The specific concerns HCD determined it had relative "Adequate Sites" following its 120-day review of the Revised Housing Element and the Adopted Housing Element were first revealed to Danville by way of receipt of a faxed copy of the March 22, 2010 "Review Letter", sent on the final day of the statutory review period.

The timing and manner these comments were transmitted is unfortunate as narrative and policy language contained both in the Revised Housing Element and the Adopted Danville Housing Element makes it resoundingly clear that Danville acknowledges:

(1) The presence of a shortfall of sites necessary to address the Town's housing needs for lower-income households – determined to be a 221 unit shortfall (refer to various narrative sections throughout the Adopted Housing Element and specifically to language contained in the "Comment" section for Policy 1.7);

(2) The need to amend its general plan to create the requisite 20 units per acre minimum density land use designation for the 34-unit shortfall for low income households portion of Danville's RHNA (refer to various narrative sections throughout the Adopted Housing Element and specifically to language contained in Program 1.7.1.);

(3) The need to amend its general plan to create the requisite 25 units per acre minimum density land use designation for the 187-unit shortfall for the extremely low households and the very low income households portions of Danville's RHNA (refer to various narrative sections throughout the Adopted Housing Element and specifically to language contained in Program 1.7.2.);

(4) The need to amend its zoning regulations to create zoning districts to align with the 20 units per acre minimum density and the 25 units per acre minimum density land use designations (refer to various narrative sections throughout the Adopted Housing Element and specifically to language contained in Policy 1.7 – which underscores the obligation to "amend… …zoning regulations…");

(5) The need to designate a minimum of 1.7 acres of land from the preliminary listing of sites for increased densities (i.e., from the sites listed on Table 34) to align with 20 units per acre general plan and zoning designations for the 34-unit shortfall for the low income households portion of Danville's RHNA so as to permit such lands "…to develop in this density range with owner occupied and/or rental multi-family uses by right (i.e., no conditional use permit, planned unit development application, or other discretionary review will be required to secure the right to pursue a development entitlement at this density range" (refer to various narrative sections throughout the Adopted Housing

Element, specifically to the language contained in Program 1.7.4. and language contained in "Comment [kjg35]" of the Revised Housing Element - which underscores the obligation to "...provide sites with zoning that permits... ...residential use by right for the indentified RHNA adequate site shortfall.");

(6) The need to designate a minimum of 7.9 acres of land from the preliminary listing of sites for increased densities (i.e., from sites on Table 34) to align with 25 units per acre general plan and zoning designations for the 187-unit shortfall for the extremely low income and very low income households portions of Danville's RHNA so as to permit such lands "...to develop in this density range with owner occupied and/or rental multi-family uses by right (i.e., no conditional use permit, planned unit development application, or other discretionary review will be required to secure the right to pursue a development entitlement at this density range" (refer to various narrative sections throughout the Adopted Housing Element, and specifically to language cited above and contained in Program 1.7.3., and to language contained in "Comment [kjg35]" of the Revised Housing Element - which underscores the obligation to "...provide sites with zoning that permits... ...residential use by right for the indentified RHNA adequate site shortfall."); and

(7) The need to initiate and implement the components of the work programs associated with Policy 1.7 early on in the planning period (refer to Attachment F - Processing Steps and Preliminary Schedule for the Preparation of the General Plan Update).

In hindsight it may have been clearer and easier to include on Table 34 only those sites that are direct candidate rezoning sites to accommodate the housing needs for lower-income households. That was not the direction chosen by Danville. Danville is now actively moving forward with the update to the Danville 2010 General Plan. The update to the General Plan serves as the work program to address the "Adequate Sites" shortfall indentified in the Adopted Housing Element.

Through a series of public hearings and study sessions, the Town Council has committed to review the merits of land use and zoning designation changes, through the General Plan Update, for all nineteen sites listed on Table 34 of the Adopted Housing Element.

As a means to both frame pertinent aspects of the General Plan Update process and to address points raised in HCD's March 22, 2010 "Review Letter", the following excerpt from the February 2, 2010 administrative staff report (ASR) is offered. This ASR, and the associated public hearing, served to kick off the General Plan Update process:

SIGNIFICANT POLICY-LEVEL ISSUES TO BE ADDRESSED

The most significant policy-level considerations identified to date are presented below.

Issues Associated with the adoption of the Danville 2007 - 2014 Housing Element

The Town was required by State housing law to update and adopt a revised General Plan Housing Element for the 2007-2014 housing element planning period. The update is required to be consistent with the currently approved General Plan, satisfy all State regulations and California Housing and Community Development Department (CHCD) guidelines, and include State-specified components.

The Town Council approved the required update to its Housing Element on December 15, 2010, and the adopted Element is currently under review by CHCD.

The most significant work program items emanating from the Housing Element concern the shortage of adequate multi-family residential sites available for development within the Town. In recognition of Danville's Regional Housing Needs Allocation (RHNA) for the 2007 - 2014 planning period, the new Housing Element acknowledged Danville's obligation to identify and implement programs to assure provision of adequate sites for its very low and low income RHNA household assignments.

To provide adequate sites, the new General Plan will need to add new land use categories of appropriate minimum density standards to allow for denser development. Adding new land use categories into the General Plan creates an obligation to revise the zoning ordinance to provide internal consistency between the General Plan and zoning regulations. This process will include determining which properties will receive the new, higher density multi-family residential land use and zoning designations. (*Emphasis added*) These changes would allow multi-family projects at higher residential densities than have historically been present in Danville.

The sites necessary to address Danville's RHNA shortfall of extremely low and very low income households will require a 25 units per acre minimum development density; sites required to address Danville's RHNA shortfall of low income households will require a 20 units per acre minimum development density. Analysis in the new Housing Element identifies the need for a minimum of 7.9 acres with the 25 units per acre minimum density and a minimum of 1.7 with the 20 units per acre minimum density.

To help frame and direct the discussion on new, higher density multi-family sites, a list of potential site options was included in the adopted new Housing Element. That list identified nineteen "opportunity sites" that would exceed the minimums needed to address the RHNA adequate sites-shortfall. Through the General Plan Update, and the associated environmental review, detailed, site-specific analysis of each opportunity site will occur. Potentially significant impacts will be addressed on a site-by-site basis during this process.

There is significant frustration on Danville's end of the process due to the fact that HCD comments on "Adequate Sites" were passed on at the latest possible date – with no opportunity to discuss these concerns before the March 22 "Review Letter" was issued.

Danville is confident that all cited concerns could have been addressed to HCD's satisfaction if a chance had been provided to discuss the "Adequate Sites" issues before the "Review Letter" was issued. If such discussions had occurred, Danville could have clearly documented that HCD's 16 units per site minimum development potential standard was clearly understood and accounted for by Table 34 - there are more than adequate sites included on Table 34 to account for the review standard. If such discussions had occurred Danville could have also readily addressed HCD's concerns about the inclusion on Table 34 of non-vacant sites – as Danville could have readily demonstrated the potential for redevelopment of these sites and demonstrated that the existing uses will not serve as an impediment to their reuse with the requisite density residential development.

The March 22, 2010 "Review Letter" closes with the catch-all comment that the element "...must include an analysis of the suitability and availability of candidate sites for rezoning with all components specified in Section 65583.2." It is extremely unfortunate that more precise direction was not provided than this catch-all comment given the 120 days that were available for review. This comment leaves Danville with a sense that it has no option but to speak to each and every entry on Table 34. As such, the remainder of this letter discusses each of the sites shown on Table 34 – including discussion of the seven sites removed on December 15, 2009. Such discussion is supplied to document there are more than sufficient sites to address the intent and requirements of the "Adequate Sites" analysis.

Site-by-Site Analysis of Housing Opportunity Sites

It is noteworthy that six sites removed from Table 34 with the Town Council's adoption of the Danville 2007-2014 Housing Element on December 15, 2009 (i.e., **Sites H-1, H-4, H-5, H-10, H-13, and H-14**) were candidate sites for lower density ranges than would be necessary for the 221-unit "adequate site shortfall" identified in the housing element. Only sites that were preliminarily indicated on Table 34 for consideration for 20 units per acre minimum density or 25 units per acre minimum density were considered to be sites that would address the "adequate site shortfall". The six candidate rezoning sites cited above that were removed on December 15, 2009 were shown for consideration for lower density ranges - specifically being the density ranges of 4-8 units per acre, 8-13 units per acre, or 13-20 units per acre. It is acknowledged that all six of these sites failed to meet HCD's 16 units per site minimum development potential standard as the sites were aggregations of properties where all properties included were less than 0.8 acres in size. This fact is irrelevant as the six sites were dropped from the list and were never considered by Danville as candidate rezoning sites under the "Adequate Sites" shortfall analysis.

The seventh and final site dropped on December 15, 2009 (i.e., **Site H-20**) was preliminarily listed as a candidate rezoning site for either the 13-20 units per acre or the 20-25 units per acre designation. As such it could have provided housing at the requisite minimum density through redevelopment from the current office uses if it had garnered the 20 units per acre minimum density standard to be established for the new 20-25 units per acre land use designation. Since the site is only 0.8 acres in size (i.e., capable of yielding 16 units at the 20 units per acre

minimum density standard), it would not have met HCD's 16 units per site minimum development potential standard as the site is an aggregation of two abutting properties.

Given the above comments, none of the seven candidate rezoning sites that were removed from Table 34 on December 15, 2009 would have met HCD's requirements to serve as candidate rezoning sites to accommodate Danville's housing needs for lower-income households. These sites effectively were superfluous sites relative the "Adequate Sites" shortfall analysis. If they had been retained on the list, these sites would have effectively been "value added sites" – i.e., sites that did not align directly with the "Adequate Sites" shortfall analysis but sites that could potentially have lead to a net increase in total housing units developed in the Town. As previously indicated to HCD, all seven sites were removed from consideration (i.e., removed from Table 34 of the Adopted Housing Element) in response to public testimony received by the property owners of the sites at the Town Council meeting on December 15, 2009.

One site that was retained on Table 34, also cited for consideration only for lower density ranges, was **Site H-15**. Site H-15 (Ilo Lane) is an aggregation of ten properties, ranging individually from 0.30 to 0.68 acres in size (4.00 acres in aggregate size). The properties included in Site H-15 are held by ten separate property owners. Uses in Site H-15 are single family residences and accessory structures generally dating from the late 1940's to the mid 1970's (there is one 1994-era residence). It is acknowledged that the site fails both HCD's minimum density standard and HCD's 16 units per site minimum development potential standard. The site is considered a "value added site" as regards development potential, with its inclusion seen as potentially providing flexibility to current or future property owners for possible future use of the properties comprising the site. Based on the considerations cited above, the site remains viable housing opportunity site for either for the 2007-2014 planning period or the subsequent planning period.

Three of the sites that were retained on Table 34 (i.e., **Sites H-6, H-7 and H-8**) are arguably candidate rezoning sites for denser residential use or for redevelopment with mixed uses including a residential-over-commercial component. They were included on Table 34 as candidate rezoning sites both because of their location in the Downtown area and because of the relative age, size and condition of current uses occupying the sites.

Policy 1.2 of the Adopted Housing Element was established in part with these sites in mind. The current underlying land use and zoning regulations for the north end of the Downtown Area, where all three sites are located, limits development to a 50% floor area ratio (FAR) maximum and requires projects to be self-parked (i.e., these sites are not allowed to depend on municipal parking facilities for any of their required parking). In an effort to spur redevelopment activity for the north end of the Downtown Area, the land use and zoning regulations for these sites were modified for a three year period from 2005 through 2008 to allow development with FARs of up to 80% and to allow up to a 50% dependency on municipal parking facilities. The interim regulations took the form of the Downtown Business District (DBD) – Area 11 Special Opportunity Sites designation in a 2005 general plan amendment and zoning action. Under the Area 11 regulations (which expired in 2008 to reflect a consciously included "incentive-based" sunset clause that had been imposed to spur redevelopment), FARs in excess of 100% could be

obtained where projects provided on-site parking to cover the enhanced development (i.e., to cover parking demand beyond the otherwise applicable 80% FAR maximum).

The DBD - Area 11 regulations remain in effect on selected properties in the Downtown. One of the sites carrying the Area 11 regulations (identified as Site B-4 on Table 29 – Sites Available for Residential Development with Land Use and Zoning Designation) submitted formal application for a mixed-use redevelopment project in response to receiving the DBD - Area 11 designation. That project, identified as the Danville Hotel project, would provide for redevelopment of a 0.8 acre portion of the parent property with a mixed use, residential-over-commercial project. The project is currently envisioned to include up to 16 for-rent or for-sale residential units.

The inclusion of Policy 1.2 in the Adopted Housing Element reflects a conscious commitment by Danville to revisit development incentives offered through DBD - Area 11 regulations for properties in need of redevelopment in the Downtown Area. The submittal of a formal application involving the Danville Hotel property documents the economic feasibility of projects of this size coming forward on lands that are underdeveloped and/or are occupied by aging commercial structures.

To further facilitate redevelopment in the north end of the Downtown Area, the Danville Community Development Agency purchased two separate properties located in the area (one located within the aggregation of properties constituting Site H-6 and one within the aggregation of properties constituting Site H-8). These properties were purchased with the intent of having them combined into future privately initiated redevelopment projects which secured development control of an appropriate number of surrounding properties.

Danville has also committed to a significant capital improvement program in the area which would provide street upgrade and widening; installation of new curb, gutter and sidewalk improvements; installation of new street lights; and other street beautification and parking improvements. This approved capital improvement project is seen as an outward expression of the Town's commitment to facilitate the area's redevelopment.

Attachments G, H and I provide supplemental information regarding Sites H-6, H-7 and H-8. The information furthers the observation that the three sites, each an aggregation of from four to eight individual properties, is a candidate for redevelopment because of the relative age, size and condition of current uses occupying the component properties. As indicated in the respective sections of the tables labeled "Potential Development Scenario 2", each site is adequate in size to accommodate a residential-over-commercial component that would provide for a minimum of sixteen residential units. Since the sites are made up of individual properties that are all less than 0.8 acres in size, it is acknowledged that Sites H-6, H-7 and H-8 do not qualify under HCD's 16 units per site minimum development potential standard. Regardless, especially in the light of the pending development application on the Danville Hotel property, these sites remain viable housing opportunity sites for the Town for the 2007-2014 planning period.

Three additional sites that were retained on Table 34 (i.e., **Sites H-9, H-11 and H-22**) are Downtown sites that have also been identified to have potential for future reuse with relatively dense residential uses or for redevelopment with mixed use with a residential-over-commercial component.

Site H-9 is a portion of the 4.1 acre Town-owned Railroad Avenue Municipal Parking Lot. General plan and zoning changes made over the last decade along the Railroad Avenue corridor, coupled with significant Town infrastructure investment in the area by way of capital improvement program expenditures, underscore the Town's long term vision to see redevelopment activity along the corridor that would replicate the level of development present along Danville's main commercial street. That abutting street, Hartz Avenue, is occupied with mixed use structures developed at 80% to 120% FARs, a range, considered adequate to accommodate mixed use projects involving a residential-over commercial component. During the past decade, the Town has twice been approached by locally-based residential developers concerning the prospects of placing a mixed use project on a portion of the Railroad Avenue Municipal Parking Lot. The complexity of such a project (would likely necessitate the development of a parking deck on the remainder portion of the municipal lot) kept the proposal from moving forward from conceptual discussions. It is assumed that the economic viability of such a project will improve over time. Such development would be desirable to the Town in terms of its impact on the envisioned end-state development condition for Railroad Avenue. This means there is a reasonable likelihood that a viable private-public project could emerge sometime in the future. Attachment J provides generalized description of a possible private/public partnership that would lead to three new, abutting structures with ground floor retail use and with an aggregate of 17 residential-over units. Such a project assumes relocation of the high pressure fuel line running through the municipal lot (as was done for the adjoining Iron Horse Plaza Shopping Center project) and the development of a three-level parking deck. The size and mix of the uses preliminarily depicted would result in a "push" on parking with the addition of the parking deck.

Site H-11 is an aggregation of six properties held by four property owners and totals 1.2 acres in size. Attachment K provides supplemental information regarding Site H-11. The aging structures on the properties (mid-1950's to early 1970's era) are dominated by transitional commercial uses (i.e., a body repair shop and a nightclub) and a 10-unit late 1950's era apartment project. Current aggregate development equates to a 35% FAR. As recently as within the past three years, the long term ownership interests for the northerly four properties have marketed the properties with a mind finding new buyers interested in the properties for redevelopment purposes. This corner lot aggregation of properties is located at the south fringe of the Downtown core. It shares a common boundary with transitional residential uses to the northwest (i.e., a residential day care facility to the northwest). The then prospective developers engaged in discussions to purchase the property met with the Town to discuss the viability of their planned project and to seek direction on the planning process that would be utilized for a mixed use project with a residential-over component. The preliminary concept plans depicted a range of 16 to 24 multi-family for-rent units. Since the site is made up of individual properties that are all less than 0.8 acres in size, it is acknowledged that Site H-11 does not qualify under

HCD's 16 units per site minimum development potential standard. However, based on the considerations cited above, the site remains a viable housing opportunity site for the Town for the 2007-2014 planning period.

Site H-22 (DeBolt/Ryness – SRV Blvd. & Podva Lane) is a two-parcel/two-owner aggregation of properties totaling 1.2 acres in size. Attachment L provides supplemental information regarding Site H-22. The structures occupying the properties making up the site are closing in on the end of their economic life. The structures are mid-1970's to early 1980's Class B office construction. The age and condition of the structures, coupled with the long term ownerships of these properties, mean the development on the properties is likely close to full depreciation. The site has a low, but reasonable, current development yield, for self-parked office uses, at just below 30% FAR. Staff has had preliminary contact with the property owners (to indicate that the properties have been placed on the listing of sites for consideration for residential uses) but no preliminary analysis or discussion has occurred to date relative possible redevelopment of the properties. This corner lot site is located at the very south edge of the Downtown Area while sharing a common boundary multi-family uses lying to the south of the site. Since the site is made up of individual properties that are each less than 0.8 acres in size, it is acknowledged that Site H-22 does not qualify under HCD's 16 units per site minimum development potential standard. The site is considered a "value added site" as regards residential development potential, with its inclusion serving to potentially provide flexibility to the property owners for future reuse of the properties making up the site. Based on the considerations cited above, the site remains a viable housing opportunity site for either the 2007-2014 planning period or the subsequent housing element planning period.

One site that was retained on Table 34 cited for consideration for density ranges of either 13-20 units per acre or 20-25 units per acre - but was made up of individual properties that are all less than 0.8 acres in size - is **Site H-2**. Site H-2 (Valley View Court / La Gonda Way) is an aggregation of four properties, or portions of properties, totaling 2.1 acres in size held in ownership by four separate property owners. Uses in Site H-2 are single family residences generally dating from the late 1950's to 1980. Attachment M provides additional information regarding the site and identifies development options for reuse of the site that have been preliminarily identified by staff. The analysis also forwards basic "opportunity and constraint" considerations that would need to be addressed through any development entitlement review involving the site. It is acknowledged that the site fails both HCD's minimum density standard and HCD's 16 units per site minimum development potential standard. The site is considered a "value added site" as regards development potential, with its inclusion serving to potentially provide flexibility to the property owners for future reuse of the properties making up the site. Based on the considerations cited above, the site remains a viable housing opportunity site for either the 2007-2014 planning period or the subsequent housing element planning period.

Four sites that were retained on Table 34 cited for consideration for density ranges of either 13-20 units per acre or 20-25 units per acre - and were either individual sites $\geq$ 0.8 acres in size or were sites that were an aggregation of multiple properties where at least one member property was $\geq$ 0.8 acres in size - are **Sites H-12, H-16, H-23, and H-25.**

Site H-12 (Darby Office Facility) contains approximately 2.0 net developable acres. The estimated development area is net of the unbuildable creek area, which is deducted from the 3.2 acre gross parcel size to estimate development yield. The site is occupied by a marginal office facility, built in 1977 as a chiropractic office, temporarily used as church office headquarters, and relatively recently converted to its current real estate office use. The most recent building occupancy was made with limited upgrades to a building significantly hindered by the presence of a bunker-style basement component. Attachment N provides additional information regarding the site and identifies development options for reuse of the site that have been preliminarily identified by staff. The site meets both HCD's minimum density standard and HCD's 16 units per site minimum development potential standard. The size of the structure (which equates to less than 15% FAR yield), along with the layout and age of the structure, makes it a reasonable candidate for redevelopment. The current General Plan Update effort will include preparation of an environmental impact report (EIR). Consistent with Town Council directive, this site will be considered for reuse with a residential project in the 20-25 units per acre density range meaning a multi-family residential project in the range of 40 to 50 units will be considered for the site through the General Plan Update and associated EIR. *This site is a viable rezoning site during the 2007-2014 planning period. The site addresses, in part, the 1.7 acre "Adequate Sites" shortfall that has been identified for the low income household component of Danville's RHNA. As committed to by the work programs contained within the Adopted Housing Element, this site will be rezoned to allow multi-family residential use "by right" at the 20 units per acre minimum density standard if a change to the underlying land use and zoning designations are determined to be necessary through the efforts to update the Danville 2010 General Plan to fill the identified "shortfall" of land necessary for the low income household component of Danville's RHNA.*

Site H-16 (Parks Trust/Ilo Lane) is a freestanding 0.9 acre lot occupied by seven residential units/cottages ranging in size from 732 to 1,915 square feet that were built between 1960 and 1975. While the site meets both HCD's minimum density standard and HCD's 16 units per site minimum development potential standard is considered a "value-added" site rather than a candidate rezoning site to for the "Adequate Sites" shortfall. It is acknowledged that the existing uses on the site may represent an economic barrier keeping the site from redeveloping with a denser multi-family residential use, even if the site secured authorization through the pending general plan update process for such use. The size of the site would accommodate a doubling, or more, of the current number of residential units if the 20-25 units per acre designation were to be applied to the site. As a "value added site", its inclusion on Table 34 is seen as potentially providing flexibility to current or future property owners as regards possible future use of the site. Based on the considerations cited above, the site remains a viable housing opportunity site for either the 2007-2014 planning period or the subsequent housing element planning period.

Site H-23 (Schuler/Buckley & SRV Blvd. Medical Offices) is a 1.0 acre portion of the parking lot serving a four acre medical/dental complex considered to be underutilized in terms of parking-to-building area ratios. This portion of the parking lot is rarely utilized by customer or employee parking. Its primary use has been to serve as an overflow parking area for the church located on the abutting property to the south. The site shares a common boundary with two

smaller, underutilized multi-family sites (i.e., Site C-5 from Table 25 – Sites Available for Residential Development with Land Use and Zoning Designation). Whether developed in concert with one or both of the abutting one-third acre underdeveloped multi-family residential parcels, Site H-23 meets both HCD's minimum density standard and HCD's 16 units per site minimum development potential standard and therefore is a candidate rezoning site to address the "Adequate Sites" shortfall. The site has been recently topic of preliminary discussions between the Town and a local residential builder who indicated preliminary interest in pursuing a 20 unit apartment condominium use on the property. Attachment O provides additional information regarding the site, identifying development options for reuse of the site considered in the context of development occurring in conjunction with the development of the abutting two underdeveloped multi-family properties. Consistent with Town Council directive, this site will be considered for reuse with a residential project in the 20-25 units per acre density range meaning a multi-family residential project in the range of 20 to 25 units will be considered for the site through the General Plan Update and associated EIR. *This site is a viable rezoning site during the 2007-2014 planning period. The site addresses, in part, the 1.7 acre "Adequate Sites" shortfall that has been identified for the low income household component of Danville's RHNA. As committed to by the work programs contained within the Adopted Housing Element, this site will be rezoned to allow multi-family residential use "by right" at the 25 units per acre minimum density standard if a change to the underlying land use and zoning designations are determined to be necessary through the efforts to update the Danville 2010 General Plan to fill the identified "shortfall" of land necessary for the low income household component of Danville's RHNA.*

Site H-25 (Casale/Camino Tassajara) is a 0.8 acre vacant single-ownership property located in the eastern half of Danville. The site shares a common boundary with the Camino Tassajara US Post Office facility and the Town of Danville Corporation Yard and sits across the street from a large child care facility ("Creative Learning Center"). While the site was shown on Table 34 for consideration for density ranges of either 13-20 units per acre or 20-25 units per acre, a joint Town Council – Planning Commission study session conducted regarding this site since the adoption of the housing element resulted in Town direction being given to the property owner to pursue a residential project at the lower end of the 13-20 units per acre density range in acknowledgement of significant slope gradient challenges present on the site. Specifically, the discussion at the study session pointed to support of a "motor court" product providing 10 units on the site – which converts to a 13 units per acre yield. The property recently was transferred from public ownership (it had been deemed to be an excess property by the US Post Office), being purchased with the intent for residential development. A "motor court" residential project will necessitate a change to the site's underlying land use designation, which is currently Residential – Rural Residential and restricts the property to a single residence. This site is considered a "value added site" as regards development potential as the likely development of site will fall below the HCD minimum density standard. Based on the considerations cited above, the site remains a viable housing opportunity site for either the 2007-2014 planning period.

Two sites that were retained on Table 34 and cited for consideration for density ranges of either 13-20 units per acre or 20-25 units per acre are currently occupied by aging for-rent multi-family projects. The sites (**Sites H-17 and H-18**) were added to Table 34 in response to requests for inclusion by the respective property ownership groups of the two properties.

Site H-17 (Danville Park Apartments) contains approximately 3.8 acres net developable acres. The estimated development area is net of unbuildable creek area which has been deducted from the 5.9 acre gross parcel size to estimate development yield. The site has a mix of unit types but is dominated by 1960-era walk-up apartments. The site ownership has a direct affiliation with a local residential builder (i.e., Braddock & Logan Group). The current ownership group has not formulated any long term plans for the property but did request the site's inclusion on Table 34. Such inclusion is appropriate given an acknowledgement that the site is underutilized (when compared to current development yields for walk-up apartments) and given the condition of the past-their-prime units. The site is considered a "value added site" as regards its redevelopment potential, with its inclusion on Table 34 seen as appropriate to provide flexibility to current or future property owners as regards possible future redevelopment of the site. Regardless, and as based on the considerations cited above, the site remains viable housing opportunity site for either for the 2007-2014 planning period or the subsequent planning period.

Site H-18 (Danville Court Apartments) contains approximately 1.8 net developable acres. The estimated development area is net of the unbuildable creek area, which has been deducted from the 2.1 acre gross parcel size to estimate development yield. The site is occupied by 1960-era walk-up apartments (46 total units). The site's underlying land use and zoning (i.e., DBD – Area 6 Offices) make the current use a legal non-conforming use. The site ownership group has recently linked up with a potential redevelopment partner (i.e., JRS Realty Partners). By way of a series of meetings and associated follow-up discussions between staff and the JRS representative, the property ownership group has indicated a desire that the site redevelop with a for-rent multi-family use. Attachment P-1 provides additional information regarding the site and identifies development options for reuse of the site that have been preliminarily identified by staff. Attachment P-2 is a copy of the most recent exchange of information that between staff and the JRS representative pertaining to the possible redevelopment of the site. This attachment is forwarded to underscore the desires of all parties to find a way to accommodate redevelopment of the site. Above and beyond needing to change the land use and zoning designations to accommodate redevelopment with multi-family residential uses, it is anticipated that redevelopment of the site would likely invoke a density bonus approach so as to create enough economic return to justify moving forward. Based on current and ongoing discussions, it is a reasonable assumption that the site could move up from the current 46 unit count to a range of 63 to 85 units (converting to a range of 35 to 47 units per acre). *This site is a viable rezoning site during the 2007-2014 planning period. The site addresses, in part, the 7.9 acre "Adequate Sites" shortfall that has been identified for the extremely low income and very low income household components of Danville's RHNA. While needing to account for replacement units in the development yield "math", it is reasonable to assume that planning entitlements to allow redevelopment of the site would be pursued within the 2007-2014 planning period and that such redevelopment would result in a range of 17 to 39 net new additional units contained in a project*

built in the 35 to 47 units per acre density range. As committed to by the work programs contained within the Adopted Housing Element, this site will be rezoned to allow multi-family residential use "by right" at the 25 units per acre minimum density standard if a change to the underlying land use and zoning designations are determined to be necessary through the efforts to update the Danville 2010 General Plan to fill the identified "shortfall" of land necessary for the extremely low and very low income household component of Danville's RHNA.

Site H-3 (GMMR and adjoining properties), retained on Table 34 cited for consideration for density range of either 20-25 units per acre or 25-35 units per acre, is an aggregation of seven individual properties and includes one large vacant property (i.e., the 1.6 acre GMMR property). The six abutting one-third acre properties are occupied by single family residences that generally date from the late 1950's to the mid 1960's (one of the six was constructed in 1980). The collective acreage is 3.5 acres with the larger parcel currently carrying a mixed use land use designation that allows either office use or multi-family residential uses in the 17-22 units per acre density range. Attachment Q provides additional information regarding the properties constituting the site and identifies development options for use that have been preliminarily identified by staff. The larger parcel was purchased at the start of 2008 by a residential developer with development experience in Danville. That ownership group purchased the property with the intent to develop it with either a for-sale or a for-rent multi-family residential uses. The other, smaller properties are currently designated for low density single family residential use. The owner of the larger property, with encouragement by the Town, has been actively seeking to gain ownership of at least the three most proximate one-third acre parcels and was successful in securing ownership of one those properties, expanding the acreage under single ownership to 1.9 acres. The residential developer in control of the paired properties indicated in March of 2010 that his successful completion of the planning entitlement process for another multi-family property in Town (i.e., the approval involving Site B-2 on Table 29 – Sites Available for Residential Development With Land Use and Zoning Designation for a nine-unit townhouse project on a 0.9 acre site) will allow him to shift attention to initiating the planning entitlement process for Site H-3. If the paired properties secure an entitlement separate from the remaining five properties making up Site H-3, the remaining acreage is of sufficient size and configuration to be considered under either one 1.6 acre project or two 0.8+/- acre multi-family residential projects. *The 1.9 acre sub-area of Site H-3 is a viable rezoning site during the 2007-2014 planning period. This sub-area of Site H-3 addresses, in part, the 7.9 acre "Adequate Sites" shortfall that has been identified for the extremely low income and very low income household components of Danville's RHNA. As committed to by the work programs contained within the Adopted Housing Element, this site will be rezoned to allow multi-family residential use "by right" at the 25 units per acre minimum density standard if a change to the underlying land use and zoning designations are determined to be necessary through the efforts to update the Danville 2010 General Plan to fill the identified "shortfall" of land necessary for the extremely low and very low income household component of Danville's RHNA.* The remaining five properties completing Site H-3 fall below HCD's 16 units per site minimum development potential standard. This sub-area of Site H-3 is considered a "value added site" as regards its development potential, with its inclusion on Table 34 seen as appropriate to provide flexibility to current or future property owners as regards possible future redevelopment of the site.

Regardless, and as based on the considerations cited above, the 1.9 acre sub-area of Site H-3 remains a viable housing opportunity site for the 2007-2014 planning period.

Three sites that were retained or added to Table 34 and cited for consideration for density range of either 20-25 units per acre or 25-35 units per acre (i.e., **Sites H-19, H-21 and H26**) are relatively large, underdeveloped commercial properties.

Site **H-19** (Stanley/Diablo Road) contains approximately 3.7 net developable acres. The estimated development area is net of the unbuildable creek area, which is deducted from the 4.3 acre gross parcel size to estimate development yield. The site is occupied by two-story Class B office space constructed in 1979. This office project, as is the case for many office projects in the Tri-Valley area, has a large vacancy rate with limited prospects of change given competition for office space in an area dominated by two large office parks (i.e., the Bishop Ranch Office Park and the Hacienda Office Park). Leases for office space in the project are generally for small tenant spaces (i.e., <2,000 square feet in size) and are generally on a month-to-month term to reflect the fact that the property ownership group has been passively marketing the property for reuse with multi-family uses for the past several years. This activity has spurred contacts with Danville staff by more than a dozen residential builders that have sought information regarding the site from the Town. The site's underlying land use and zoning is DBD – Area 6 Offices. Attachment R provides additional information regarding the property. *The age and condition of the office project, when coupled with the current and projected office market place conditions and the relatively low site yield (31% FAR) makes Site H-19 a viable rezoning site during the 2007-2014 planning period. The site addresses, in part, the 7.9 acre "Adequate Sites" shortfall that has been identified for the extremely low income and very low income household components of Danville's RHNA. As committed to by the work programs contained within the Adopted Housing Element, this site will be rezoned to allow multi-family residential use "by right" at the 25 units per acre minimum density standard if a change to the underlying land use and zoning designations are determined to be necessary through the efforts to update the Danville 2010 General Plan to fill the identified "shortfall" of land necessary for the extremely low and very low income household component of Danville's RHNA.*

Site H-21 (Danville Bowl) consists of 1.7 developable acres (includes small zone of anticipated right-of-way abandonment from Boone Court) that is occupied by a bowling alley constructed in 1961. The property abuts the west embankment of an elevated section of I-680, shares two boundaries with a medium density for-sale multi-family residential project, and is across Boone Court from a neighborhood shopping center. While no preliminary discussions regarding the reuse of the site have occurred, it is reasonable to assume the 50-year old commercial recreation use occupying the site is well past its prime and pressures to redevelop the site will soon express themselves. Attachment S provides additional information regarding the site and identifies development options for reuse of the site that have been preliminarily identified by staff. The analysis also forwards basic "opportunity and constraint" considerations that would need to be addressed through any development entitlement review involving the site. *The age and condition of the commercial recreation facility on the site makes Site H-21 a viable rezoning site during the 2007-2014 planning period. The site addresses, in part, the 7.9 acre "Adequate*

Sites" shortfall that has been identified for the extremely low income and very low income household components of Danville's RHNA. As committed to by the work programs contained within the Adopted Housing Element, this site will be rezoned to allow multi-family residential use "by right" at the 25 units per acre minimum density standard if a change to the underlying land use and zoning designations are determined to be necessary through the efforts to update the Danville 2010 General Plan to fill the identified "shortfall" of land necessary for the extremely low and very low income household component of Danville's RHNA.

Site H-26 (Crow Canyon Executive Park) is the 4.8 acre site added by the Town Council to Table 34 with their adoption of the Housing Element on December 15, 2009. This site has been discussed earlier in this letter. It is worth noting that more than ten proposals to purchase the property were considered by the property owner – with all proposals coming from residential builders who had the intent to redevelop the property with medium high to high density multi-family residential uses. The property is currently under option to Trumark Homes who is working with the Town to develop conceptual plans to redevelop the site at either end of the prospective 25-35 units per acre density range. Attachment T-1 provides additional information regarding the site and identifies development options for reuse of the site that have been preliminarily identified by staff. Attachments T-2 and T-3 are copies of the most recent exchange of information between staff and Trumark pertaining to the possible redevelopment of the site. While this communication pertains to a 25 units per acre Row House project (Trumark's preferred use for the site), Trumark is aware that the environmental review for Site H-26 will necessitate preparation and review of both a plan at the low and high ends of the 25-35 units per acre density range anticipated to be applied to the site. Trumark has preliminarily indicated that a project at the higher end of this density range may need to invoke a density bonus to make it viable in the current market (i.e., a for-rent residential project may not be viable given the specific economics of the site). Trumark has indicated its intent to supply preliminary plans depicting a project in the 42-47 units per acre range (being the density attainable after a 20% to 35% density bonus is applied to the 25-35 units per acre density range under consideration for the property). *The recent sale of this 4.8 acre property to a residential builder, coupled with the age and market position of the current use, documents the feasibility of reuse of Site H-26 and demonstrates that it is a viable rezoning site during the 2007-2014 planning period. This site addresses, in part, the 7.9 acre "Adequate Sites" shortfall that has been identified for the extremely low income and very low income household components of Danville's RHNA. As committed to by the work programs contained within the Adopted Housing Element, this site will be rezoned to allow multi-family residential use "by right" at the 25 units per acre minimum density standard if a change to the underlying land use and zoning designations are determined to be necessary through the efforts to update he Danville 2010 General Plan to fill the identified "shortfall" of land necessary for the extremely low and very low income household component of Danville's RHNA.*

The final site from Table 34 is **Site H-24** (Borel/Camino Ramon), encompassing a 3.3 acre portion of the16.7 acre former walnut orchard fronting along the north side of Fostoria Way and sandwiched between I-680 and Camino Ramon. The site is occupied only by a dilapidated residence and a couple of agricultural outbuildings. Table 34 assumes a minimum of 3.3 acres of

the 16.7 acre property would be by multi-family residential uses of sufficient density to allow it to be considered a viable rezoning site. The northerly 7.0+ acre portion of the property is subject of a pending General Plan Amendment Study (GPA Study) request. That request (LEG 07-01 GPA), was submitted by Corrie Development Corporation in 2007. Attachment U is a copy of the Town Council resolution authorizing initiation of the GPA Study and directing the applicant to include, among the land uses to be reviewed through the GPA Study, a development option involving a minimum of 3.3 acres with at a 30 units per acre minimum density development yield. LEG 07-01 GPA was deemed incomplete and is currently considered to be an inactive application. Despite not moving forward on LEG 07-01 GPA, Corrie Development Corporation has maintained its option position for the purchase of the property, having recently extended the initial five year option period for two additional years. While the original application submittal for LEG 07-01 GPA was generally consistent with the assumption that 3.3+/- acres would be for multi-family residential use, the most recent activity involving the northerly 7.0 acres has been discussions pertaining the possible use of the entire 7.0 acres for multi-family residential use. Whether development entitlements are processed by Corrie Development Corporation or some alternate development interest that secures control of the northern 7.0 acres, it is reasonable to assume that some measurable portion of the 7.0 acres will be developed with residential uses that would meet HCD's minimum density standards for the "Adequate Sites" analysis. *The purchase agreement in place for the 7.0 acre northern portion of the 16.7 parent property – coupled by formal submittal of General Plan Amendment Study request LEG 07-01 GPA that seeks, in part, to change a portion of the property's land use and zoning designations to accommodate multi-family residential uses, documents that Site H-24 is a viable rezoning site during the 2007-2014 planning period. A minimum of a 3.3 acre portion of the 7.0 acres under purchase option can be assumed to address, in part, the 7.9 "Adequate Sites" shortfall that has been identified for the extremely low income and very low income household components of Danville's RHNA. As committed to by the work programs contained within the Adopted Housing Element, a minimum of 3.3 acres of the 16.7 acre parent property will be rezoned to allow multi-family residential use "by right" at the 25 units per acre minimum density standard if a change to the underlying land use and zoning designations are determined to be necessary through the efforts to update the Danville 2010 General Plan to fill the identified "shortfall" of land necessary for the extremely low and very low income household component of Danville's RHNA.*

Summary and Conclusion

While not specifically indicated above on a site-by-site basis, any of the sites listed to be viable rezoning sites during the 2007-2014 planning period to address the "Adequate Sites" shortfall review for the 7.9 acre minimum "gap" that has been identified for the extremely low income and very low income household components of Danville's RHNA can default to become viable rezoning sites for the 1.7 acre minimum "gap" that has been identified for the low income household component of Danville's RHNA - if the site is ultimately determined to not be necessary or appropriate to serve the extremely low income and very low income housing "gap". As such, this letter focuses on underscoring the adequacy, both qualitatively and quantitatively, of the rezoning sites for the 7.9 acre minimum "gap" that has been identified for the extremely low income and very low income household components of Danville's RHNA.

Per the above analysis, and as supported by the attachments to this letter, Table 34 – Preliminary Site Listing for Increased Densities depicts, under even the most restrictive manner of review, 13.9 acres of viable rezoning sites to address the "Adequate Sites" shortfall review for the 7.9 acre minimum "gap" that has been identified for the extremely low income and very low income household components of Danville's RHNA. This is just short of a 2:1 ratio of "sites to be reviewed"-to-"minimum acreage to be supplied" - for even this most restrictive review context.

It is noteworthy that the five sites that make up the 13.9 acres of cited "viable rezoning sites" for the 25 units per acre minimum density standard (i.e., Sites H-3, H-18, H-19, H-21 and H-26) and the 3.7 acres cited "viable rezoning sites" for the 20 units per acre minimum density standard (i.e., Sites H-12, H-16 and H-23) are supplemented by additional sites on Table 34 that have the potential to meet the 20 units per acre and/or the 25 units per acre minimum density standards - but do not meet HCD's 16 units per property minimum development standard.

These sites (i.e., Sites H-6, H-7, H-8, H-11 and H-22), collectively involving another 6.1 acres, are composed of multiple properties where all component properties are too small to meet the 16 units per site minimum standard. In some cases the requisite aggregation to achieve the 16 units per site minimum standard means pulling only two properties together. In other cases three or four properties would have to be aggregated to meet the standard. For all five sites, the requisite aggregation to meet the standard is something that is definitely within the realm of probability of occurring and, as documented in this letter, is already in the works in some cases.

Given these facts, these additional five sites, despite not meeting HCD's 16 units per property minimum development standard, should be given some standing by HCD in the process of determining whether the 17.6 acres cited as "viable rezoning sites" (i.e., the combined acreage total for the cited 13.9 acre and 3.7 acre components) are adequate to meet the intent and requirements of the "Adequate Sites" analysis called for under Section 65583.2 of the Government Code. Discounting the development potential of these sites wholly would be, in Danville's eyes, unwarranted.

Danville feels that the analysis of the various candidate rezoning sites provided (both in the Adopted Housing Element and by this letter) should more than adequately document that Danville has defined a work program, and has set forth to fully implement the work program, to "accommodate 100 percent of the need for housing for very low and low-income households on sites that shall be rezoned to permit owner-occupied and rental multifamily residential use by right during the planning period."

Danville has effectively moved on from a "housing element-preparation mode" to a "housing element-implementation mode", as evidenced by work on the update of the Danville 2010 General Plan and by numerous, ongoing, and detailed discussions with residential developers regarding sites listed on Table 34.

Danville respectfully requests that HCD honor the prior commitment to making an "expeditious review" and contact us within three weeks of receipt of this letter to arrange a meeting at your office to iron out any remaining questions or concerns regarding the Danville 2007-2014 Housing Element.

Questions concerning this letter and the accompanying attachments may be directed to my attention at (925) 314-3305 at your convenience.

Sincerely,

Kevin J. Gailey, AICP
Chief of Planning

enc.

c: Town Council
Planning Commission
Joe Calabrigo, Town Manager
Rob Ewing, City Attorney
Jess Negrete - HCD

STATE OF CALIFORNIA -BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT
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September 17, 2009

Mr. Kevin Gailey
Chief of Planning
Planning Division
Town of Danville
510 La Gonda Way
Danville, CA 94526

Dear Mr. Gailey:

RE: Review of the Town of Danville's Draft Housing Element

Thank you for submitting Danville's draft housing element received for review on July 21, 2009. The Department is required to review draft housing elements and report the findings to the locality pursuant to Government Code Section 65585(b). A telephone conversation on September 8, 2009, with you, facilitated the review.

The Department applauds the Town's granting incentives to the Bridge Housing Senior Citizen and Willow Commons developments which provide housing opportunities for special needs populations. The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State housing element law (Article 10.6 of the Government Code). For example, the element must include an analysis of potential governmental constraints. The enclosed Appendix describes this and other revisions needed to comply with State housing element law.

The Department appreciates your cooperation and assistance during the course of the review and is committed to assisting Danville in addressing all statutory requirements of housing element law. If you have any questions or need additional technical assistance, please contact Jess Negrete, of our staff, at (916) 323-3185.

Sincerely,

Linda M. Wheaton
Cathy E. Creswell
Deputy Director

Enclosure

ATTACHMENT A

APPENDIX

TOWN OF DANVILLE

The following changes would bring Danville's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on the Department's website at www.hcd.ca.gov/hpd. Refer to the Division of Housing Policy Development and the section pertaining to State Housing Planning. Among other resources, the Housing Element section contains the Department's latest technical assistance tool *Building Blocks for Effective Housing Elements (Building Blocks)* available at www.hcd.ca.gov/hpd/housing_element2/index.php, the Government Code addressing State housing element law and other resources.

A. Housing Needs, Resources, and Constraints

1. *Include an analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected needs for all income levels, including extremely low-income households (Section 65583(a)(1)).*

   While the element quantifies the number of projected extremely low-income (ELI) households, in accordance with Chapter 891, Statutes of 2006 (AB 2634), it must also include an estimate of the existing number of ELI households and analyze their housing needs. The analysis of needs should consider tenure and rates of overpayment and overcrowding. This analysis is essential to formulating policies and programs to assist in the development and conservation of housing for ELI households. To assist the analysis, see the enclosed Comprehensive Housing Affordability Strategy data and the sample analysis from the *Building Blocks'* website at http://www.hcd.ca.gov/hpd/housing_element2/EHN_extremelylowincome.php.

2. *Include an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites (Section 65583(a)(3)). The inventory of land suitable for residential development shall be used to identify sites that can be developed for housing within the planning period (Section 65583.2).*

   Danville has a regional housing needs allocation (RHNA) of 583 housing units, of which 326 are for lower-income households. To address this need, the element identifies vacant, underutilized, and candidate sites for rezoning. However, to demonstrate the adequacy of these sites and strategies to accommodate the Town's RHNA, the element must include complete analyses, as follows:

   Progress in Meeting the RHNA: The element indicates nine units affordable to very low-income households and 96 units affordable to low-income households, but provides no information documenting how affordability of the units was determined. To credit these units toward the Town's RHNA for lower-income households, the element must demonstrate the affordability of the units based on actual or anticipated sales price, rent level of the units, or other mechanisms (i.e., public financing) establishing affordability in the planning period.

Second Units: The element indicates 42 second units are utilized to accommodate a portion of the Town's share of housing needs for lower-income households (Table 32); however, it must include an analysis on the affordability of the units, resources and incentives available for their development and any other relevant factors.

Emergency Shelters: Policy 3.2 proposes to identify a zone and/or overlay districts where emergency shelters will be permitted through a ministerial permit process. However, pursuant to Chapter 633, Statutes of 2007 (SB 2), the element must specifically identify the zone(s) under consideration and demonstrate the capacity of the zone(s) to accommodate the need for emergency shelters. In addition, it should include an analysis demonstrating the appropriateness of the zone(s) for emergency shelters. See the Department's SB 2 technical assistance memo at http://www.hcd.ca.gov/hpd/housing_element2/SB2memo071708_final.pdf.

3. *Analyze potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7) (Section 65583(a)(5)).*

   Inclusionary Requirements: The element indicates the Town requires a specific percentage of residential developments to be affordable to low- and moderate-income households; however, it must also describe and analyze the impacts of the inclusionary requirements on the cost and supply of housing. For example, among other things, the element should describe what incentives the Town makes available for compliance with inclusionary requirements. This is particularly important given current market conditions and the cumulative impact of local regulations.

   Local Processing and Permit Procedures (Design Review): While the element states the Town utilizes a design review process (page 51), it does not describe the design review procedures and/or process to obtain a permit. The element should include a description and analysis of the design review process, including identifying requirements, approval procedures and availability of guidelines or standards to facilitate approval certainty.

   Constraints on Persons with Disabilities: While the element includes Policy 3.1 to adopt a reasonable accommodation procedure, it must include a complete analysis of potential constraints on the development, maintenance, and improvement of housing for persons with disabilities. The analysis should address zoning, development standards, building codes, and approval procedures for the development of housing for persons with disabilities. Examples of standards and requirements that should be analyzed include: (1) any definitions of family in the zoning code; and, (2) spacing or concentration requirements. It is important to keep in mind that a reasonable accommodation

procedure should not be limited to the installation of accessibility improvements, and should provide exception to broader zoning and land-use for maintenance improvement and development of housing for persons with disabilities. Refer to the Department's Chapter 671, Statutes of 2001 (SB 520), memo and the *Building Blocks'* sample analysis at http://www.hcd.ca.gov/hpd/housing_element2/CON_disabilities.php.

B. Housing Programs

1. *Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including rental housing, factory-built housing, mobilehomes, and emergency shelters and transitional housing. Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall provide for sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by right, including density and development standards that could accommodate and facilitate the feasibility of housing for very low- and low-income households (Section 65583(c)(1)).*

   The element identifies a shortfall of 221 units for lower-income households and includes Policy 1.7 to address the identified shortfall. However, the shortfall may need revision depending upon further analysis required by Finding A-2. In addition:

   Adequate Sites: Policy 1.7 must be consistent with Government Code Sections 65583.2 and 65583(c)(1) to permit owner-occupied and rental multifamily uses by-right sufficient to accommodate the remaining need for lower-income households. Pursuant to 65583.2(i), "by-right" means local government review must not require a conditional use permit (CUP), planned unit development or other discretionary review or approval. The policy must also ensure the adequate sites program provides:

   - a minimum of 16 units per site; and
   - commit to selecting from the identified candidate sites for rezoning (Table 33).

   Policy 3.2 (Emergency Shelters): The Policy should identify the zone(s) where emergency shelters will be permitted without discretionary review and commit to only subject shelters to the same development and management standards that apply to other allowed uses within the identified zone.

2. *The housing element shall contain programs which "assist in the development of adequate housing to meet the needs of extremely low-, low- and moderate-income households (Section 65583(c)(2)).*

   The element does not include any specific programs to assist in the development of housing for ELI households. Pursuant to AB 2634, existing programs should either be expanded or new programs added to specifically assist in the development of a variety of housing types to meet the housing needs of ELI households. To address this

requirement, the element could revise programs to prioritize some funding for the development of housing affordable to ELI households, and/or offer financial incentives or regulatory concessions to encourage the development of housing types, such as single-room occupancy units, which address the needs of this income group. In addition:

Policy 1.6 (Support Development of Affordable Housing) could state a date certain by which the Town will contact housing developers.

3. *The housing element shall contain programs which "address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing" (Section 65583(c)(3)).*

   As noted in Finding A-3, the element requires a complete analysis of potential governmental constraints. Depending upon the results of that analysis, the Town may need to revise or add programs and address and remove or mitigate any identified constraints.

C. Quantified Objectives

Establish the number of housing units, by income level, that can be constructed, rehabilitated, and conserved over a five-year time frame (Section 65583(b)(1 & 2)).

The element must include an estimate of housing units objectives by income group for extremely low-, very low-, low-, moderate- and above moderate-income that can be constructed, rehabilitated, and conserved over a five-year time period. Refer to the Program Overview and Quantified Objectives analysis on the *Building Blocks*' website at http://www.hcd.ca.gov/hpd/housing_element2/PRO_home.php.

D. Flood Hazard and Flood Management Information

For your information, Government Code Section 65302 requires cities and counties in California to amend the safety and conservation elements of their general plan to include analysis and polices regarding flood hazard and management information upon the next revision of the housing element on, or after, January 1, 2009. Government Code Section 65302 also requires cities and counties in California, effective January 1, 2008, to annually review the land-use element for those areas subject to flooding identified by flood plain prepared by the Federal Management Agency or the State Department of Water Resources (DWR).

Any amendments to the safety, conservation, and land-use elements, based on the requirements of Government Code Section 65302, will require a review of the housing element for internal consistency, which may in turn, require amendments to the housing element. Local jurisdictions should contact DWR's Division of Flood Management for assistance in obtaining the most current floodplain mapping information needed for the analysis. Contact information is available on the DWR's website at http://www.dwr.water.ca.gov/floodmgmt/lrafmo/fmb/.

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March 22, 2010

Mr. Joe Calabrigo
Town Manager
Town of Danville
510 La Gonda Way
Danville, CA 94526

Dear Mr. Calabrigo:

RE: Review of the Town of Danville's Adopted Housing Element

Thank you for submitting Danville's adopted housing element received for review on December 22, 2009. The Department is required to review adopted housing elements and report the findings to the locality pursuant to Government Code Section 65585(h). Communications with Mr. Kevin Gailey, Chief of Planning, facilitated the review.

The adopted element addresses most of the findings from the Department's September 17, 2009 review. For example, the element now includes an analysis of potential constraints on housing for persons with disabilities. However, the following revisions are still necessary to comply with State housing element law (Article 10.6 of the Government Code):

Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including rental housing, factory-built housing, mobilehomes, and emergency shelters and transitional housing. Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall provide for sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by right, including density and development standards that could accommodate and facilitate the feasibility of housing for very low- and low-income households (Section 65583(c)(1)).

The program shall accommodate 100 percent of the need for housing for very low and low-income households on sites that shall be zoned to permit owner-occupied and rental multifamily residential use by right during the planning period. These sites shall be zoned with minimum density and development standards that permit at least 16 units per site at a density of 20 units per acre (Section 65583.2(h)).

Adequate Sites: The element identifies a shortfall of sites to accommodate the City's housing needs for lower-income households (221 units). To address the shortfall, the element identifies several candidate sites for rezoning (Table 34) and Programs 1.7.1 to 1.7.4. However, the element was not revised to commit to rezone sites that provide a

minimum capacity of 16 units per site and several sites permit commercial use. This is particularly important since many sites in Table 34 do not allow 16 units per site and appear to require assemblage. The program should also clarify when sites will be rezoned since it only mentions when sites will be re-designated as part of the General Plan update. Please see Government Code Section 65583.2(h) on the previous page and the Department's prior review available on the website at http://www.hcd.ca.gov/hpd/hrc/plan/he/he_review_letters/ccodanville091709.pdf.

In addition, pursuant to Section 65583(c)(B), the element must include an analysis of the suitability and availability of candidate sites for rezoning with all components specified in Section 65583.2. For example, the element should list existing uses for non-vacant sites sufficiently to demonstrate their potential for redevelopment and evaluate the extent to which existing uses may impede additional residential development.

Emergency Shelters (Programs 3.2.3 and 3.2.4): While the element now clarifies emergency shelters will be permitted without discretionary action, Programs 3.2.3 and 3.2.4 must still be revised to commit to only subject shelters to the same development and management standards that apply to other allowed uses within the identified zone. Please see the Department's prior review.

Once the element has been revised to address these requirements, it will comply with State housing element law. The Department appreciates your continued cooperation and assistance throughout the course of the review. We are committed to assist Danville in addressing all statutory requirements of housing element law. If you have any questions or need additional technical assistance, please contact Jess Negrete, of our staff, at (916) 323-3185.

Sincerely,

Cathy E. Creswell

Cathy E. Creswell
Deputy

cc: Kevin Gailey, Chief of Planning, City of Danville

December 22, 2009

Jess Negrete
Department of Housing & Community Development -
Division of Housing Policy Development
1800 Third Street, Suite 430
P.O. Box 952053
Sacramento, California 94252-2053

RE: Danville 2007 - 2014 Housing Element

Dear Mr. Negrete:

Enclosed is a copy of the 2007 - 2014 Housing Element update for the Danville 2010 General Plan, approved by the Danville Town Council at their public hearing of December 15, 2009. The final version of the document reflects edits made to respond to HCD comments on the initial draft of the Housing Element (refer to your letter dated September 17, 2009) and reflects minor changes that were directed to be made by the Town Council in response to testimony received at the December 15, 2009 public hearing. You will recall that Danville forwarded on a working draft of the revised Housing Element to HCD in November that depicted all HCD-prompted edits as strike-out/red-line edits, with each edit accompanied with a comment "bubble" linking edits back to the respective comments in the September 17, 2009 letter. In our subsequent conversation regarding that transmittal, you indicated general satisfaction with the scope and content of the revisions while indicating a need to have additional discussion regarding some aspect(s) of the "adequate sites shortfall" analysis. Unfortunately that discussion could not occur prior to the Town Council's approval of the Housing Element last week. Given actions taken by the Town Council, the Town feels any reservations HCD had regarding the adequate sites shortfall will have been addressed to HCD's satisfaction.

The Town Council-initiated changes to the Housing Element were limited to the elimination of seven candidate sites from the Housing Opportunity Site list (refer to Table 34 and associated Figures B-1 and B-2). The removal of the seven sites will have little effect on the viability of the Town's implementation measures/work programs, committed to with the approval of the Housing Element, to respond to the adequate sites shortfall identified to be present for a portion of Danville's lower income RHNA. Only one of the seven sites eliminated was considered to be a candidate site for the requisite minimum density standard needed to address the adequate sites shortfall. That site (Site H-14 on Table 34) was a

relatively small site and had limited housing redevelopment potential (a two-site aggregation of 0.8 acres projected to have had only a 10 to 20 unit residential redevelopment potential).

Importantly, the Town Council coupled the elimination of seven sites with the addition of a new, significant site (i.e., the addition of Site H-26). The 4.9 acre site was placed on the Housing Opportunity Sites list to reflect recent and ongoing discussion with the property owner wherein the Town has been advised of efforts to market the site for redevelopment with a residential use. The property owner indicated during the meetings that the partially occupied office facility located on the property is a "fully depreciated commercial activity". He further indicated that he is not anticipating being able to secure full occupancy of the project in the foreseeable future – reflecting uncharacteristically high office vacancy rates in San Ramon's nearby 400-plus acre Bishop Ranch Office Park. Residential builders that have attended these preliminary meetings have indicated a desire to pursue a land use designation change for the entire property that would accommodate pursuit of a for-rent, market rate multiple family residential project in the range of 125 to 175 units. While this site is added to the list as a site necessitating redevelopment, it is clearly a viable candidate site for consideration in terms of the Town's efforts to address its adequate sites shortfall.

The addition of Site H-26 takes the aggregate acreage of the nineteen remaining sites on the revised Housing Opportunity Sites list to just under forty acres. Importantly, sites totaling 26.7 acres from that revised list are preliminarily cited as candidate sites for consideration of a 25 units per acre minimum density land use designation. The 25 units per acre minimum density land use designation, to be added through Danville's recently initiated general plan update effort, is needed to address the 7.9 acre shortfall of sites for the Very Low Income portion of Danville's RHNA. The ratio of acres-under-consideration to needed-to-supplied-acreage exceeds a 3:1 ratio (i.e., 26.7 acres versus 7.9 acres). Additionally, several of those sites are already engaged with either a developer-sponsored general plan amendment request for the requisite land use designation change (i.e., Sites H-24 and H-25) or are in active pre-submittal discussion with the Town for such land use designation change (i.e., Sites H-3, H-11, H-18, H-19 and H-26).

An updated HCD Housing Element Checklist has been completed and is being sent along with the approved Housing Element. Please feel free to contact me at (925) 314-3305 at your convenience if you have any questions.

Sincerely,

Kevin J. Bailey
Chief of Planning

W/O ENCLOSURE

STATE OF CALIFORNIA -BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

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January 13, 2010

Mr. Kevin Gailey
Chief of Planning
Planning Division
Town of Danville
510 La Gonda Way
Danville, CA 94526

Dear Mr. Gailey:

RE: Status of the Town of Danville's Housing Element

This acknowledges receipt of the Town of Danville's housing element adopted December 15, 2009, and received for review on December 22, 2009. As you know, Danville submitted a draft element, received November 25, 2009, for the Department's review. However, as the adopted element was submitted prior to the end of the statutorily mandated review period, the Department is not required to complete its review of the draft element. Pursuant to Government Code Section 65585(h), the Department has 90 days from receipt (i.e., March 22, 2010) to complete its review of an adopted element. The Department will, however, continue to work with Danville to expeditiously review the element.

The Department is committed to assist the Town of Danville in addressing all statutory requirements of housing element law. If you have any questions, or would like assistance, please contact Jess Negrete, of our staff, at (916) 323-3185.

Sincerely,

Cathy E. Creswell

Cathy E. Creswell
Deputy Director

ATTACHMENT D

Table 34

PRELIMINARY SITE LISTING FOR INCREASED DENSITIES (December 2009) - Town of Danville

Site	Property Owner and/or Developer	Site APN / Current General Plan Designation	Property Size / Map Number - Table 29	Project location / Current Zoning and Land Use	Potential Yield / Aggressive Alternate GP Designation	Potential Yield / Moderate Alternate GP Designation
~~H-1~~	~~Various Ramon Ct (15 site aggregation)~~ *(Deleted by Town Council 12/15/09)*	~~200-110-001 thru -015~~ / ~~Residential - Single Family - Low (1-3 dus/ac)~~	~~7.0acres~~ / ~~Not Listed~~	~~1 - 13 Ramon Ct. & 646 Danville Blvd.~~ / ~~R-20 / Single Family Residential~~	~~57 - 98 units~~ / ~~Reflects GP Category providing 8-13 du/ac~~	~~28 - 56 units~~ / ~~Reflects GP Category providing 4 - 8 du/ac~~
H-2	Various Valley View & La Gonda Property Owners (four site aggregation)	200-132-006 & -007 & 200-152-004 &-005 / Residential - Single Family - Low (1-3 dus/ac)	2.1 acres / Not Listed	6 Valley View Court & 481,485,517LaGonda / R-20 / Single Family Residential	42 - 53 units / Reflects GP Category providing 20-25 du/ac	27 - 41 units / Reflects GP Category providing 13-20 du/ac
H-3	GMMR Llc & Cordell (1.6 Mixed Use site plus three abutting 1/3rd acre sites)	200-140-06; -07, -08, -09;-11; -12 & -13 / Mixed Use & R-SF-L	2.6 acres / B-2 (the 1.6 acre Mixed Use site)	W. El Pintado Road & Elsie Drive / P-1 & R-15 / Vacant and three sfr	65 - 91 units / Reflects GP Category providing 25-35 du/ac	52 - 64 units / Reflects GP Category providing 20-25 du/ac
~~H-4~~	~~Various Parrot Lane (4 site aggregation)~~ *(Deleted by Town Council 12/15/09)*	~~200-180-01, -02, -03 & -04~~ / ~~Residential - Single Family - Low (1-3 dus/ac)~~	~~2.0 acres~~ / ~~Not Listed~~	~~Parrot Lane~~ / ~~R-15 / Single Family Residential~~	~~26 - 40 units~~ / ~~Reflects GP Category providing 13-20 du/ac~~	~~16 - 25 units~~ / ~~Reflects GP Category providing 8-13 du/ac~~
~~H-5~~	~~Var. La Gonda Way (5 site aggregation)~~ *(Deleted by Town Council 12/15/09)*	~~200-180-05, -13, -15, -16 & -18~~ / ~~Residential - Single Family - Low (1-3 dus/ac)~~	~~1.5 acres (net of creek)~~ / ~~Not Listed~~	~~La Gonda Way @ San Ramon Creek~~ / ~~R-15/Single Family Residential~~	~~20 - 30 units~~ / ~~Reflects GP Category providing 13-20 du/ac~~	~~12 - 19 units~~ / ~~Reflects GP Category providing 8-13 du/ac~~
H-6	North of Chevron (four property site aggregation)	207-011-002 & -009 / Downtown Master Plan	0.9 acres (includes Town-owned lot) / Not Listed	Hartz Avenue & Railroad Avenue / Downtown Business District - Area 4	23 - 32 units / Reflects GP Category providing 25-35 du/ac	18 - 22 units / Reflects GP Category providing 20-25 du/ac
H-7	South of Chevron (eight property site aggregation)	200-140-07;09;-11;&-12 / Downtown Master Plan	1.3 acres / Not Listed	Hartz Ave, Prospect Ave & Railroad Ave / Downtown Business District - Area 4	33 - 46 units / Reflects GP Category providing 25-35 du/ac	25 - 32 units / Reflects GP Category providing 20-25 du/ac
H-8	Various Rose St / Hartz Ave Property Owners (six property site aggregation)	200-140-07;09;-11;&-12 / Downtown Master Plan	1.9 acres (includes Town-owned lot) / Not Listed	Rose St, Prosect Ave & Rairoad Ave / Downtown Business District - Area 4	47 - 67 units / Reflects GP Category providing 25-35 du/ac	38 - 46 units / Reflects GP Category providing 20-25 du/ac
H-9	Comm. Development Agency of the Town of Danville (assumes sale to private)	Railroad Ave Muni Lot (pln.) / DBD Master Plan	0.5 acres / Not Listed	Railroad Ave & Prospect Ave / Downtown Business District - Area 7	13 - 18 units / Reflects GP Category providing 25-35 du/ac	10 - 12 units / Reflects GP Category providing 20-25 du/ac
~~H-10~~	~~Var. El Dorado Ave (12 site aggregation)~~ *(Deleted by Town Council 12/15/09)*	~~208-033-03 thru -07 208-042-001 thru -003~~ / ~~Residential - Single Family - Low (1-3 dus/ac)~~	~~4.3 acres (3 @ 1.0 ac. + 1 @ 1.3 ac.)~~ / ~~Not Listed~~	~~125 - 225 El Dorado & 102 Sonora Ave~~ / ~~R-20/Single Family Residenital~~	~~34 - 56 units~~ / ~~Reflects GP Category providing 8-13 du/ac~~	~~17 - 33 units~~ / ~~Reflects GP Category providing 4-8 du/ac~~
H-11	Various SRV Blvd & Sonora Ave. Prop. Owners (four site aggregation)	208-043-07,-21,-22 & -23 / Downtown Master Plan	0.8 acres / Not Listed	SW Corner of SRV Blvd/Sonora Ave / Downtown Business District - Area 4	21 - 28 units / Reflects GP Category providing 25-35 du/ac	16 - 20 units / Reflects GP Category providing 20-25 du/ac
H-12	Curtis Family Trust (redevelop Darby office project site)	200-040-012 / Commercial - Limited Office	2.2 acres (taking out creek area) / Not Listed	425 El Pintado Rd / P-1/Office Project	45 - 55 units / Reflects GP Category providing 20-25 du/ac	29 - 44 units / Reflects GP Category providing 13-20 du/ac
~~H-13~~	~~Parsons (redevelop Sloat Nursery site)~~ *(Deleted by Town Council 12/15/09)*	~~106-270-020~~ / ~~Residential - Single Family - Low (1-3 dus/ac)~~	~~2.7 acres~~ / ~~E-1~~	~~828 Diablo Rd~~ / ~~R-15/Commercial Garden Nursery~~	~~22 - 35 units~~ / ~~Reflects GP Category providing 8-13 du/ac~~	~~11 - 21 units~~ / ~~Reflects GP Category providing 4-8 du/ac~~
~~H-14~~	~~Johnson/Corrie Development Co.~~ *(Deleted by Town Council 12/15/09)*	~~202-010-019 & -022~~ / ~~Residential - Single Family - Low (1-3 dus/ac)~~	~~3.7 acres (taking out creek area)~~ / ~~E-2~~	~~853 & 861 Diablo Rd~~ / ~~R-15 & R-20 / Vacant and one sfr~~	~~30 - 48 units~~ / ~~Reflects GP Category providing 8-13 du/ac~~	~~15 - 29 units~~ / ~~Reflects GP Category providing 4-8 du/ac~~
H-15	Various Elsie Drive & Cathy Lane Prop. Owners (ten property site aggregation)	200-140-01, -02, -03, -08, -09, -10, -11, -13, -15, & -16 / Residential - Single Family - Low (1-3 dus/ac)	4.0 acres / Not Listed	South side of Elsie Ln and Cathy Ln / R-15 / Single Family Residential	32 - 52 units / Reflects GP Category providing 8-13 du/ac	16 - 31 units / Reflects GP Category providing 4-8 du/ac
H-16	Barbara Parks Trust	196-201-046 / Rsdnt'l - Multiple Family - Low (7-12 dus/ac)	0.9 acres / Not Listed	317 Ilo Lane / 14 pairs 1975 era apts.	12 - 17 units / Reflects GP Category providing 20-25 du/ac	7 - 11 units / Reflects GP Category providing 13-20 du/ac
H-17	Danville Park RE, LLC	196-380-084 / Rsdnt'l - Multiple Family - High/Med. (18-22 dus/ac)	3.8 acs. net of creek (5.9 acs. gross) / Not Listed	218 W. El Pintado / M-29/96 apartments - 1963 era construction	96 - 133 units / Reflects GP Category providing 25-35 du/ac	76 - 95 units / Reflects GP Category providing 20-25du/ac

Site	Property Owner and/or Developer	Site APN Current General Plan Designation	Property Size Map Number - Table 29	Project location Current Zoning and Land Use	Potential Yield Aggressive Alternate GP Designation	Potential Yield Moderate Alternate GP Designation
H-18	Janlois Family Partnership (redevelopment of apartment site)	216-120-012	1.3 acres	363 Diablo Rd	33 - 46 units	26 - 32 units
		Downtown Master Plan	Not Listed	DBD - Area 6 / Apartment Project	Reflects GP Category providing 25-35 du/ac	Reflects GP Category providing 20-25 du/ac
H-19	Danville Office Partners (redevelopment of Stanley offices)	216-120-037	3.7 acres (taking out creek area)	373 Diablo Rd	93 - 130 units	74 - 92 units
		Downtown Master Plan	Not Listed	DBD - Area 6 / Office project	Reflects GP Category providing 25-35 du/ac	Reflects GP Category providing 20-25 du/ac
~~H-20~~	~~Johnson/Broce (two site aggregation)~~ *(Deleted by Town Council 12/15/09)*	~~216-090-09 & -10~~	~~0.8 acres~~	~~75 & 85 Oak Ct/ Abutting off. projects~~	~~16 - 20 units~~	~~10 - 15 units~~
		~~Downtown Master Plan~~	~~Not Listed~~	~~Downtown Business District - Area 6~~	~~Reflects GP Category providing 20-25 du/ac~~	~~Reflects GP Category providing 13-20 du/ac~~
H-21	Glen Arms Estate, Inc. (redevelopment of bowling alley)	216-080-004 & -072	1.7 acres (inclusive of ROW abandon)	200 Boone Ct	43 - 60 units	34 - 42 units
		DBD Master Plan	Not Listed	Downtown Business District - Area 7	Reflects GP Category providing 25-35 du/ac	Reflects GP Category providing 20-25 du/ac
H-22	Deblot & Ryness Trust (redevelop adjoining office projects)	207-011-002 & -009	1.2 acres	SRV Blvd & Podva Ln	25 - 30 units	16 - 24 units
		Commercial - Limited Office	Not Listed	O-1/Abutting office projects	Reflects GP Category providing 20-25 du/ac	Reflects GP Category providing 13-20 du/ac
H-23	Schuler/Buckley & SR Medical (2 mfr sites plus ptn. of office parking lot)	208-190-25, -26 & -27(ptn.)	1.0 acres	South terminus Podva Ln. plus partial	21 - 25 units	13 - 20 units
		COM - Limited Office & Residential - MF - Low	C-2 (Schuler) & C-5 (Buckley)	M-12 (Schuler & Buckley) & P-1	Reflects GP Category providing 20-25 du/ac	Reflects GP Category providing 13-20 du/ac
H-24	Armand Borel (portion of southerly 12-13 acres)	218-090-031	3.3 ptn. of 16.7 acres	Camino Ramon	83 - 116 units	66 - 82 units
		Commercial - Commercial	Shares G-2 site	A-4 / Walnut Orchard	Reflects GP Category providing 25-35 du/ac	Reflects GP Category providing 20-25 du/ac
H-25	Casale Family Trust	215-090-032	0.8 acres	Camino Tassajara	17 - 20 units	10 - 16 units
		Residential - Country Estate (1 ac/du)	Not Listed	P-1 / Vacant	Reflects GP Category providing 20-25 du/ac	Reflects GP Category providing 13-20 du/ac
H-26 New Site	Crow Canyon Executive Park, Ltd. *(Added by Town Council 12/15/09)*	218-040-022 & 030	4.9 acres	Fostoria Way and El Capitan Dr	123 - 171 units	97 - 122 units
		Commercial – Controlled Manufacturing	Not Listed	P-1 / Vacant	Reflects GP Category providing 25-35 du/ac	Reflects GP Category providing 20-25 du/ac
SUBTOTALS						
RESIDENTIAL - SINGLE/MULTIPLE FAMILY (Range adjusts from 4 - 7 units per acre to 4 - 8 units per acre)					Potential for a range of (N/A) mfr units at 4 - 8 dus/ac density range over (N/A) acres	Potential for a range of 16 - 31 mfr units at 4 - 8 dus/ac density range over 4.0 acres
RESIDENTIAL - MULTIPLE FAMILY - LOW DENSITY (Range adjusts from 7 - 12 units per acre to 8 - 13 units per acre)					Potential for a range of (N/A) mfr units at 8 - 13 dus/ac density range over (N/A) acres	Potential for a range of (N/A) mfr units at 8 - 13 dus/ac density range over (N/A) acres
RESIDENTIAL - MULTIPLE FAMILY - LOW/MEDIUM DENSITY (Range adjusts from 13 - 17 units per acre to 13 - 20 units per acre)					Potential for a range of 46 - 70 mfr units at 13 - 20 dus/ac density range over tbd acres	Potential for a range of 102 - 156 mfr units at 13 - 20 dus/ac density range over 8.2 acres
RESIDENTIAL - MULTIPLE FAMILY - MEDIUM/HIGH DENSITY (Range adjusts from 18 - 22 units per acre to 20 - 25 units per acre)					Potential for a range of 162 - 200 mfr units at 20 - 25 dus/ac density range over 8.2 acres	Potential for a range of 482 - 661 mfr units at 20 - 25 dus/ac density range over 26.7 acres
RESIDENTIAL - MULTIPLE FAMILY - HIGH DENSITY (New designation ranging from 25 - 35 units per acre)					Potential for a range of 673 - 938 mfr units at 25 - 35 dus/ac density range over 26.7 acres	Potential for a range of (N/A) mfr units at 25 - 35 dus/ac density range over (N/A) acres
TOTALS					Potential for a range of 867 – 1,190 mfr units at range of densities covering 38.9 acres	Potential for a range of 600 - 848 mfr units at range of densities covering 38.9 acres

Source: Town of Danville Development Services Department. December, 2009.

Processing Steps and Preliminary Schedule for the Preparation of the General Plan Update

1. Presentation to Town Council of GPA Study Authorization Request for GPA 2010-01 and the associated Processing Steps / Preliminary Schedule for the General Plan Update. *(February 2010 - Completed)*

2. Distribution to Town Council and the Town Commissions/DRB of the Draft Factual Update of the Danville 2010 General Plan (reflecting factual updates and non-policy level amendments). *(April 2010 - Completed)*

3. Distribution to Town Council and the Town Commissions/DRB of the preliminary listing of Policy-Level Considerations to be addressed during the General Plan Update. *(April 2010 - Completed)*

4. Joint Study Sessions with the Town Council and the Planning Commission to present work binder containing draft Factual Update of the Danville 2010 General Plan, to secure input and direction on the draft Factual Update, to secure input and direction on the preliminary listing of identified Policy-Level Considerations to be addressed by the Update, and to secure input and direction on the review methodology to be used for review of the Preliminary Site Listings for Increased Densities from the Danville 2007-2014 Housing Element.

   Town Council/Planning Commission Joint Study Sessions:

   Session #1 – Tuesday, April 14, 2010 (Meeting Held - Overview of General Plan Update Process)
   Session #2 – Tuesday, May 4, 2010 (Meeting Held - Review of Draft Factual Update)
   Session #3 – Tuesday, June 8, 2010, 5:00 pm - Review of Draft Factual Update - Continued
   Session #4 – Tuesday, June 22, 2010, 6:00 pm - Review Preliminary Listing Policy-Level Considerations
   Session #5 – To be determined – Review of Preliminary Site Listings for Increased Densities

5. Joint Study Sessions with the Arts Commission and the Parks and Leisure Services Commission to present work binder containing draft Factual Update of the Danville 2010 General Plan, to secure input and direction on the draft Factual Update, and to secure input and direction on the preliminary listing of identified Policy-Level Considerations to be addressed by the Update.

   Arts Commission and Parks and Leisure Services Commission Joint Study Sessions:

   Session #1 – Wed., April 21, 2010 (Meeting Held - Overview of General Plan Update Process)
   Session #2 – Wed., May 12, 2010 - Review of Draft Factual Update
   Session #3 – As needed/Date to be determined

6. Study Sessions with the Heritage Resource Commission and the Design Review Board to present work binder containing draft Factual Update of the Danville 2010 General Plan, to secure input and direction on the draft Factual Update, and to secure input and direction on the preliminary listing of identified Policy-Level Considerations to be addressed by the Update.

   Heritage Resource Commission Study Sessions:

   Session #1 – Monday, May 10, 2010 - Overview of General Plan Update Process

   Session #2 – Monday, June 14, 2010 - Review of Draft Factual Update

   Session #3 – As needed/Date to be determined

   Design Review Board Study Sessions:

   Session #1 – Thursday, April 22, 2010 (Meeting Held - Overview of General Plan Update Process)

   Session #2 – Thursday, May 13, 2010 - Review of Draft Factual Update

   Session #3 – As needed/Date to be determined

7. Preparation of scope of studies for the traffic, noise, air quality studies to be prepared in conjunction with the Project EIR *(April and May 2010)*

8. Preparation of Initial Study and Environmental Assessment Checklist and Notice of Preparation for Project EIR *(May 2010)*

9. Preparation of Request for Qualifications (RFQs) from environmental consulting firms for preparation of the Project EIR and review and selection of EIR consultant firm *(May 2010)*

10. Public Workshops and Scoping Sessions for the Project EIR

    Public Workshops and Scoping Sessions:

    Session #1 – Tuesday, July 13, 2010 Time tbd (coincides with regular Planning Commission date)

    Session #2 – Tuesday, July 27, 2010 Time tbd (coincides with regular Planning Commission date)

    Session #3 – Tuesday, Aug. 3, 2010 Time tbd (coincides with regular Planning Commission date)

    Session #4 – As needed/Date tbd

11. Development of Administrative Draft of the Project EIR *(June through September 2010)*

12. Review of Administrative Draft EIR *(September and/or October 2010)*

13. Completion of Draft EIR and circulation of Draft EIR for Public Review Period *(November or December 2010)*

14. Draft EIR Public Review Period closes and work begins to prepare Final EIR *(December 2010 and/or January 2011)*

15. Planning Commission public hearing(s) for review of Final EIR and of Draft General Plan Update and associated rezoning actions *(Initial meeting in January or February 2011)*

16. Town Council public hearing(s) for review of Final EIR and of Draft General Plan Update and Final EIR and associated rezoning actions *(Initial meeting in February or March 2011)*

Last Updated: 5-7-10

NORTH OF CHEVRON PROPERTIES

Preliminary Development Yield - Site H-6 of Danville 2007-2014 Housing Element
Draft – For Discussion Purposes Only – Updated April 2010

Properties Included/Current Utilization:

Site	APN	Size	Owner	Structure	Age	Use	FAR	Pkg.
A (1)	199-330-034	0.22 ac	Reyes	5,796sf	1955	Retail	60.5%	23.2
B (2)	199-330-034	0.30 ac	115 Hartz Ave. Llc	6,030sf	1946	Retail/Rest.	46.1%	35.6
C	199-330-29/51	0.23 ac	Town of Danville	vacant	-	Public parking	-	n/a
D (3)	199-330-055	0.13 ac	Ageno Trust	vacant	-	Private parking	-	n/a
	Totals	0.88 ac (38,333 SF)		11,826sf			30.8%	

Notes: (1) While parcel size is shown on Metroscan at 10,450 sf (0.24 acres), table places parcel size at 9,450 sf to reflect 1,000 sf being necessary for future right-of-way (ROW) for Hartz Avenue – less than currently encumbered by recorded precise alignment over property.

(2) While parcel size is shown on Metroscan at 14,800 sf (0.34 acres), table places parcel size at 13,050 sf to reflect 1,750 sf being necessary for future right-of-way (ROW) for Hartz Avenue – less than currently encumbered by recorded precise alignment over property.

(3) This area occupied by 11 public parking spaces.

Potential Development Scenario 1: 80% FAR reflecting DBD - Area 11 standards with 50% onsite parking and 50% offsite parking utilization

Site	APN	Size	Owner	Retail (1)	Dining (2)	Office (3)	Residential (4)	Pkg. (5)
A	199-330-034	9,450 sf (24.7%)	Reyes	(24.7%)	(24.7%)	(24.7%)	none	33.2
B	199-330-034	13,050 sf (34.1%)	115 Hartz Ave. Llc	(34.1%)	(34.1%)	(34.1%)	none	45.8
C	199-330-29/51	10,050 sf (26.3%)	Town of Danville	(26.3%)	(26.3%)	(26.3%)	none	35.3
D	199-330-055	5,675 sf (14.9%)	Ageno Trust	(14.9%)	(14.9%)	(14.9%)	none	20.0
	Totals	38,225 sf (100.0%)		12,225 sf (48.9)	3,050 sf (17.4)	15,300 sf (68.0)		30,575 sf (134.3)

Notes: (1) Reflects assumption that 80% of ground floor would be occupied by straight retail uses (parking set at 1 sp:250 sf ratio).

(2) Reflects assumption that 20% of ground floor would be occupied by food service uses (parking set at 1 sp:100 sf ratio).

(3) Reflects assumption that second story area is 50.0% of total square footage.

(4) No residential uses assumed with this development scenario.

(5) To meet DBD – Area 11 requirement for 80% FAR, project would supply 41 on-site surface spaces and 26 basement spaces to provide 67 (i.e., 50%) of the project's 134 parking space requirement with municipal parking used for the remaining 50% need (is 67 demand handled by 54 spaces after 80% shared parking multiplier is applied).

ATTACHMENT G

Potential Development Scenario 2: 120% FAR reflecting increased FAR allowed for consideration under DBD - Area 11 standards with >50% of parking as onsite parking

Site	APN	Size	Owner	Retail (1)	Dining (2)	Office (3)	Residential (4)	Pkg. (5)
A	199-330-034	9,450 sf (24.7%)	Reyes	(24.7%)	(24.7%)	(24.7%)	(24.7%)	33.2
B	199-330-034	13,050 sf (34.1%)	115 Hartz Ave. Llc	(34.1%)	(34.1%)	(34.1%)	(34.1%)	45.8
C	199-330-29/51	10,050 sf (26.3%)	Town of Danville	(26.3%)	(26.3%)	(26.3%)	(26.3%)	35.3
D	199-330-055	5,675 sf (14.9%)	Ageno Trust	(14.9%)	(14.9%)	(14.9%)	(14.9%)	20.0
	Totals	38,225 sf (100.0%)		14,525 sf (58.1)	3,625 sf (20.7)	9,150 sf (40.7)	18,575 (20.0)	45,875 sf (139.5)

Notes: (1) Reflects assumption that 80% of ground floor would be occupied by straight retail uses (parking set at 1 sp:250 sf ratio).

(2) Reflects assumption that 20% of ground floor would be by dine-in/dine-out food uses (parking set at 1 sp:175 sf ratio).

(3) Reflects assumption that 1st story area authorized is equivalent to 47.5% site coverage (i.e., 18,150 sf), with open space assumed at 15.0% (i.e., 5,725 sf), surface parking assumed at 37.5% (i.e., 14,350 sf with 41 spaces for 350 sf per space ratio), and with office space occupying second floor space only and being 50.0% of footprint of ground floor area (i.e., 10,875 sf).

(4) **Reflects assumption that residential portion of project is 40.5% of total square footage and that residential yield is 87.5% efficient to provide 16 total units (8 @ 1,175+/- square feet and 8 @ 850+/- square feet) – with units parked at 1.25 spaces per unit (assumes a 1.00 space numerical variance due to cross parking usage).** (Emphasis Added)

(5) Per DBD – Area 11 requirement for projects of more than 80% FAR, project would supply all required parking associated with that portion of the project exceeding 80% FAR – meaning a total of 41 on-site surface spaces would be supplied and 52 basement spaces would be provided. Dependency on municipal parking would be capped at 47 total spaces – matching the dependency for the 80% FAR project.

SOUTH OF CHEVRON PROPERTIES

Preliminary Development Yield - Site H-7 of Danville 2007-2014 Housing Element
Draft – For Discussion Purposes Only – Updated April 2010

Properties Included/Current Utilization:

Site	APN	Size	Owner	Structure	Age	Use	FAR	Pkg.
A	199-330-006	0.27ac (1)	Linda Mesa Land	4,244 sf (4)	1953	Per Serv/Retail	35.8%	26.7
			"	912 sf (5)	1949	Restaurant	7.7%	5.1
B	199-330-008	0.11 ac (2)	Steady Land Co.	3,550 sf	1953	Service Retail	77.5%	14.2
C	199-330-009	0.13ac	Achf Kaplan LP	816 sf (6)	1953	Per Serv	14.6%	6.0
D	199-330-010	0.28 ac (3)	Hirsch Tre	1,653 sf	1965	Service Comm.	13.6%	3.3
E	199-330-011	0.12 ac	Craig Chase	1,431 sf	1930	Service Retail	26.5%	5.7
F	199-330-013	0.10 ac	Russ Tre	910 sf	1925	Service Comm.	20.6%	1.8
			"	240 sf	unknown	Service Comm.	5.4%	0.5
G	199-330-027	0.06 ac	Zierke	1,617sf	1968	Service Comm.	61.9%	3.2
H	199-330-056	0.18ac	Bates	2,432 sf	1952	Office	31.0%	10.8
	Totals	1.25 ac (54,452 sf)		17,805 sf			32.7%	77.3

Notes: (1) Current parcel size is 13,504 sf (per Metroscan). Above is with 1,650 sf being deducted for future Hartz Avenue right-of-way dedication.
(2) Current parcel size is 5,488 sf (per Metroscan). Above is with 915 sf being deducted for future Hartz Avenue right-of-way dedication.
(3) Current parcel size is 13,920 sf (per Metroscan). Above is with 1,775 sf being deducted for future Hartz Avenue right-of-way dedication.
(4) Parking demand calculated with 25% of building occupied with a seven workstation personal service use.
(5) Parking demand calculated as a dine-in/take-out restaurant use - splitting square footage 40% public and 60% non-public.
(6) Parking demand calculated with building occupied with a three workstation personal service use.

Potential Development Scenario 1: 80% FAR reflecting DBD – Area 11 standards with 50% onsite parking and 50% offsite parking utilization

Site	APN	Size	Owner	Retail (1)	Dining (2)	Office (3)	Residential (4)	Pkg. (5)
A	199-330-006	11,854 sf (21.8%)	Linda Mesa Land	3,800 sf	950 sf	4,750 sf	none	41.8
B	199-330-008	4,573 sf (8.4%)	Steady Land Co.	1,465 sf	365 sf	1,830 sf	none	16.1
C	199-330-009	5,600 sf (10.3%)	Achf Kaplan LP	1,795 sf	450 sf	2,240 sf	none	19.7
D	199-330-010	12,145 sf (22.3%)	Hirsch Tre	3,885 sf	970 sf	4,855 sf	none	42.7
E	199-330-011	5,400 sf (9.9%)	Craig Chase	1,725 sf	430 sf	2,155 sf	none	18.9
F	199-330-013	4,420 sf (8.1%)	Russ Tre	1,410 sf	350 sf	1,760 sf	none	15.5
G	199-330-027	2,614 sf (4.8%)	Zierke	845 sf	210 sf	1,050 sf	none	9.2
H	199-330-056	7,841 sf (14.4%)	Bates	2,500 sf	625 sf	3,135 sf	none	27.6
	Totals	54,452 sf (100.0%)		17,425 sf (69.7)	4,350 sf (24.9)	21,775 sf (96.8)		43,550 sf (191.4)

Notes: (1) Reflects assumption that 80% of ground floor would be occupied by straight retail uses (parking set at 1 sp:250 sf ratio).
(2) Reflects assumption that 20% of ground floor would be occupied by dine-in/dine-out uses (parking set at 1 sp:175 sf ratio).
(3) Reflects assumption that second story area is 50.0% of total square footage.

ATTACHMENT H

(5) To meet DBD – Area 11 requirement for 80% FAR, project would supply 58 on-site surface spaces and 38 basement spaces to provide 90 (i.e., 50%) of the project's 180 parking space requirement with municipal parking used for the remaining 50% need (is 96 demand handled by 77 spaces after 80% shared parking multiplier is applied).

Potential Development Scenario 2: 120% FAR reflecting increased FAR allowed for consideration under DBD - Area 11 standards with >50% of parking as onsite parking

Site	APN	Size	Owner	Retail (1)	Dining (2)	Office (3)	Residential (4)	Pkg. (5)
A	199-330-006	11,854 sf (21.8%)	Linda Mesa Land	(21.8%)	(21.8%)	(21.8%)	(21.8%)	45.4
B	199-330-008	4,573 sf (8.4%)	Steady Land Co.	(8.4%)	(8.4%)	(8.4%)	(8.4%)	17.5
C	199-330-009	5,600 sf (10.3%)	Achf Kaplan LP	(10.3%)	(10.3%)	(10.3%)	(10.3%)	21.4
D	199-330-010	12,145 sf (22.3%)	Hirsch Tre	(22.3%)	(22.3%)	(22.3%)	(22.3%)	46.4
E	199-330-011	5,400 sf (9.9%)	Craig Chase	(9.9%)	(9.9%)	(9.9%)	(9.9%)	20.6
F	199-330-013	4,420 sf (8.1%)	Russ Tre	(8.1%)	(8.1%)	(8.1%)	(8.1%)	16.8
G	199-330-027	2,614 sf (4.8%)	Zierke	(4.8%)	(4.8%)	(4.8%)	(4.8%)	10.0
H	199-330-056	7,841 sf (14.4%)	Bates	(14.4%)	(14.4%)	(14.4%)	(14.4%)	29.9
	Totals	54,452 sf (100.0%)		20,700 sf (82.8)	5,175 sf (29.6)	12,925 sf (57.4)	26,550 sf (28.8)	65,350 sf (198.6)

Notes:
(1) Reflects assumption that 80% of ground floor would be occupied by straight retail uses (parking set at 1 sp:250 sf ratio).
(2) Reflects assumption that 20% of ground floor would be by dine-in/dine-out food uses (parking set at 1 sp:175 sf ratio).
(3) Reflects assumption that 1st story area authorized is equivalent to 47.5% site coverage (i.e., 25,875 sf), with open space assumed at 15.0% (i.e., 8,175 sf), surface parking assumed at 37.5% (i.e., 20,400 sf with 58 spaces for 350 sf per space ratio), and with office space occupying second floor space only and being 50.0% of footprint of ground floor area (i.e., 12,925 sf).
(4) **Reflects assumption that residential portion of project is 40.5% of total square footage and that residential yield is 87.5% efficient to provide 23 total units (12@ 1,150+/- square feet and 11 @ 850+/- square feet) – with units parked at 1.25 spaces per unit (assumes a 1.00 space numerical variance due to cross parking usage).** (Emphasis Added)
(5) Per DBD – Area 11 requirement for projects of more than 80% FAR, project would supply all required parking associated with that portion of the project exceeding 80% FAR – meaning a total of 58 on-site surface spaces would be supplied and 75 basement spaces would be provided. Dependency on municipal parking would be capped at 66 total spaces – matching the dependency for the 80% FAR project.

VARIOUS ROSE STREET / HARTZ AVENUE PROPERTIES

Preliminary Development Yield - Site H-8 of Danville 2007-2014 Housing Element
Draft – For Discussion Purposes Only – Updated April 2010

Properties Included/Current Utilization:

Site	APN	Size	Owner	Structure	Age	Use	FAR	Pkg.
A (1)	200-190-007	0.114 ac	Matken Property	1,155 sf	1984	Office	23.3%	5.1
B-1 (2)	200-190-017	0.393 ac	Finlayson & Jones	2,400 sf	1967	Restaurant	14.0%	24.0
B-2	200-190-021	0.211 ac	Finlayson & Jones	2,100 sf	unknown	Restaurant (3)	22.8%	13.1
C	200-190-027	0.172 ac	Town of Danville	vacant	-	Public parking	-	n/a
D (4)	200-190-022	0.057 ac	Robert S. Enea Tre	vacant	-	Private parking	-	5.0
E	200-190-026	0.224 ac	Carnemolla	2,720 sf	1978	Service Retail	27.9%	5.5
	Totals	1.171 ac (51,008 sf)		8,375 sf			16.2%	52.7

Notes: (1) Parcel size is shown on Metroscan at 4,966 sf – reflecting 1,250 sf being encumbered by Rose Avenue right-of-way (ROW).
(2) Provides for 750+/- sf of roadway dedication along Hartz Avenue (aligning ROW to location north and south on Hartz Avenue).
(3) Parking demand calculated as a dine-in/take-out restaurant use - splitting square footage equally public and non-public.
(4) This area occupied by five parking spaces serving the abutting Enea project.

Potential Development Scenario 1: 80% FAR reflecting DBD - Area 11 standards with 50% onsite parking and 50% offsite parking utilization

Site	APN	Size	Owner	Retail (1)	Dining (2)	Office (3)	Residential (4)	Pkg. (5)
A	200-190-007	4,966 sf (9.73%)	Matken Property	1,585 sf	400 sf	1,985 sf	none	19.1
B-1	200-190-017	17,119 sf (33.56%)	Finlayson & Jones	5,475 sf	1,370 sf	6,840 sf	none	66.1
B-2	200-190-021	9,191 sf (18.02%)	Finlayson & Jones	2,935 sf	735 sf	3,675 sf	none	35.5
C	200-190-027	7,500 sf (14.70%)	Town of Danville	2,400 sf	600 sf	3,000 sf	none	28.9
D	200-190-022	2,500 sf (4.90%)	Robert S. Enea Tre	800 sf	200 sf	1,000 sf	none	9.6
E	200-190-026	9,750 sf (19.11%)	Carnemolla	3,120 sf	780 sf	3,900 sf	none	37.6
	Totals	51,009 sf (100.0%)		16,325 sf (65.3)	4,080 sf (23.3)	20,400 sf (90.7)		40,800 sf (179.3)

Notes: (1) Reflects assumption that 80% of ground floor would be occupied by straight retail uses (parking set at 1 sp:250 sf ratio).
(2) Reflects assumption that 20% of ground floor would be occupied by food service uses (parking set at 1 sp:100 sf ratio).
(3) Reflects assumption that second story area is 50.0% of total square footage.
(4) No residential uses assumed with this development scenario.
(5) To meet DBD – Area 11 requirement for 80% FAR, project would supply 54 on-site surface spaces and 36 basement spaces to provide 90 (i.e., 50%) of the project's 180 parking space requirement with municipal parking used for the remaining 50% need (is 90 demand handled by 72 spaces after 80% shared parking multiplier is applied). Displaced Enea parking (five spaces) would be relocated on project area and be above, and beyond this count.

ATTACHMENT I

Potential Development Scenario 2: 120% FAR reflecting increased FAR allowed for consideration under DBD - Area 11 standards with >50% of parking as onsite parking

Site	APN	Size	Owner	Retail (1)	Dining (2)	Office (3)	Residential (4)	Pkg. (5)
A	200-190-007	4,966 sf (9.73%)	Matken Property	(9.73%)	(9.73%)	(9.73%)	(9.73%)	23.2
B-1	200-190-017	17,119 sf (33.56%)	Finlayson & Jones	(33.56%)	(33.56%)	(33.56%)	(33.56%)	80.1
B-2	200-190-021	9,191 sf (18.02%)	Finlayson & Jones	(18.02%)	(18.02%)	(18.02%)	(18.02%)	43.0
C	200-190-027	7,500 sf (14.70%)	Town of Danville	(14.70%)	(14.70%)	(14.70%)	(14.70%)	35.1
D	200-190-022	2,500 sf (4.90%)	Robert S. Enea Tre	(4.90%)	(4.90%)	(4.90%)	(4.90%)	11.7
E	200-190-026	9,750 sf (19.11%)	Carnemolla	(19.11%)	(19.11%)	(19.11%)	(19.11%)	45.6
	Totals	51,009 sf (100.0%)		19,375 sf (77.5)	4,850 sf (27.7)	12,125 sf (53.9)	24,875 sf (28.8)	61,225 sf (187.9)

Notes: (1) Reflects assumption that 80% of ground floor would be occupied by straight retail uses (parking set at 1 sp : 250 sf ratio).

(2) Reflects assumption that 20% of ground floor would be by dine-in/dine-out food uses (parking set at 1 sp : 175 sf ratio).

(3) Reflects assumption that 1st story area authorized is equivalent to 47.5% site coverage (i.e., 24,225 sf), with open space assumed at 15.0% (i.e., 7,650 sf), surface parking assumed at 37.5% (i.e., 19,125 sf with 54 spaces for 350 sf per space ratio), and with office space occupying second floor space only and being 50.0% of footprint of ground floor area (i.e., 12,125 sf).

(4) **Reflects assumption that residential portion of project is 40.5% of total square footage and that residential yield is 87.5% efficient to provide 23 total units (12@ 1,150+/- square feet and 11 @ 850+/- square feet) – with units parked at 1.25 spaces per unit (assumes a 1.00 space numerical variance due to cross parking usage).** (Emphasis Added)

(5) Per DBD – Area 11 requirement for projects of more than 80% FAR, project would supply all required parking associated with that portion of the project exceeding 80% FAR – meaning a total of 54 on-site surface spaces would be supplied and 71 basement spaces would be provided. Dependency on municipal parking would be capped at 63 total spaces – matching the dependency for the 80% FAR project.

RAILROAD AVENUE MUNICIPAL PARKING LOT PROPERTIES

Preliminary Development Yield - Site H-9 of Danville 2007-2014 Housing Element
Draft – For Discussion Purposes Only – Updated April 2010

Properties Included:

Site	APN	Address	Owner	Gross Acreage	Net Acreage	Age	Use	FAR
A	208 340 005	Railroad Avenue	Comm. Dev. Agency	2.12	2.12	N/A	Vacant	n/a
B	208 340 006	Railroad Avenue	Comm. Dev. Agency	0.74	0.74	N/A	Vacant	n/a
C	208 340 007	Railroad Avenue	Comm. Dev. Agency	1.22	1.22	N/A	Vacant	n/a
			Totals	4.08 (177,725 sf)	4.08		Vacant	0.0%

Possible Development Scenario:

#	Development Sites	Land Use Designation and Parking Requirement	Units Per Acre	# Units and Aggregate FAR	Product Type	Affordability Component
A	Site A – 7,500 sf (100' x 75') - Retail 3,600 sf (1st floor) - Residential - 3 dus @ 800 sf (2nd floor)	DBD – Area 1 - Retail 1/250 for 14.4 - Rsdnt'l 1.0-1.5/du=3-4.5 18.9 x 80% = 15.1 public	31 units per acre ave. across three sites	3 units average 800 sf (no on-site parking) equates to 80.0% FAR	For-rent residential units	1 or 2 moderate income unit and 1 very low - income unit - per California Redevelopment Law (CRL) inclusionary requirements
B	Site B – 7,500 sf (115' x 65') - Retail 3,750 sf (1st floor) - Rsdnt'l - 4 dus @ 750 sf & 3 @ 1,000 sf (2nd/ 3rd floors)	DBD – Area 11 - Retail 1/250 for 15.0 - Rsdnt'l 1.0-1.5/du=7-10.5 25.5 x 80% = 20.4 public		7 units average 850 sf (no on-site parking) equates to 130.0% FAR	For-rent residential units	
C	Site C – 7,500 sf (115' x 65') - Retail 3,750 sf (1st floor) - Rsdnt'l 4 dus @ 750 sf - 3 @ 1,000 sf (2nd & 3rd floors)	DBD – Area 11 - Retail 1/250 for 15.0 - Rsdnt'l 1.0-1.5/du=7-10.5 25.5 x 80% = 20.4 public		7 units average 850 sf (no on-site parking) equates to 130.0% FAR	For-rent residential units	
D	Parking Structure (135' x 235' parcel with 130' x 210' "footprint") envisioned as a three level structure @ 22' to 24' height) Level 1 - 60 spaces Level 2 – 72 spaces Level 3 – 77 spaces Abutting – 4 spaces	Government – Municipal Parking Lot - Lot converts from 325 spaces to 358 parking spaces - 0.63 acre structure footprint converts to average 110 spaces per acre yield per parking level (a relatively high efficiency parking yield for a structure).	N/A	N/A	N/A	N/A

Development Summary:

- Assumes Town would enter into public/private partnership to sell three 7,500+/- square foot development sites from the existing 4.08 acre Railroad Avenue Municipal Parking Lot. Town's interest to pursue/engage in a public/private partnership would be driven by a desire establish a more continuous presence of ground floor retail uses along this section of

Railroad Avenue – consistent with DBD rezoning actions taken in 2005 affecting the adjoining, east side of Railroad Avenue and the Iron Horse Plaza Shopping Center south of the Municipal Lot.

- Proceeds secured through the sale of the development sites could be applied towards construction of as parking structure over a portion of the remaining area of the Municipal Lot to offset the loss of surface level parking located over the three development sites.
- Uses outlined above would create a net dependency on municipal parking facilities of 50-56 parking spaces. This total reflects an assumption that the parking requirement for residential uses would be set 1.0 to 1.5 spaces per unit - given the Downtown location. This numerical parking standard compares to the otherwise applicable 2.25 spaces per unit for two-plus bedroom units in non-Downtown settings. The 50-56 space need is net after a 80% shared parking multiplier is applied to the overall 61-70-space gross numerical parking demand for the mixed use project.
- Development Site A is assumed to be that area adjoining the Railroad Depot – assumed as a 75' x 100' parcel that would have public easements over the perimeter of the parcel for public pedestrian access. The development scenario described above would be DBD – Area 1 compliant as it would be 100% ground floor retail use, would observe the 80% FAR limit, could meet all DBD building setback and height limits, and could limit second floor massing to 40% of the total building area.
- Development of Site A would displace the small double-loaded parking row currently situated between the Railroad Depot and the northerly driveway entrance to the Railroad Municipal Parking Lot off Railroad Avenue. The resultant at-grade parking adjoining and west of the development site would contain 79 parking spaces, with the resultant parking area assumed to remain sufficient in size to continue to be home to the Saturday Farmer's Market activities.
- Development Sites B and C are assumed to each be 65' x 115' properties created between the new parking structure and Railroad Avenue. These sites would also have public easements over their perimeters for public pedestrian access. The development scenarios described above would be DBD – Area 11 compliant with a mix of uses envisioning 100% ground floor retail use and second and third story for-rent apartment condominium use. Resultant FAR equates to 130%. This is an artificially high FAR as the receiving lot would be as small as possible to retain surrounding public uses. Pursuant to the intent of DBD – Area 11, the "extra" FAR (i.e., FAR >80%) could be handled by enhanced or full-value financial contribution for that portion of the costs to develop an abutting municipal parking structure directly associated with the project (i.e., developer(s) would pay 100% of what it would cost to create the parking spaces necessary for the project beyond parking linked to a 80% FAR development scheme – with the first layer of participation at the current parking in-lieu fee rate). The project could meet all DBD building setback and height limits – and is assumed as two three-story story height structures at, or below, the Area 11 structure height limit or 37'.
- Development Sites B and C would displace a 235' section of the easternmost double-loaded parking row in the existing municipal lot.
- The new parking structure would sit 20'+/- west of the structures placed on Sites B and C and with an approximate footprint of 130' x 210'. At three levels, the structure should be able provide a total of 210+/- parking spaces – equating to a parking yield, per level, of 111 spaces per acre.

- With the construction of the parking structure, the total parking count in the lot would increase from 325 spaces to 358 spaces – for a net gain of 33 spaces. The 33 space increase would cover at least one half of the parking demand placed on the municipal lot from the development of the three sites (i.e., 33 spaces net increase covers 50% to 60% of the 50-56 space cumulative parking demand on municipal parking facilities created by the three cited development projects).
- Under this approach, that portion of the ground level parking area closest to Lunardi's Market would be retained – retaining 70+/- ground level parking spaces. The use of the ground level parking within the parking structure (around 60 spaces) would likely be regulated, through parking time limits, to serve retail patron parking (e.g., use of 90 minute or 2-hour parking limits) to assure parking turnover and to provide adequate ground level parking to serve the market at peak customer periods. The second and third levels of the parking structure could be used as parking demands dictated – likely to include a large number of parking spaces for assignment to employee permit parking, with employees of the most proximate businesses given preferential access to the spaces.
- If merit was seen to going one additional level on the parking structure, an additional 72 spaces could be secured – taking the height of the parking structure an additional ten feet (going to 32' to 35' in height).
- Because the Community Development Agency will have capped out on the property tax increment, there would be negligible property tax motivation to allow this type of project to proceed.
- The resultant cross section for Railroad Avenue would assume six foot sidewalks (within the private ownership area for some, or all, of the three sites); curbside public parking; 4' width bicycle lanes; 12' travel lanes; and 10' left turn pocket lanes. The intersections are assumed to have "pinches" where curbside parking bays are dropped within 20' to 30' of the corners in favor of pulling landscape treatment and walkways into the intersection to minimize the resultant size of the intersection "box".

VARIOUS SAN RAMON VALLEY BLVD. & SONORA AVE. PROPERTIES

Preliminary Development Yield - Site H-11 of Danville 2007-2014 Housing Element
Draft – For Discussion Purposes Only – Updated April 2010

Properties Included:

Site	APN	Size	Owner	Structure	Age	Use	FAR	Pkg.
A	208 043 007	0.25	Pedrazzini Ent., Inc.	n/a	n/a	Vacant	n/a	n/a
B	208 043 012	0.24	Dunn Trust	8,280 sf	1958	Apartments (10 dus)	79.2%	22.5
C	208 043 020	0.16	Achf Kaplan LP	3,600 sf	1971	Tires/Auto Repair	51.7%	7.2
D	208 043 021	0.07	Symmons Trust	n/a	n/a	Vacant	n/a	n/a
E	208 043 022	0.10	Symmons Trust	1,326 sf	1954	Auto Body	69.6%	2.6
F	208 043 023	0.41	Pedrazzini Ent., Inc.	3,021 sf	1962	Bar/Service Comm.	16.9%	36.0
				2,970 sf	1964	Restaurant	16.6%	29.7
	Totals	1.23 (53,575 sf)		19,197 sf			35.8% FAR	98.0

Potential Development Scenario 1: 80% FAR reflecting DBD – Area 11 standards with 50% onsite parking and 50% offsite parking utilization

Site	APN	Size	Owner	Retail (1)	Dining (2)	Office (3)	Residential (4)	Pkg. (5)
A	208 043 007	10,900 sf (20.3%)	Pedrazzini Ent., Inc.	(20.3%)	(20.3%)	(20.3%)	none	41.8
B	208 043 012	10,450 sf (19.5%)	Dunn Trust	(19.5%)	(19.5%)	(19.5%)	none	16.1
C	208 043 020	6,975 sf (13.0%)	Achf Kaplan LP	(13.0%)	(13.0%)	(13.0%)	none	19.7
D	208 043 021	3,050 sf (5.7%)	Symmons Trust	(5.7%)	(5.7%)	(5.7%)	none	42.7
E	208 043 022	4,350 sf (8.1%)	Symmons Trust	(8.1%)	(8.1%)	(8.1%)	none	18.9
F	208 043 023	17,850 sf (33.3%)	Pedrazzini Ent., Inc.	(33.3%)	(33.3%)	(33.3%)	none	15.5
	Totals	53,575 sf (100.0%)		17,150 sf (68.6)	4,275 sf (24.4)	21,425 sf (95.2)		42,850 sf (188.2)

Notes:
(1) Reflects assumption that 80% of ground floor would be occupied by straight retail uses (parking set at 1 sp:250 sf ratio).
(2) Reflects assumption that 20% of ground floor would be occupied by dine-in/dine-out uses (parking set at 1 sp:175sf ratio).
(3) Reflects assumption that second story area is 50.0% of total square footage.
(4) No residential uses assumed with this development scenario.
(5) Project assumed to supply 57 on-site surface spaces and 37 basement spaces to provide 94 (i.e., 50%) of the project's 188 parking space requirement.

ATTACHMENT K

Potential Development Scenario 2: 120% FAR reflecting increased FAR allowed for consideration under DBD - Area 11 standards with >50% of parking as onsite parking

Site	APN	Size	Owner	Retail (1)	Dining (2)	Office (3)	Residential (4)	Pkg. (5)
A	208 043 007	10,900 sf (20.3%)	Pedrazzini Ent., Inc.	(20.3%)	(20.3%)	(20.3%)	(20.3%)	41.8
B	208 043 012	10,450 sf (19.5%)	Dunn Trust	(19.5%)	(19.5%)	(19.5%)	(19.5%)	16.1
C	208 043 020	6,975 sf (13.0%)	Achf Kaplan LP	(13.0%)	(13.0%)	(13.0%)	(13.0%)	19.7
D	208 043 021	3,050 sf (5.7%)	Symmons Trust	(5.7%)	(5.7%)	(5.7%)	(5.7%)	42.7
E	208 043 022	4,350 sf (8.1%)	Symmons Trust	(8.1%)	(8.1%)	(8.1%)	(8.1%)	18.9
F	208 043 023	17,850 sf (33.3%)	Pedrazzini Ent., Inc.	(33.3%)	(33.3%)	(33.3%)	(33.3%)	15.5
	Totals	53,575 sf (100.0%)		20,350 sf (81.4)	5,075 sf (29.1)	12,825 sf (57.0)	26,050 sf (28.8)	64,300 sf (196.3)

Notes:
(1) Reflects assumption that 80% of ground floor would be occupied by straight retail uses (parking set at 1 sp:250 sf ratio).
(2) Reflects assumption that 20% of ground floor would be by dine-in/dine-out food uses (parking set at 1 sp:175 sf ratio).
(3) Reflects assumption that 1st story area authorized is equivalent to 47.5% site coverage (i.e., 25,425sf), with open space assumed at 15.0% (i.e., 8,175 sf), surface parking assumed at 37.5% (i.e., 20,400 sf with 58 spaces for 350 sf per space ratio), and with office space occupying second floor space only and being 50.0% of footprint of ground floor area (i.e., 12,925 sf).
(4) **Reflects assumption that residential portion of project is 40.5% of total square footage and that residential yield is 87.5% efficient to provide 23 total units (14 @ 1,125+/- square feet and 9 @ 825+/- square feet) – with units parked at 1.25 spaces per unit (assumes a 1.00 space numerical variance due to cross parking usage).** (Emphasis Added)
(5) Per DBD – Area 11 requirement for projects of more than 80% FAR, project would supply all required parking associated with that portion of the project exceeding 80% FAR – meaning a total of 57 on-site surface spaces would be supplied and 74 basement spaces would be provided. Dependency on municipal parking would be capped at 65 total spaces – matching the dependency for the 80% FAR project.

DeBOLT/RYNESS – SAN RAMON VALLEY BLVD. & PODVA LANE

Preliminary Development Yield - Site H-22 of Danville 2007-2014 Housing Element

Draft – For Discussion Purposes Only – Updated April 2010

Properties Included:

Site	APN	Size	Address	Owner	Structure	Age	Use	FAR	Pkg.
A	207 011 002	0.51	811 SRV Blvd.	DeBolt/Hartman	7,608 sf	1983	Offices	43%	42.5
					1,952 sf	1948	Offices		
B	207 011 009	0.66	801 SRV Blvd.	801 Ptshp Llc	5,551 sf	1975	Offices	19%	24.7
	Totals	1.17 acres (50,975 sf)			15,111 sf			30%	67.2

Development Options:

#	Product Type	Land Use Designation - Story Height/Parking	Units / Acre	# Units / FAR and Coverage	For-sale For-rent	Inclusionary Component
A	Motor Ct SFR detached (modeling Stonybrook - Ave. 1,675 sf w/450 sf gar)	Residential - Multiple Family - Low (8-13) (2-story at-grade parking)	11 - 13	13 – 15 / up to 62.5% FAR 35.0% coverage	For-sale	1-2 moderate income units
B	Townhouse SFR attached (modeling Shadowhawk - Ave. 1,325 sf w/450 sf gar)	Residential - Multiple Family - Low/Med (13-20) (2½ story at-grade parking)	17 - 20	20 – 23 / up to 80.0% FAR 35.0% coverage	For-sale	2-3 moderate income units
C	Townhouse SFR attached (modeling Heritage Park - Ave. 1,575 sf w/450 sf gar)	Residential - Multiple Family - Low/Med (13-20) (2-story at-grade parking)	17 - 20	20 – 23 / up to 91.5% FAR 47.5% coverage	For-sale	2-3 moderate income units
D	Row House MFR attached (New product for Danville – Ave. 1,425 sf w/450 sf garage)	Residential - Multiple Family - Med/High (20-25) (2, 2½ @ 3 stories with at-grade parking giving standard 2-car garage or tandem 2-car garage for each unit)	22 - 25	26 – 29 / up to 115.0% FAR 47.5% coverage	For-sale	3-4 moderate income units
E	Apt./Condo.MFR attached (Preserves or Rose Garden) Ave. 975 sf w/300 sf gar)	Residential - Multiple Family - Med/High (20-25) (2½ stories at-grade pkg)	22 - 25	26 – 29 / up to 82.5% FAR 47.5% coverage	For-rent or for-sale	3-4 moderate income units

Development Summary:

- The structures occupying the properties making up the site are closing in on the end of their economic life (i.e., mid-1970's to early 1980's Class B office construction).
- The site has a low, but reasonable, current development yield, for self-parked office uses, at just below 30% FAR.
- Both properties would have to develop to meet HCD's 16 units per site minimum development potential standard to address the "Adequate Sites" shortfall for low/very low income households.
- Site is in relative close vicinity to the Sequoia Grove Apartment project a 38 unit apartment project on north side of Podva Lane developed by Castle Companies in 2000.
- Sitting between the site and the Sequoia project is a twelve-unit older (1974-construction) low density, for-sale multi-family project.
- The townhouse product would likely be considered an attractive option by the marketplace as the units could be built as fee-title attached units with a relatively high FAR (75%+) yielding high per square foot sale prices compared to other options considered.
- Site would be subject to the Town's inclusionary housing requirements (15% affordable to moderate income households earning ≤110% of median income) – last column in above table.

ATTACHMENT L

VALLEY VIEW COURT / LA GONDA WAY PROPERTIES

Preliminary Development Yield - Site H-2 of Danville 2007-2014 Housing Element
Draft – For Discussion Purposes Only – Updated April 2010

Properties Included:

Site	Zone	APN	Address	Owner	Gross Acreage	Net Acreage	Age	Structure Size/Garage
A	1	200 132 001	36 Valley View Ct.	Baker	0.52	0.52	1960	2,104/441
B	1	200 132 002	30 Valley View Ct.	Moufarrej	0.53	0.53	1980	2,299/388
C	2	200 132 003	24 Valley View Ct.	Flood	1.11	0.74	1952	2,872/399
D	2	200 132 004	18 Valley View Ct.	Francheschi	1.90	1.17	1960	3,106/834
E	2	200 132 005	12 Valley View Ct.	Eckert	0.52	0.52	1960	2,131/489
F	2	200 132 006	517 La Gonda Way.	Aneloski	0.51	0.51	1958	1,533/437
G	2	200 132 007	6 Valley View Ct.	Kisack	0.53	0.53	1974	2,253/638
H	1	200 152 004	481 La Gonda Way.	Flynn	1.14	0.45	1961	3,422/522
I	1	200 152 005	485 La Gonda Way.	Erfani	0.55	0.55	1958	1,464/399
			Totals		7.31[1]	5.50		21,184/4,547 10.7% FAR

Development Options - Zone 1:

- 3.50+/- net acres for possible conversion from Residential – Single Family – Low Density (1 – 3 dus/acre) to Residential – Single Family – Medium Density (3 – 5 dus/acre) with ultimate potential unit count in range of 12 to 18 lots with lot sizes in range of 8,000 square feet and 15,000 square feet.
- Redevelopment would displace five existing residences (36 to 58 years old).
- Maximum FAR (currently at <15%) should be capped in range of 47.5% – 52.5%, which would, even at high end, provide for an average of 3,750+/- sf residence with a 735 sf three-car plus garages for an 18 lots redevelopment scenario.
- Where phased, redevelopment should be tied to securing an aggregation of a minimum of two existing lots and a minimum of 1 ½ acres per phase.
- Redevelopment should retain Valley View Court's current alignment to allow for phasing of development, to retain basic access and drainage patterns, to provide access to future Development Zone B units, and to allow utilities to stay in current location (even if they are upsized with redevelopment).
- Valley View Court would need to be extended into 18 Valley View Ct. to provide access after properties are split into smaller lots.
- Abutter's rights to La Gonda Way should ultimately be eliminated for this area (once affected lots secure subdivision approval.

Development Options - Zone 2:

- 2.05+/- net acres converting from Residential – Single Family – Low Density (1 – 3 dus/acre) to either Residential – Multiple Family – Low / Medium Density (13 – 20 dus/acre) or Residential – Multiple Family – High / Medium Density (20 – 25 dus/acre) – respectively providing for ranges of 27 - 41 units to 41 - 51 units.
- Converts four existing lots (i.e., 6 Valley View Ct. and 481, 485 and 517 La Gonda Way) for redevelopment – but all must go at once for higher density to be implemented.
- Abutter's rights to La Gonda Way should ultimately be eliminated to eliminate odd "leg" at signal for La Gonda and El Cerro off northwest corner of intersection.

[1] Area taken out of gross reflects approximate area contained within CCCFC&WCD Storm Water Drainage Easement for San Ramon Creek and area for Valley View Court right of way.

ATTACHMENT M

CURTIS FAMILY TRUST/DARBY OFFICE PROPERTY

Preliminary Development Yield - Site H-12 of Danville 2007-2014 Housing Element
Draft – For Discussion Purposes Only – Updated April 2010

Properties Included:

Site	APN	Address	Owner	Gross Acreage	Net Acreage	Age	Size
A	200 040 012	425 El Pintado Rd.	Curtis Family Trust	3.17	2.20	1977	4,992 sf
		Totals		3.17	2.20 (95,832 sf)		4,992 sf 5.2% FAR

Development Options:

#	Product Type	Land Use Designation - Story Height/Parking	Units/ Acre	# Units / FAR	For-sale For-rent	Inclusionary Component
A	Motor Ct SFR detached (modeling Stonybrook - Ave. 1,675 sf w/450 sf gar)	Residential - Multiple Family - Low (8-13) (2-story at-grade parking)	11 - 13	24 – 29 / up to 64.0% FAR 35.0% coverage	For-sale	2-3 moderate income units
B	Townhouse SFR attached (modeling Shadowhawk – Ave. 1,325 sf w/450 sf gar)	Residential - Multiple Family - Low/Med (13-20) (2½ story at-grade parking)	17 - 20	29 – 44 / up to 81.5% FAR 35.0% coverage	For-sale	3-7 moderate income units
C	Townhouse SFR attached (modeling Heritage Park - Ave. 1,575 sf w/450 sf gar)	Residential - Multiple Family - Low/Med (13-20) (2-story at-grade parking)	15 - 18	33 – 40 / up to 84.5% FAR 47.5% coverage	For-sale	3-7 moderate income units
D	Row House MFR attached (New product for Danville – Ave. 1,425 sf w/450 sf garage)	Residential - Multiple Family - Med/High (20-25) (2, 2½ @ 3 stories with at-grade parking giving standard 2-car garage or tandem 2-car garage for each unit)	22 - 25	44 – 55 / up to 107.5% FAR 47.5% coverage	For-sale	7-8 moderate income units
E	Apt./Condo.MFR attached (The Preserves "enhanced" – Ave. 975 sf w/300 sf gar)	Residential - Multiple Family - High (25-35) (2½ stories at-grade pkg)	22 - 25	44 – 55 / up to 73.5% FAR 45.0% coverage	For-rent or for-sale	8-9 moderate income units

Development Summary:

- Site is wrapped around two sides by an open drainage channel (which opens out from a closed system upstream draining portions of the El Pintado loop area and returns to a closed system southwest of the site as drainage improvements cross over the I-680 corridor. Initial assumption is that the drainage channel would be required to be retained in some manner due to water regulatory considerations and the practical consideration that the channel provides a desirable setback off El Cerro Blvd. and El Pintado Rd. for any future project.
- The Site's proximity to I-680 (its west boundary is fronted with the northbound onramp to I-680) creates issues regarding noise and may point development to a for-rent product rather than a for-sale product.
- The Site's proximity to I-680 also creates limitations for project entry location, likely pointing to need to have access taken off El Pintado Road close to the current driveway location. A driveway connection to El Cerro would appear to be infeasible due to the presence of the signalized intersection for El Cerro and the on-ramp/off-ramp legs at the east side of the freeway.

- Traffic analysis would need to verify whether the change to multi-family would necessitate signalization of the intersection of El Pintado and El Cerro – which would be problematic due to its close proximity to the signal at the intersection for El Cerro and the east on-ramp/off-ramp. A similar roadway relationship lead to the need to install a specialized double-signal at the matching intersections along El Cerro at the west side of I-680.
- The townhouse product might be considered an attractive option by the marketplace as the units could be built as fee-title attached units with a relatively high FAR (77.5%+/-) yielding high per square foot sale prices compared to other options considered.
- Any residential project placed on the site would likely need to accommodate maintenance access along the east side of the northbound onramp.
- The property's land use designation would need to change from the current Commercial – Limited Office designation.
- For Apartment/Condominium options, anticipation should be made to the requirement to provide density bonus development concessions (e.g., building height, numerical parking requirements, etc.).
- Residential use on the site would be subject to the Town's inclusionary housing requirements (15% affordable to moderate income households earning ≤110% of median income for densities in excess of 13 units per acre).

SCHULER/BUCKLEY & SAN RAMON VALLEY BLVD. MEDICAL OFFICES PROPERTIES

Preliminary Development Yield - Site H-23 of Danville 2007-2014 Housing Element
Draft – For Discussion Purposes Only – Updated April 2010

Properties Included:

Site	APN	Address	Owner	Gross Acreage	Net Acreage	Age	Structure Size/Garage
A	208 190 025	910 Podva Lane	Buckley	0.40	1.30	1966	1,600 sf/380 sf
B	208 190 026	918 Podva Lane	Schueler/Christoforakis	0.29	0.32	1964	2,199 sf/468 sf
C	208 190 027 (ptn.)	913 SRV Blvd.	GS Assoc-Joint Venture	1.00	0.10	n/a	n/a
		Totals		1.69	1.69 (73,625 sf)		4,647 sf 6.3% FAR

Development Options:

#	Product Type	Land Use Designation	Units/ Acre	# Units/FAR	For-sale For-rent	Inclusionary Component
A	Motor Ct SFR detached (modeling Stonybrook - Ave. 1,675 sf w/450 sf gar)	Residential - Multiple Family - Low (8-13) (2-story at-grade parking)	11 - 13	19 – 22 / up to 63.5% FAR 35% coverage	For-sale	1 moderate income unit
B	Townhouse SFR attached (modeling Shadowhawk – Ave. 1,325 sf w/450 sf gar)	Residential - Multiple Family - Low/Med (13-20) (2½ story at-grade parking)	17 - 20	29 – 34 / up to 82.5% FAR 35% coverage	For-sale	4-5 moderate income units
C	Townhouse SFR attached (modeling Heritage Park - Ave. 1,575 sf w/450 sf gar)	Residential - Multiple Family - Low/Med (13-20) (2-story at-grade parking)	15 - 18	25 – 30 / up to 82.5% FAR 42.5% coverage	For-sale	4 moderate income units
D	Row House MFR attached (New product for Danville – Ave. 1,425 sf w/450 sf gar)	Residential - Multiple Family - Med/High (20-25) (2, 2½ @ 3 stories with at-grade parking giving standard 2-car garage or tandem 2-car garage for each unit)	22 - 25	37 – 42 / up to 107.5% FAR 45.0% coverage	For-rent or for-sale	5-6 mod. or a mix mod/low or very low
E	Apt./Condo.MFR attached (Preserves or Rose Garden) Ave. 975 sf w/300 sf gar)	Residential - Multiple Family - High (25-35) (2½ stories at-grade pkg)	22 - 25	37 – 42 / up to 75.0% FAR 47.5% coverage	For-rent or for-sale	5-6 mod. or a mix mod/low or very low

Development Summary:

- The first two sites listed are underutilized multiple family sites (i.e., Site C-5 from Table 25 – Sites Available for Residential Development with Land Use and Zoning Designation).
- The main site (i.e., the 1.0 acre site listed third above) is a portion of the parking lot serving a four acre medical/dental complex considered to be underutilized in terms of parking-to-building area ratios.
- Whether developed in concert with one or both of the abutting underdeveloped multiple family residential parcels, Site H-23 meets both HCD's minimum density standard and HCD's 16 units per site minimum development potential standard and therefore is a candidate rezoning site to address the "Adequate Sites" shortfall.
- Site is in close vicinity to the Sequoia Grove Apartment project – a 38 unit apartment project on north side of Podva Lane developed by Castle Companies.
- The schematic site plan information supplied (as an aerial of the 1.0 acre site superimposed with the "footprint" of 18 units) was prepared for discussion purposes by Castle. The overlay shows

ATTACHMENT O

two nine-unit building groups that Castle placed on their Preserve for-sale project at south end of Town).

- The townhouse product would likely be considered an attractive option by the marketplace as the units could be built as fee-title attached units with a relatively high FAR (80%+) yielding high per square foot sale prices compared to other options considered.
- The property's land use designation would need to change.
- Site would be subject to the Town's inclusionary housing requirements (15% affordable to moderate income households earning ≤110% of median income) – last column in above table.

JANLOIS FAMILY PARTNERS LP PROPERTIES

Preliminary Development Yield - Site H-17 of Danville 2007-2014 Housing Element
Draft – For Discussion Purposes Only – Updated April 2010

Properties Included:

Site	APN	Address	Owner	Gross Acreage	Net Acreage	Age	Size
A	216 120 012	363 Diablo Road	Janlois Family Partners LP	0.54	tbd	1962	8,542 sf
B	216 120 015	363 Diablo Road	Janlois Family Partners LP	1.58	tbd	1962	Tbd sf
						1979	9,388 sf
		Totals		2.12	1.63 (71,003 sf)		49,503 sf 30% FAR

Development Options:

#	Product Type	Land Use Designation	Units/ Acre	# Units / FAR	For-sale For-rent	Inclusionary Component
A	Townhouse SFR attached (modeling Shadowhawk – Ave. 1,325 sf w/450 sf gar)	Residential - Multiple Family - Low/Med (13-20) (2½ story at-grade parking)	17 - 20	28 – 33 / up to 82.5% FAR 32.5% coverage	For-sale	4-5 mix of mod (60%) and very low (40%)
B	Row House MFR attached (New product for Danville – Ave. 1,425 sf w/450 sf garage) (41 Unit Project: 7 @ 1,250 sf + 15 @ 1,350 sf + 13 @ 1,450 sf + 6 @ 1,750 sf + 41 garages @ 450sf = 76,800 sf)	Residential - Multiple Family - Medium (20-25) (2, 2½ @ 3 stories with at-grade parking giving standard 2-car garage or tandem 2-car garage for each unit)	22 – 25	36 – 41 / up to 108.0% FAR 43.5% coverage - 1st 31,000 sf - 2nd 27,500 sf - 3rd 18,250 sf - 3,500 sf addt'l interior stairways	For-sale	5-6 mix of mod (60%) and very low (40%)
C	Apt./Condo MFR attached (The Preserves "enhanced" – Ave. 1,025 sf w/265 sf garage) (41 Unit Project: 6 @ 825 sf + 12 @ 975 sf + 13 @ 1,050 sf + 10 @ 1,175 sf + 34 garages @ 235 sf + 7 garages @ 435 sf = 53,085 sf)	Residential - Multiple Family - Medium (20-25) (2 and 2½ stories with at-grade parking giving 85% of units a single car garage and 15% of units a tandem 2-car garage) (18,750 sf – or 50 spaces @ 375 sf – as open pkg. 26.5%)	22 – 25	36 – 41 / up to 70.0% FAR 35.0% coverage - 1st 24,750sf - 2nd 21,585 sf - 3rd 6,750 sf - 1,275 sf addt'l interior stairways	For-rent or for-sale	5-6 mix of mod (60%) and very low (40%)
D	Apt./Condo.MFR attached (New product for Danville – Ave. 1,325 sf w/525 sf gar and w/ 300 sf common)	Residential - Multiple Family - High (3 stories over podium)	25 - 35	41 – 57 / up to 130.5% FAR (w/o parking) 45% coverage	For-rent or for-sale	6-9 mix of mod (60%) and very low (40%)
E	Apt./Condo.MFR "wrap-around" or "podium" (New product for Danville – Ave. 1,050 sf @ with 435 sf in parking structure, 375 sf in open parking, and with 225 sf "conditioned" common space)	Residential – Multiple Family – High (3 stories built as stick-built above partial basement garage or around 3-4 decks of above-grade parking)	42 – 47 (being 20% to 35% density bonus yield)	68 – 77 / up to 136.0% FAR (w/o parking) 47.5% coverage	For-rent	10-11 mix of mod (60%) and very low (40%)

Development Summary:

- Site fronts on Diablo Road with the southwestern portion tucked behind a portion of a Diablo Road-fronting office project. At east boundary is Heritage Bank and the

onramp to I-680. South boundary overlaps San Ramon Creek (an improved channel that is 25'-30' in depth) – with the Stoneybrook project (a detached single family residential-motor court project consisting of 88 units at 13 units per acre density) and the Danville Library and Community Center lying across the creek from the site. The west boundary is shared with an office project).

- Any residential project placed on the site may need to share access with a redeveloped Diablo Office Partners project at their shared boundaries.
- Any project will need to address CCCFC&WCD needs for access San Ramon Creek.
- Reuse of this site and the Diablo Office Partners site would likely lead to imposition of a shared requirement to build a pedestrian crossing over San Ramon Creek to connect the sites to the Downtown core. The prior consideration (pre-incorporation) to build a vehicular bridge crossing along the east side of the property (west side of the Diablo Office Partners site) were displaced with the construction of Stoneybrook project and the Library/Community Center – in part because these uses were much less traffic intensive than the previous planned uses (i.e., mixed use project consisting of offices/hotel/multi-family uses).
- A "podium" or "wrap around" option may not be financially feasible unless a relatively high FAR is achieved through use of a density bonus – which would pull in possible project incentives/concessions.
- The property's land use designation would need to change from the current DBD – Area 6 designation.
- For Apartment/Condominium options, anticipation should be made to the requirement to provide density bonus development concessions (e.g., building height, numerical parking requirements, etc.)
- Site is inside the community development area, and would be subject to CRL inclusionary housing requirements (15% affordable with a 60% split for moderate income households and a 40% split for very low income households).
- For the project outlined below (being possible project discussed as Option E above), the CRL inclusionary requirements are imposed on the baseline 35 units per acre project yield. It should be assumed the CRL inclusionary obligation does not go away because a density bonus project is pursued. Relieving a project of its CRL inclusionary requirement means the Danville Community Development Agency would inherit the obligation – which it is not in a position to do. The CRL inclusionary obligation would remain and would be supplemented with the affordability obligation a project would self-commit to meeting by invoking a density bonus arrangement.

  - Assumed gross parcel size – 2.12 acres
  - Assumed creek area deduction - 0.49 acres
  - Net acreage for density calculation – 1.63 acres
  - Anticipated maximum density allowed with general plan update - 35 units/acre
    - Maximum units under new land use designation: 1.63 X 35 = 57.05 units, or 57 units
  - CRL inclusionary requirement for 57 units: 57 X .15 = 8.55 units, or 9 units
    - 3.42 units (or 4 units - per CRL rounding rules) in the very low income category and the balance (i.e., 5 units) in any other affordable category
  - State requirement to secure full 35% bonus density (being one possible approach among several for a 35% density bonus) - 11% of the bonus units in the very low category
    - 20 X .11 = 2.2 units, or 2 units very low income units
  - 35% Density Bonus = 57 X 0.35% = 19.95 units, or 20 density bonus units

- Total allowable units where number and type of target units yields a 35% density bonus = 57 baseline units + 20 density bonus units = 77 total units
- Reflective on the above-cited "rounding rules", yield/mix is a follows:
  - Total Units = 77 Units
  - Very Low Income Units = 6 Units (4 per CRL and 2 per Density Bonus)
  - Moderate Income Units (can also be supplied as Very Low or Low) = 5 Units (all per CRL)
  - Market Rate Units = 66 Units (48 baseline units and 18 density bonus)
- Assumed FAR of 135% yields 96,475 square feet of project area – with 15.0% assumed as "common" or "support" area and 82.5% (or 79,150+/- square feet) of conditioned space for the 77 project units.
- Assumed unit mix:
  - 15 dus @ 850 square feet = 12,750+/- square feet
  - 46 dus @ 1,000 square feet = 46,000 square feet
  - 16 dus @ 1,275 square feet = 20,400+/- square feet
- Parking requirement (could be lower than shown here if density bonus standards are invoked):
  - 77 units @ 2.25 parking spaces per unit = 173 parking spaces
- Parking mix:
  - Parking Structure (3 levels) = 100 spaces at 335 sf/space and a 33,500 square foot "footprint" <u>OR</u> 33,725 square foot "podium" parking structure - built directly below footprint of ground floor units – being partial basement in design and yielding same 100 space count at 335 sf/space yield
  - Open parking = 73 spaces at 375 sf/space and occupying 35% of site (27,375+/- square feet)
- Building coverage/floor-by-floor assumptions:
  - Ground floor = 47.5% coverage, or 33,725 square feet
  - Second floor = 30,500 square feet
  - Third floor = 28,975 square feet

363 Diablo Road

(Danville Court Apartments)
April 1, 2010 (with Town Comments April 2, 2010)
Town of Danville – Kevin Gailey

Kevin,

To start off with, I would like to reemphasize the goals for 363 Diablo Road. As you know, the Janlois family members have been part of the Danville community for over 45 years, and their desire is to remain in the Town for another 45 years. Currently, they control an aging apartment asset with various maintenance and functional obsolescence issues. Their choices moving forward are:

1. Do nothing and continue to maintain the property as best as possible as it ages
2. Rehabilitate the existing units and attempt to improve the maintenance and obsolescence issues.
3. Reposition the asset for the next 45+ years through redevelopment.

The preference is to reposition the asset through redevelopment. Although such an undertaking includes the investment of a significant amount of capital and the assumption of a significant amount of risk, the Janlois family believes that it is the right thing to do for them, the property and the Town of Danville.

- **RESPONSE: Based on information made available to date – and reflective of the policy-level actions taken relative the approval of the Danville 2007-2014 Housing Element – the Town would prefer redevelopment over the other two options. That statement is "couched" by the acknowledgement that redevelopment (or even significant rehabilitation) of the property is subject to environmental analysis and a series of discretionary legislative actions (i.e., General Plan Amendment and Preliminary Development Plan – Rezoning actions). The key "policy-level action" taken involving the property is that it is one of multiple sites listed as the "Housing Opportunity Sites" in the Danville 2007-2014 Housing Element. It is among a total of ten sites, or aggregation of sites, collectively totaling 15¾ acres in acreage, cited as candidate sites for either the anticipated recalibrated Residential – Multiple Family – Medium/High designation (anticipated to be changed to a 20 to 25 units per acre designation - with 20 units per acre being the minimum density) or a new Residential – Multiple Family – High designation (anticipated to be a 25 to 35 units per acre designation - with 25 units per acre being the minimum density). None of the candidate Housing Opportunity Sites (refer to Table 34 of the Housing Element) have had their land use designation changed since the adoption of the Danville 2007-2014 Housing Element. None will see such re-designation until an EIR is prepared and the 12-15 month effort to update the General Plan is completed. If a project proponent wants to proceed independently to seek planning entitlements (i.e., initiate a site-specific GPA Study and a PUD application separate and parallel to the Town's General Plan Update), that project would have a separate environmental analysis and would be reviewed on its merits as a separate request.**

Since 1997, I have developed institutional quality apartments and mixed-use communities throughout California. (I've attached some preliminary information on JRS Realty Partners to the end of this memo) I am proud to say that, in every project, expectations were exceeded and the projects were well positioned at the top end of their particular submarket. I have been interested in 363 Diablo Road since 2007 when I originally tried to purchase and redevelop the adjacent property owned by Danville Office Partners. The location is superb. The opportunity to develop something special is real. Compared to all the developments I have completed, 363 Diablo offers many attributes that are not found in the other locations. I envision a first class apartment community that all stakeholders will be proud of. It will enhance the Diablo Rd. gateway into downtown Danville and act as a catalyst for future improvements. The target renter will be a "renter by choice" that will appreciate the regional access of the property and the walkable access to downtown. Renters with disposable incomes will be located within walking

distance of all of the downtown establishments and will help serve as a boost to the merchant community. Secondarily, but no less important, the investment of many millions of dollars could significantly benefit the Redevelopment Agency through incremental property tax.

- **RESPONSE: Benefit to the Redevelopment Agency, through incremental property tax, would not be a motivating reason for the Town to press for, or seek, redevelopment of the property. The age and financial particulars of Danville's Redevelopment Area are such that a resetting of the property valuation for this project over the next couple of years would not "yield" what you might assume it might as far as incremental property tax benefit to the Town. With or without this property redeveloping, the Agency is going to hit its tax increment "cap" ($80 million) as much as five years before the Agency closes out. There would be no "found" money linked to this site's redevelopment.**

Kevin, I know that you understand all of the benefits that a redevelopment of the site will bring to the Town. I think we can all agree that it's in everyone's best interest to try to make a full redevelopment happen. We understand that there are requirements and restrictions associated with any new development and we are willing to shoulder our fair share. However, we are hopeful that, where flexibility and interpretation exists, 363 Diablo Rd. will be looked upon with a favorable eye. This is a unique property with a unique situation and we believe it deserves some unique consideration.

- **RESPONSE: "Unique consideration" is implicit for all ten sites/15 ¾ acres referred to above on the Housing Opportunity Sites list. All the candidate sites that have been preliminarily cited for consideration of the 20 – 25 dus/acre designation or the 25 – 35 dus/acre designation will be reviewed on their individual merits against yet-to-be written land use and zoning regulations. Where that review can benefit from the details of a "real" project, the process would be greatly facilitated – otherwise assumptions have to be made at the staff level as far as feasible residential product choices. The site-by-site challenge will be to view what is out in the market place for the density ranges in consideration that would best align with the community's overall expectations, make sense on a project specific basis, and make sense in the financial reality of the market place. We have been advising project proponents involved with any of these sites that they should be engaged with these product feasibility and design discussions - even if they are choosing to let the project's land use designation review be handled by the Town through our General Plan Update. Seeing site planning for this site at both ends of the spectrum (i.e., product at, or around 25 units per acre and product at either the 35 units per acre top end or at product with up to 47 units per acre that assumes a density bonus) would be extremely useful – if not ultimately required under CEQA (as far as meeting the project alternative discussion/analysis requirements set forth in CEQA). The Janlois family should hear this directly – especially if there is a chance no project moves forward through your efforts.**

As I'm sure you can tell from my inquiries and our conversations, affordable housing will be a critical issue affecting the redevelopment of this property. We understand the need, requirement and the project's responsibilities as they relate to this issue. However, I would like to take this opportunity to make sure we all understand the potential impact of these responsibilities. Without getting too detailed on the specifics of units and operations, an income-restricted apartment unit will, almost certainly, cost more to create than it is worth. For example, based on 2009 Contra Costa Median Income Levels, the maximum rent for a 1-person very low income household would be approximately $730 per month (assuming I did the math correctly). In simple terms, that unit is worth about $90,000 to the owner of the property. However, at 363 Diablo Rd., that unit could cost upwards of $300,000 to create. Multiply the loss by all of the required affordable housing units and you can see why I'm so concerned about this issue. The project is already starting off with an unfavorable interpretation of land area and, in my opinion, an unfair penalty for replacing existing units with new units. I'm trying to determine a way (within all of the regulations and restrictions) to overcome these initial obstacles.

- RESPONSE: There is no getting around having to review the specifics of affordability – including detailed discussion of "units and operations". This can't be addressed in generic terms or simply in narrative exchanges of e-mails. We stated the obligations for a redeveloped project in general terms in our prior e-mail – both with and without density bonus – but we will need to get down to specific project considerations, together, to go beyond that generalized discussion. At this point, your discussion on affordability is arguably too simplistic and too preliminary to warrant a determination that the project is being subjected to an "unfair penalty for replacing existing units with new units." You would ultimately need to show the math if you are going to choose to formally put into the record that an affordable unit has a $210,000 project subsidy just to cover the cost to develop the unit. My preliminary calculations would point to a project subsidy in the range of $82,500 to $100,000 per very low income unit – without factoring in any concessions and/or incentives and without any "discounting" there would potentially be relative project land costs "burden". If the redevelopment of the site lead to creation of market rate units with an average size of 775 square feet – and acknowledging market rental value for such a unit to currently be around $1,650/month – the market rate units would have a "value" in the $237,500 to $255,000 range (using 15.5 gross rent multiplier and expenses assumed in the range of 17.5% to 22.5% of gross rent) – matching up against an assumed construction cost in the range of $200,000 to $225,000. Less in terms of the correctness of these assumptions than to make an apple to apple comparison - I'd throw out the following: If it was assumed that a 725 square foot 2 bedroom / 2 bath unit was the prototype for the project's very low income units (this being the probable minimum size to lock in three person household income levels) – and assuming a below market rate rental value to be around $825/month (so as to acknowledge top-end qualifying rent might not be secured) – the below market rate units would have a "value" in the $119,000 to $126,500 range (using 15.5 gross rent multiplier and expenses assumed in the range of 17.5% to 22.5% of gross rent) with an assumed construction cost in the range of $187,500 to $210,500 range. The subsidy, even with a 7.5% construction contingency rolled in, would be in the $82,500 to $100,000 range. This subsidy might go down even lower if no land cost "burden" has to be rolled into the project. This subsidy could potentially disappear if the very low income units were operated as Section 8 voucher units.

For your information, the income and rental rates for very low income households – based on 2009 income levels – are as follows:

VERY LOW INCOME - MAXIMUM ALLOWABLE RENT

	1-person Household	2-person Household	3-person Household
Median Income April 2009 HCD figures:	$62,500.00/yr	$71,450.00/yr	$80,350/yr
50% of median:	$31,250.00/yr	$35,700.00/yr	$40,200.00/yr
30% income assignment to housing:	$ 9,375.00/yr	$ 10,710.00/yr	$12,060.00/yr
Maximum monthly housing costs:	$ 781.25/mo	$ 892.50/mo	$ 1,002.00/mo.
Allowance for tenant furnished utilities:	$ 54.00/mo	$ 54.00/mo	$ 65.00/mo
Maximum allowable very low income rent:	$ 727.25/mo	$ 838.50/mo	$ 937.00/mo.

These are supplied to underscore that rental rates are a function of household size – a redeveloped project need not restrict itself to one-person households for its affordable units. Additionally, the rental levels are reflective of 2009 income levels. The 2010 income levels should be published shortly and any upward movement on incomes translates to a proportionate upward increase in rental rates. A project pro forma needs to factor in reasonable upward adjustments in the rental rates for the affordable units. Additionally, it needs to be underscored that any very low income units in a redeveloped project could be – if not should be – operated as Section 8 certificate units. Using the Section 8 approach provides developer certainty as the qualifying occupants rent payment is supplemented to closely align with the

otherwise obtainable market rate value of the units. Both the 74-unit Bridge project on Laurel Drive and the 22-unit Willow Commons apartment projects on Hartz Way have Section 8 tenants – with those tenant occupancies effectively invisible to the community. Providing for four Section 8 very low income household within a 57 unit baseline project - or even ten Section 8 very low income households in a 77 unit density bonus project would not overwhelm the project and would not, on its face, preclude the project from being built from a financial viability viewpoint. Using the Section 8 approach to address the very low income obligation is a viable option to address a project's affordability requirements and can arguably cover the actual "subsidy gap" for those units. The numbers supplied above could be run in with an alternate scenario that would have the four very low income CRL units coupled with some number of low income density bonus units – lowering the "subsidy" (but also lowering the total unit yield). We can give you those numbers if desired.

As far as concessions and incentives are concerned, please know that we will not sacrifice the integrity of the project just to take advantage of an incentive. For example, even though a lower parking standard is easier to site plan and less expensive to construct (especially structured parking), insufficient parking is not an attribute of the type of project we aim to deliver. We are appreciative of the opportunity to incorporate concessions and I hope we can utilize as many as possible, but we will analyze them cautiously. I'm sure you would want it that way.
In 2000, I developed a project in conjunction with the Fullerton Redevelopment Agency that was located within a redevelopment project area. There were various City/Agency contributions and, at the urging of the Agency, the project did not include any affordable housing. I can't attest to the internal workings or motivations of the City at the time but it seemed to be a case of "if there's a will, there's a way". I'm hoping there's some will associated with 363 Diablo Rd. I believe that there are options out there that can get this project to the finish line, maybe even ones that we have yet to explore. I'm anxious to roll up my sleeves and work hard toward an acceptable solution. I'm hopeful you are too.

RESPONSE: You need to assume the information supplied in the prior response frames the obligations for the project. Redevelopment law frames the affordability requirements for a residential project. If the affordable units are not in the project they carry forward as an Agency obligation. The Agency will not be in a position to take on this project's affordability obligations.

All the above being said, I have a couple of questions/comments to your Draft Staff Response:

1. It appears from your analysis that the CRL inclusionary requirements will be imposed "in addition to" the density bonus provisions of SB 1818. Is that correct? Might it be up for discussion?

RESPONSE: The narrative in the prior response, along with the "Sample" Calculations, should be sufficient to answer this question. The "Sample" Calculations are reiterated here for emphasis. The CRL inclusionary requirements are not imposed "in addition to" – they are the baseline starting point in terms of CRL affordability obligations. For your analysis, it should be assumed the CRL inclusionary obligation does not go away because a density bonus project is pursued. The CRL inclusionary obligation would remain and would be supplemented with the affordability obligation a project would self-commit to meeting by invoking a density bonus arrangement.

- **Gross parcel size - 2.12 acres**
- **Creek deduction - 0.49 acres**
- **Net acreage for density calculation - 1.63 acres**
- **Anticipated maximum density allowed with Update of General Plan - 35 units/acre**
  - **Max units under new land use designation = 1.63 X 35 = 57.05 units, or 57 units**
- **CRL inclusionary requirement for 57 units = 57 X .15 = 8.55 units, or 9 units**
  - **3.42 units (or 4 units – per above discussion on rounding) in the very low category and the balance (i.e., 5 units) in any other affordable category**

- **State Requirement for 35% bonus density (one possible approach) – 11% of the units in the very low category.**
  - **57 X .11 = 6.27 units, or 6 units very low income units**
- **35% Density Bonus = 57 X 0.35% = 19.95 density bonus units**
- **Total allowable units where number and type of target units yields a 35% density bonus = 57 baseline units + 19.95 density bonus units = 76.95 total units, or 57 units**

- **Reflective on the above-cited "rounding rules", yield/mix is a follows:**
  - **Total Units = 77 Units**
  - **Very Low Income Units = 10 Units (4 per CRL and 6 per Density Bonus)**
  - **Moderate (can be supplied as Very Low or Low) Income Units = 5 Units (all per CRL)**
  - **Market Rate Units = 62 Units (48 baseline units and 14 density bonus)**

2. In the California Redevelopment Law paper, it states that "Under state law, at least 15% of the housing developed within redevelopment project areas must be affordable to low or moderate income households." Why the requirement for "very" low income households?

RESPONSE: There term "low income", in this context, is inclusive of extremely low, very low and low income categories. The legislation is very clear that the affordability obligation triggered by a residential project in a redevelopment area is 15% of the unit total - with a breakdown of 40% of those affordable units to be affordable to very low income households (may be deeper affordability – can be extremely low or a mix of the two) and 60% of those affordable units to be affordable to moderate income households (again may be deeper affordability can be extremely low, very low, low, or moderate or any mix of these).

3. I agree that it would be helpful to have a more detailed project description and a site plan during our conversations about these issues, and I can't wait to kick-off that part of the process. However, to do it correctly would require a significant investment of time, effort and capital. Even if all of our discussions go my way, this project will still be economically tight. The "do nothing" option might prove to be the most prudent.

RESPONSE: Comment noted.

Therefore, to launch any site planning efforts without first seeing some sort of path to the end, would be irresponsible. I believe that I've developed enough similar projects to have a good understanding of how the design and construction would end up. If it would help, maybe we could talk through it the next time we're together.

4. I know that Rob addressed this issue in our meeting but I can't seem to find it in my notes: What is the document that states that "substantial rehabilitation" of units would trigger affordable housing requirements? Can I get a copy? Might it be up for discussion?

RESPONSE: This will come to you separately as Rob was out of the office today.

GMMR LLC & CORDELL AND ABUTTING W. EL PINTADO/ELSIE DR. PROPERTIES

Preliminary Development Yield - Site H-3 of Danville 2007-2014 Housing Element
Draft – For Discussion Purposes Only – Updated April 2010

Properties Included:

Site	APN	Address	Owner	Gross Acreage	Net Acreage	Age	Structure Size/Garage
A	200 140 006	286 Elsie Drive	Crockett	0.33	0.33	1960	1,941/391
B	200 140 007	267 Elsie Drive	Cordell	0.33	0.33	1957	1,344/440
C	200 140 008	275 Elsie Drive	Venker	0.33	0.33	1957	1,197/440
D	200 140 009	266 Elsie Drive	Acacia Properties	0.33	0.33	1959	1,374/525
E	200 140 011	375 W. El Pintado	GMMR Llc	1.59	1,59	vacant	vacant
F	200 140 012	359 W. El Pintado	GMMR Llc	0.29	0.29	1980	920/399
G	200 140 013	280 Elsie Drive	Spafford	0.28	0.28	1964	1,908/600
		Totals		3.48	3.48 (151,600 sf)		11,479 sf 7.6% FAR

Development Options:

#	Product Type	Land Use Designation	Units/ Acre	# Units / FAR	For-sale For-rent	Inclusionary Component
A	Motor Ct SFR detached (modeling Stonybrook - Ave. 1,675 sf w/450 sf gar)	Residential - Multiple Family - Low (8-13) (2-story at-grade parking)	11 - 13	38 – 45/ up to 63.0% FAR 32.5% coverage	For-sale	4-5 moderate income units
B	Townhouse SFR attached (modeling Shadowhawk – Ave. 1,325 sf w/450 sf gar)	Residential - Multiple Family - Low/Med (13-20) (2½ story at-grade parking)	17 - 20	59 – 70 / up to 84.5% FAR 35.0% coverage	For-sale	9-10 moderate income units
C	Townhouse SFR attached (modeling Heritage Park - Ave. 1,575 sf w/450 sf gar)	Residential - Multiple Family - Low/Med (13-20) (2-story at-grade parking)	15 - 18	52 – 63 / up to 84.5% FAR 47.5% coverage	For-sale	8-9 moderate income units
D	Row House MFR attached (New product for Danville – Ave. 1,425 sf w/450 sf garage)	Residential - Multiple Family - Med/High (20-25) (2, 2½ @ 3 stories with at-grade parking giving standard 2-car garage or tandem 2-car garage for each unit)	22 - 25	76 – 86 / up to 106.5% FAR 47.5% coverage	For-sale	11-13 moderate income units
E	Apt./Condo.MFR attached (The Preserves "enhanced" – Ave. 975 sf w/300 sf gar)	Residential - Multiple Family - High (25-35) (2½ stories at-grade pkg)	22 - 25	76 – 86 / up to 73.5% FAR 45.0% coverage	For-rent or for-sale	11-13 moderate income units
F	Apt./Condo.MFR attached (New product for Danville – Ave. 1,325 sf w/525 sf gar and w/ 300 sf common)	Residential – Multiple Family – High (3 stories over podium)	25 - 35	87 – 122 / up to 130.0% FAR (w/o parking) 45% coverage	For-rent or for-sale	13-18 mod. or a mix mod/low or very low

Development Summary:

- Site includes one larger vacant property (i.e., the 1.59 acre GMMR property) which carries a mixed use land use designation that allows either office use or multiple family residential uses in the 17-22 units per acre density range.

ATTACHMENT Q

- The other, smaller properties are currently designated for low density single family residential use.
- Prior approvals for office use on the larger property proved non-viable due to weak office market.
- The six abutting one-third acre properties are occupied by single family residences that generally date from the late 1950's to the mid 1960's (one of the six was constructed in 1980).
- The larger parcel was purchased at the start of 2008 by a residential developer with development experience in Danville whose efforts to secure control of the directly abutting three one-third acre properties lead to a purchase of one site in 2009.
- If the paired GMMR Llc properties secure an entitlement separate from the remaining five properties making up Site H-3, the remaining acreage is of sufficient size and configuration to be considered under either one 1.6 acre project or two 0.8+/- acre multiple family residential projects.

DIABLO OFFICE PARTNERS/STANLEY PROPERTY

Preliminary Development Yield - Site H-19 of Danville 2007-2014 Housing Element
Draft – For Discussion Purposes Only – Updated April 2010

Properties Included:

Site	APN	Address	Owner	Gross Acreage	Net Acreage	Age	Size
A	216 120 037	373 Diablo Road	Diablo Office Partners	4.26	3.75	1979	24,291 sf
						1979	15,824 sf
						1979	9,388 sf
		Totals		4.26	3.75 (163,350 sf)		49,503 sf 30% FAR

Development Options:

#	Product Type	Land Use Designation	Units/ Acre	# Units / FAR	For-sale For-rent	Inclusionary Component
A	Townhouse SFR attached (modeling Shadowhawk – Ave. 1,325 sf w/435 sf gar)	Residential – Multiple Family – Low/Med(17-20) (2½ story at-grade parking)	13 - 20	49 – 75 / up to 80.0% FAR 45% coverage	For-sale	5-11 mix of mod (60%) and very low (40%)
B	Row House MFR attached (New product for Danville – Ave. 1,350 sf w/450 sf gar)	Residential – Multiple Family – Medium (2½-3 stories at-grade pkg)	20 - 25	75 – 94 / up to 115.0% FAR 47.5% coverage	For-rent or for-sale	11-14 mix of mod (60%) and very low (40%)
C	Apt./Condo.MFR attached (The Preserves "enhanced" – Ave. 975 sf w/300 sf gar)	Residential – Multiple Family – Medium (2½ stories at-grade pkg)	22 - 28	83 – 105 / up to 82.5% FAR 47.5% coverage	For-rent or for-sale	13-16 mix of mod (60%) and very low (40%)
D	Apt./Condo.MFR attached (New product for Danville – Ave. 1,325 sf w/525 sf gar and w/ 300 sf common)	Residential – Multiple Family – High (3 stories over podium)	25 - 35	94 – 131 / up to 130.0% FAR (w/o parking) 45% coverage	For-rent or for-sale	14-20 mix of mod (60%) and very low (40%)
E	Apt./Condo.MFR "wrap-around" or "podium" (New product for Danville – Ave. 1,025 sf @ with 435 sf in parking structure, 325 in open parking, and with 185 sf "conditioned" common space)	Residential – Multiple Family – High (3 stories built as stick-built above partial basement garage or around 3-4 decks of above-grade parking)	42 – 47 (being 20% to 35% density bonus yield)	157 – 177 / up to 135.0% FAR (w/o parking) 47.5% coverage	For-rent	21-25 mix of mod (60%) and very low (40%)

Development Summary:

- Site sits behind two small office projects on the south side of Diablo Road. At east boundary is the slope transition to handle 20'+/- elevation gain for the southbound onramp to I-680 taking traffic from Diablo Road up to I-680. South boundary overlaps San Ramon Creek (an improved channel that is 25'-30' in depth) – with the Stoneybrook detached single family residential motor court project (88 units at 13 units per acre density) and the Danville Library and Community Center lying across the creek from the site. The west boundary is shared with the Janlois/Danville Court Apartment project (46 units and Site H-17 from Table 34).
- Any residential project placed on the site may need to accommodate maintenance access to the slope area providing for the southbound onramp to rise up to I-680.
- Any project will need to address CCCFC&WCD needs to access San Ramon Creek.

ATTACHMENT R

- Reuse of Site H-17 and/or Site H-19 would likely lead to imposition of a requirement to build a pedestrian crossing over San Ramon Creek to connect the site to the Downtown core. The prior consideration (pre-incorporation) to build a vehicular bridge crossing along the west side of the property were displaced with the construction of Stoneybrook and the Library/Community Center as these uses were much less traffic intensive than the previous plans for offices/hotel/multi-family.
- A "podium" or "wrap around" option may not be financially feasible unless a relatively high FAR is achieved through use of a density bonus – which would pull in possible project incentives/concessions.
- The property's land use designation would need to change from the current DBD – Area 6 designation.
- For Apartment/Condominium options, anticipation should be made to the requirement to provide density bonus development concessions (e.g., building height, numerical parking requirements, etc.)
- Site is inside the community development area, and would be subject to CRL inclusionary housing requirements (15% affordable with a 60% split for moderate income households and a 40% split for very low income households).
- For the project outlined below (being possible project discussed as Option E above), the CRL inclusionary requirements are imposed on the baseline 35 units per acre project yield. It should be assumed the CRL inclusionary obligation does not go away because a density bonus project is pursued. Relieving a project of its CRL inclusionary requirement means the Danville Community Development Agency would inherit the obligation – which it is not in a position to do. The CRL inclusionary obligation would remain and would be supplemented with the affordability obligation a project would self-commit to meeting by invoking a density bonus arrangement.

    - Assumed gross parcel size - 4.26 acres
    - Assumed creek area deduction - 0.51 acres
    - Net acreage for density calculation - 3.75 acres
    - Anticipated maximum density allowed with general plan update - 35 units/acre
        - Maximum units under new land use designation: 3.75 X 35 = 131.11 units, or 131 units
    - CRL inclusionary requirement for 131 units: 131 X .15 = 19.65 units, or 20 units
        - 7.86 units (or 8 units - per CRL rounding rules) in the very low income category and the balance (i.e., 12 units) in any other affordable category
    - State requirement to secure full 35% bonus density (being one possible approach among several for a 35% density bonus) - 11% of the bonus units in the very low category
        - 46 X .11 = 5.04 units, or 5 units very low income units
    - 35% Density Bonus = 131 X 0.35% = 45.88 units, or 46 density bonus units
    - Total allowable units where number and type of target units yields a 35% density bonus = 131 baseline units + 46 density bonus units = 177 total units
    - Reflective on the above-cited "rounding rules", yield/mix is a follows:
        - Total Units = 177 Units
        - Very Low Income Units = 13 Units (8 per CRL and 5 per Density Bonus)
        - Moderate Income Units (can also be supplied as Very Low or Low) = 12 Units (all per CRL)
        - Market Rate Units = 152 Units (111 baseline units and 41 density bonus)
    - Assumed FAR of 135% yields 220,525 square feet of project area – with 15.0% assumed as "common" or "support" area and 85% (or 182,000+/- square feet) of conditioned space for the 177 project units.
    - Assumed unit mix:

    - 35 dus @ 850 square feet = 29,750+/- square feet
    - 105 dus @ 1,000 square feet = 105,000 square feet
    - 37 dus @ 1,275 square feet = 47,250+/- square feet
  - Parking requirement (could be lower than shown here if density bonus standards are invoked):
    - 177 units @ 2.25 parking spaces per unit = 398 parking spaces
  - Parking mix:
    - Parking Structure (3 levels) = 231 spaces at 335 sf/space and a 63,375 square foot "footprint" OR 77,500 square foot "podium" parking structure - built directly below footprint of ground floor units – being partial basement in design and yielding same 231 space count at 335 sf/space yield
    - Open parking = 167 spaces at 375 sf/space and occupying 35% of site (57,175+/- square feet)
  - Building coverage/floor-by-floor assumptions:
    - Ground floor = 47.5% coverage, or 77,500 square feet
    - Second floor = 70,000 square feet
    - Third floor = 66,500 square feet

DANVILLE BOWL / BOONE COURT HOUSING OPPORTUNITY SITE

Preliminary Development Yield - Site H-21 of Danville 2007-2014 Housing Element
Draft – For Discussion Purposes Only – Updated April 2010

Properties Included:

Site	APN	Address	Owner	Gross Acreage	Net Acreage	Age	Size
A	216 080 072	200 Bonne Ct.	Glen Arms Estates, Inc.	1.30	1.30	1961	40,720 sf
B	216 080 004	Bonne Ct.	Glen Arms Estates, Inc.	0.32	0.32	n/a	n/a
C	Public ROW	Boone Ct.	Town of Danville	0.10	0.10	n/a	n/a
		Totals		1.72	1.72 (74,925 sf)		40,720 sf 51% FAR

Development Options:

#	Product Type	Land Use Designation	Units/ Acre	# Units / FAR	For-sale For-rent	Inclusionary Component
A	Motor Ct SFR detached (modeling Stonybrook - Ave. 1,675 sf w/450 sf gar)	Residential - Multiple Family - Low (8-13) (2-story at-grade parking)	11 - 13	19 – 22/ up to 62.5% FAR 32.5% coverage	For-sale	2-3 mix of mod (60%) and very low (40%)
B	Townhouse SFR attached (modeling Shadowhawk – Ave. 1,325 sf w/450 sf gar)	Residential - Multiple Family - Low/Med (13-20) (2½ story at-grade parking)	17 - 20	29 – 34 / up to 80.5% FAR 35.0% coverage	For-sale	4-5 mix of mod (60%) and very low (40%)
C	Townhouse SFR attached (modeling Heritage Park - Ave. 1,575 sf w/450 sf gar)	Residential - Multiple Family - Low/Med (13-20) (2-story at-grade parking)	15 - 18	26 – 31 / up to 84.5% FAR 47.5% coverage	For-sale	3-5 mix of mod (60%) and very low (40%)
D	Row House MFR attached (New product for Danville – Ave. 1,425 sf w/450 sf garage)	Residential - Multiple Family - Med/High (20-25) (2, 2½ @ 3 stories with at-grade parking giving standard 2-car garage or tandem 2-car garage for each unit)	22 - 25	38 – 43 / up to 107.5% FAR 47.5% coverage	For-sale 1.72 74,925	6-7 mix of mod (60%) and very low (40%)
E	Apt./Condo.MFR attached (The Preserves "enhanced" – Ave. 975 sf w/300 sf gar)	Residential - Multiple Family - High (25-35) (2½ stories at-grade pkg)	22 - 25	38 – 43 / up to 73.5% FAR 45.0% coverage	For-rent or for-sale	6-7 mix of mod (60%) and very low (40%)
F	Apt./Condo.MFR attached (New product for Danville – Ave. 1,325 sf w/525 sf gar and w/ 300 sf common)	Residential – Multiple Family – High (3 stories over podium)	25 - 35	43 – 60 / up to 130.0% FAR (w/o parking) 45% coverage	For-rent or for-sale	7-9 mix of mod (60%) and very low (40%)

Development Summary:

- Site is wedged between a 69-unit townhouse project (i.e., the Hartley Drive/Ashley Court attached mfr at 13.8 dus/acre), the freeway and a commercial use (i.e., Sycamore Square Shopping Center).
- The townhouse product would likely be considered an attractive option by the marketplace as the units could be built as fee-title attached units with a relatively high FAR (75%+) yielding high per square foot sale prices compared to other options considered.
- Any residential project placed on the site would likely need to accommodate maintenance access to I-680 retaining wall along (at the east side of the project). The most

- The podium option may not be financially feasible unless even higher FAR is achieved through a density bonus option while acknowledging that a condo product without individual parking garages would be "discounted" in the market place by 15% to 20% as measured by price-per-square-foot values.
- Any redevelopment of the site would likely trigger a review of the right-of-way condition for Boone Ct., which appears to be oversized (tbd' within 55' right-of-way). Boone Ct. once extended on past the freeway (aligns with Laurel Drive) and the width at the east half of the road need only be sufficient to handle traffic to the subject property and truck delivery traffic serving Sycamore Shopping Center.
- The property's land use designation would need to change from the current DBD – Area 7 designation.
- For Apartment/Condominium options, anticipation should be made to the requirement to provide density bonus development concessions (e.g., building height, numerical parking requirements, etc.)
- Redevelopment of site would "reset clock" on property tax valuation for the property, but the site is outside the Community Development Agency so there would not be measurable value gained to the Town through redevelopment.
- While the site is outside the redevelopment area, it would still be subject to the Town's inclusionary housing requirements (15% affordable to moderate income households earning ≤110% of median income).

CROW CANYON EXECUTIVE PARK, LTD. PROPERTIES

Preliminary Development Yield - Site H-26 of Danville 2007-2014 Housing Element
Draft – For Discussion Purposes Only – Updated April 2010

Properties Included:

Site	APN	Address	Owner	Gross Acreage	Net Acreage	Age	Size
A	218 040 022	1320 El Capitan Dr.	Crow Canyon Executive Park, Ltd.	2.65	2.65	1979	53,270 sf
						1980	9,600 sf
B	216 120 021	1320 El Capitan Dr.	Crow Canyon Executive Park, Ltd.	0.15	0.15	-	vacant
C	216 120 030	1320 El Capitan Dr.	Crow Canyon Executive Park, Ltd.	2.03	1.70	-	vacant
		Totals		4.83 (210,400 sf)	4.50 (190,020 sf)		62,870 sf 33% FAR

Development Options:

#	Product Type	Land Use Designation	Units/ Acre	# Units / FAR	For-sale For-rent	Inclusionary Component
A	Townhouse SFR attached (modeling Shadowhawk – Ave. 1,325 sf w/450 sf gar)	Residential - Multiple Family - Low/Med(13-20) (2½ story at-grade parking)	13 - 20	59 – 90 / up to 84.0% FAR 35.0% coverage	For-sale	6-13 moderate income units
B	Row House MFR attached (New product for Danville – Ave. 1,425 sf w/450 sf garage) (112 Unit Project: 20 @ 1,250 sf + 40 @ 1,350 sf + 35 @ 1,450 sf + 17 @ 1,750 sf + 112 garages @ 450sf = 210,000 sf)	Residential - Multiple Family - Med/High (20-25) (2, 2½ @ 3 stories with at-grade parking giving standard 2-car garage or tandem 2-car garage for each unit)	20 - 25	90 – 112 / up to 115.5% FAR 43.5% coverage - 1st 83,000sf - 2nd 74,000 sf - 3rd 53,000 sf - 9,500 sf addt'l interior stairways	For-sale	13-17 moderate income units
C	Apt./Condo MFR attached (The Preserves "enhanced" – Ave. 1,025 sf w/265 sf garage) (126 Unit Project: 19 @ 825 sf + 38 @ 975 sf + 38 @ 1,050 sf + 31 @ 1,175 sf + 107 garages @ 235 sf + 19 garages @ 435 sf = 162,500 sf)	Residential - Multiple Family - High (17-20) (2½ story at-grade parking) (2 @ 2½ stories with at-grade parking giving 85% of units a single car garage and 15% of units a tandem 2-car garage) (52,125 sf – or 139 spaces @ 375 sf – as open pkg. 27.5%)	22 - 25	99 – 126 / up to 87.5% FAR 40.0% coverage - 1st 76,000sf - 2nd 66,000 sf - 3rd 20,500 sf - 3,750 sf addt'l interior stairways	For-rent or for-sale	15-19 moderate income units
D	Apt./Condo.MFR attached (New product for Danville – Ave. 1,300 sf w/525 sf in garage podium and w/ 300 sf "conditioned" common)	Residential – Multiple Family – High (25-35) (3 stories over podium)	25 - 35	112 – 157 / up to 132.0% FAR (w/o parking) 45% coverage	For-rent or for-sale	13-24 moderate income units
E	Apt./Condo.MFR "wrap-around" or "podium" (New product for Danville – Ave. 1,050 sf @ with 435 sf in parking structure, 325 in open parking, and with 225 sf "conditioned" common space)	Residential – Multiple Family – High (3 stories built as stick-built above partial basement garage or around 3-4 decks of above-grade parking)	42 – 47 (being 20% to 35% density bonus yield)	188 – 213 / up to 143.0% FAR (w/o parking) 47.5% coverage	For-rent	26-30 mix of 24 moderate (Town Inclusionary) and 2-6 very low (density bonus target) units

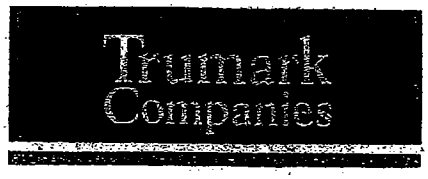
ATTACHMENT T-1

- Site fronts along the west side of El Capitan Drive (across from the Crow Canyon Country Club) and at the east terminus of Fostoria Way. The site is located between the north and south portions of the 116-unit Crow Canyon Heights attached single family residential project – which was built at the start of the 1980's at 5 units per acre density. To the west is a light industrial building which shares a driveway access off the end of Fostoria Way with the site. Further east, beyond the 1.76 acre site holding the light industrial building is the recently completed 34 unit for-sale condominium project built at an effective density (exclusive of the right-of-way for Fostoria Way) of slightly over 25 units per acre.
- Any residential project built on the site should seek to take advantage of the extensive mature tree cover at, and just beyond, the property perimeters on the north and south sides of the site.
- A "podium" or "wrap around" option may not be financially feasible unless a relatively high FAR is achieved through use of a density bonus – which would pull in possible project incentives/concessions.
- The property's land use designation would need to change from the current Commercial – Controlled Manufacturing designation.
- For Apartment/Condominium options, anticipation should be made to the requirement to provide density bonus development concessions (e.g., building height, numerical parking requirements, etc.)
- Site would be subject to Town's inclusionary housing requirements (15% affordable to moderate income households earning ≤110% medium income).
- For the project outlined below (being possible project discussed as Option E above), the density bonus affordable housing requirement is imposed against the 56 unit yield, being 35% of the 157.5 unit baseline project yield at 35 units per acre. The underlying affordable component from the Town's inclusionary requirements is assumed to stay – but may be considered for reduction or waiver through the concessions/incentives due through the density bonus process.

    - Assumed gross parcel size – 4.83 acres
    - Assumed roadway easement area deduction - 0.33 acres
    - Net acreage for density calculation – 4.50 acres
    - Anticipated maximum density allowed with general plan update - 35 units/acre
        - Maximum units under new land use designation: 4.50 X 35 = 157.5 units, or 157 units
    - Town's inclusionary requirement for 157 units: 157 X .15 = 23.55 units, or 24 units for moderate income households earning ≤110% of median income
    - State requirement to secure full 35% bonus density (being one possible approach among several for a 35% density bonus) - 11% of the bonus units in the very low category
        - 56 X .11 = 6.1 units, or 6 units very low income units
    - 35% Density Bonus = 157.5 X 0.35% = 212.65 units, or 213 units yielding 56 density bonus units
    - Total allowable units where number and type of target units yields a 35% density bonus = 157 baseline units + 56 density bonus units = 213 total units
    - Reflective on the above-cited "rounding rules", yield/mix is a follows:
        - Total Units = 213 Units
        - Very Low Income Units = 6 Units (all per Density Bonus)
        - Moderate Income Units (can also be supplied as Very Low or Low) = 24 Units (all per Danville inclusionary)
        - Market Rate Units = 183 Units (133 baseline units and 50 density bonus units)

- Assumed FAR of 143.0% (not inclusive of parking structure) yields 271,500 square feet of project area – with 17.5% assumed as "common" or "support" area and 82.5% (or 224,000+/- square feet) of conditioned space for the 213 project units.
- Assumed unit mix:
  - 42 dus @ 850 square feet = 35,750+/- square feet
  - 128 dus @ 1,050 square feet = 134,500+/- square feet
  - 43 dus @ 1,250 square feet = 53,750+/- square feet
- Parking requirement (could be lower than shown here if density bonus standards are invoked):
  - 213 units @ 2.25 parking spaces per unit = 479 parking spaces
- Parking mix:
  - Parking Structure (3 levels) = 269 spaces at 335 sf/space and a 90,250 square foot "footprint" <u>OR</u> 33,725 square foot "podium" parking structure - built directly below footprint of ground floor units – being partial basement in design and yielding same 100 space count at 335 sf/space yield
  - Open parking = 210 spaces at 375 sf/space and occupying 41.5% of site (78,750+/- square feet)
- Building coverage/floor-by-floor assumptions:
  - Ground floor = 47.5% coverage, or 90,250 square feet
  - Second floor = 30,500 square feet
  - Third floor = 28,975 square feet

May 5, 2010



Mr. Kevin Gailey
Chief of Planning
Planning Division
Town of Danville
510 La Gonda Way
Danville, CA 94526

Re: 1320 El Capitan Drive – Processing Timeline Clarification

Dear Kevin,

I wanted to take this opportunity to follow up with you after last night's General Plan Update Study Session attended by several Planning Commission and Town Council members. It was very helpful to have the update process explained and forecasted into the future.

As you are aware, we are in the middle of our due diligence effort for the purchase of 1320 El Capitan Drive. We have appreciated your time and input over the past weeks on our site design and project vision. I believe we are coming closer together on the appropriate housing type and density, and I look forward to continuing our discussions as we refine our design as it relates to our site constraints.

Accompanying the importance of determining the city's acceptable density for the subject property is our concern over the entitlement processing timeline that we are likely facing. Traditionally, Trumark would lead the application process and approval effort, however, in light of the pending town-wide General Plan Update and complimenting Environmental Impact Report, we can only entitle as quickly as the larger city process will provide. Due to our limited processing time allowance provided by our purchase and sale agreement, it is imperative we understand the city's expectations for the General Plan Update process, both idealistically and realistically.

The following General Plan Update process highlights are based on publicly provided printed information and verbal discussions:

• Joint Study Session (PC & Town Council)	May 4, 2010	Completed
• EIR studies scope preparation	May 2010	Pending
• Project EIR RFQ	May 2010	Pending
• Project EIR public scoping sessions	Summer 2010	Pending
• Completion of Draft Project EIR	December 2010	Pending
• Planning Commission public hearing(s) for Draft EIR and Draft General Plan review	February 2011	Pending
• Town Council public hearing(s) for Draft EIR and Draft General Plan review	March 2011	Pending
• General Plan Update Complete	April 2011	Pending
• Zoning text amendments complete	June 2011	Pending

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ATTACHMENT T-2

In our earlier discussions, you mentioned that our project specific entitlements would not proceed until the zoning for the property is effective, although we would be working with you on our vision concurrently with the General Plan Update process. Additionally, you expected our processing to Tentative Map to take approximately nine months from zoning, projecting our initial approvals to be achieved in March 2012.

I also wanted to clarify that the June 2011 date for Zoning, and March 2012 for Tentative Map are somewhat aggressive and do not account for any delays from the Environmental Impact Report public process, CEQA challenges, extensive community involvement, election year delays, etc. Based on your experience and the controversial nature of some of the Housing Element challenges I would be very interested to understand the timeline contingency you would recommend for our internal planning purposes. Given the various areas for potential delays, I am inclined to propose a six-month additional buffer, bringing our Tentative Map date to September 2012.

Upon your review of this letter, I would greatly appreciate your feedback on my entitlement processing assumptions and conclusions. I believe I have summarized the timeline in a realistic manner, but would like to hear your thoughts on the matter as well. I look forward to receiving your comments.

Thank you for your consideration.

Christopher Davenport
Senior Vice President
Trumark Companies

MEMORANDUM

April 22, 2010

TO: Garrett Hinds, Trumark

E-Mail: ghinds@trumark-co.com

FROM: Kevin Gailey, Town of Danville

RE: Preliminary comments - Trumark plans for reuse of Crow Canyon Executive Park

1. Until the project traffic analysis is prepared and reviewed for the site (which will be done as part of the EIR prepared for the update for the Danville 2010 General Plan), support can't be firmed up for a project layout that splits the project into east and west halves. Only after at least preliminary traffic analysis is prepared for this "adequate sites gap" site will direction be available on the merits/challenges associated with the three obvious options for access for a residential project on this site (i.e., access for entire site via the west side of property; access for entire site via the east side of property; or a splitting of access from both the east and west sides of property).

2. Related to the comments above are issues tying back to proposing a project without a formal EVA. As reflected on the most recent plan submittal, 48 units would be dependent on access to the Fostoria Way driveway connection at the cul-de-sac (we're assuming there are no rights for access to go around the north side of the abutting light industrial building to access Fostoria by the driveway connection on the west side of that building as an "effective EVA"). The remaining 56 units on the plan would be wholly dependent on access via one access driveway connection to El Capitan Drive. The mass grading for the site, as shown on this layout, precludes a vehicular connection of the east and west halves of the site. Emergency vehicular access (EVA) requirements need to be determined (per San Ramon Valley Fire Protection District requirements). Trumark needs to seek review from the Fire District relative the proposed site plan/access layout relative EVA requirements. Input should also be sought on minimum interior turning radii and on emergency vehicle turnaround standards (if this hasn't already happened).

3. It is necessary to underscore that, regardless of what can be defended/supported on a traffic impact level, the subsequent project public hearing process could point to a different access plan for the project in response to future neighborhood input/concern.

4. A related consideration is that rights to modify and/or intensify the vehicular load for the private section of Fostoria Way would have verified.

5. A significant consideration on layout is the dimension to be used for garage-to-garage separations. The plans indicate 26'+/- for the garage-to-garage separation. This is not considered sufficient for a double-loaded garage condition. At this point, we'd direct use of a minimum 30' to 32' garage-to-garage separation. Separations used for similar garage-to-garage separations on recent projects were as follows: Heritage Park – (tbd)' separation; Shadowhawk – (tbd)' separation; Rose Garden – (tbd)' separation; and Preserves – (tbd)'

separation. This is a critical development standard as the plan is very aggressive both on the east-west axis and the north-south axis. Direction to supply a 30' to 32' separation is given, accommodating that standard has significant site plan layout impacts.

6. Associated with garage-to-garage separation issues are related building massing/aesthetic considerations that would push for variation on the separation provided across the 115' three-story "face" of the typical garage-side building elevation. Preliminary consideration would be to direct no more than one half of the garage separations to be at the 30' to 32' minimum and to have the remaining garages in the same plane have an enhanced separation stepping up two additional feet and then two more additional feet. The tiered separation is considered necessary to provide relief on the three-story massing and to introduce a minimum amount of building articulation at the ground level.

7. It is anticipated that the elected/appointed bodies will be press for inclusion of recreation amenities for the project given its size/unit count. While Trumark can elect to submit with a "preferred plan" that shows no recreation amenities (i.e., with no community pool; no community passive recreation lawn area (sized adequate for a "game of catch"); no community barbeque area; no community recreation/meeting building; and/or no community play area), it would be wise to pre-plan the site to receive some combination of these items if directed to provide them at a later date.

8. Any subsequent submittal of preliminary site plan information should reflect basic site grading information and should indicate the relative location of surrounding buildings, parking aisles, and parking areas. A copy of a recent aerial photograph is passed on to assist with this effort.

9. Effort should start on pulling together key site cross sections. The enclosed copy of the current site plan submittal includes unit numbering for reference purposes. The cross sections should, at a minimum, include: Section AA – east-west cross section through Building Group 1-8 from the drive aisle proposed along west side through to property fence across east side of El Capitan Drive defining Crow Canyon Country Club; Section BB – east-west cross section through Building Groups 9-16 and 18-24 through slope area below El Capitan Drive and up to center line for El Capitan Drive; Section CC – east-west cross section for central grade change running from Units 73/74 in Building Group 73-80 through Building Groups 65-72 and 41-48 through drive aisle at east side of Building Group 41-48; Section DD – north-south cross section through Units 54/55/56 in Building Group 49-56 through south property line (with Redwood tree buffer depicted) into an adjoining existing residence to the south; Section EE – north-south cross section through Unit 76 in Building Group 73-80 through north property line (with offsite tree buffer depicted) into an adjoining existing residence to the north; and Section FF – east-west cross section through Units 81/82/83 in Building Group 81-88 through west property line into an adjoining existing light industrial building to the west.

10. Any subsequent submittal of a preliminary site plan should tie down gross acreage for the property. Metroscan data for the site shows a 20-foot width strip (i.e., APN 218-040-021) along the west side under the Crow Canyon Executive Park Ltd. ownership – but it is unclear where that strip is relative the site plan information that has been submitted. The aerial being passed on seems to indicate this 20-foot strip is the western portion of the drive aisle

serving the half-on / half-off parking at the west property boundary. Metoscan data for the site also shows a 0.33 acre area encumbered by some type of easement along the east side of the site (i.e., along the east side of APN 218-040-030) and it is unclear where this 25'+/- width strip lies relative the site plan information that has been submitted. As shown on the aerial, the geometry of the east edge of the site needs to be reconciled as the preliminary plans don't match the property boundary information on the aerial photograph. The aggregate area shown under the Crow Canyon Executive Park Ltd. ownership in Metroscan is 4.83 acres – a lot size not reflected on the site plan information that has been submitted.

11. As Trumark is aware, the calculation of residential density is an issue relative to meeting the "adequate sites gap" from the Housing Element. The Town would most likely not change the underlying general plan land use designation for any residential project less than 20 units per acre (the bottom end of the density range for the anticipated 20-25 units per acre land use designation) and would not be likely to walk away from this site being a candidate site for the 25-35 units per acre designation unless clear candidate sites to meet the 7.8 acre "adequate sites" shortfall are identified through the process to update the Danville 2010 General Plan.

12. As mentioned in the meeting last week, it would appear there would be merit into looking at the feasibility of relocating "excess" land area shown to be devoted for driveways at the west side of Building Group 1-8 into the "paseo" area between Building Groupings 41-48 and 65-72. Such reassignment of land would also benefit the areas provided at either end of Building Grouping 73-80).

13. As mentioned in the meeting last week, it would appear there would be merit into looking at the feasibility of assigning "excess" land area shown at the east side of Building Grouping 9-16 (involves moving the building into the slope area lying between it and El Capitan Drive) into the "paseo" areas between Building Groupings 49-56 and 57-64 and Building Groupings 18-24 and 25-32. Such reassignment of land would also benefit the areas provided at either end of Building Grouping 98-104.

14. There would appear there would be merit into modifying the garages for certain end-unit conditions. Specifically, it would be appropriate to look at the merits of changing side-by-side tandem garages at certain end-unit locations that are shown to be oriented with all the other garages into a modified standard garages (i.e., garages with side-by-side parking). As shown on the attached sketch study, one option would be to have one of the two end units served by a standard two-car garage off the end cap of the building grouping. For example, Units 32/34 in Building Grouping 33-39 might be served by changing the garage serving Unit 33 into a two-car garage (still oriented to the shared driveway that serves the other garages) while providing a two-car garage for Unit 34 that is oriented to the end of the building grouping.

15. The change suggested above would help the garage-type "mix" by increasing the percentage of standard two-car garages and decreasing the dependency on two-car tandem garages. It is doubtful there would be support for dependency on tandem garage layouts for in excess of 50% of the project units.

16. The change suggested above would also potentially help to break up the garage-dominated building elevation implied on the latest site plan submittal.

17. Additionally, the change suggested above could potentially provide an enhanced private open space/unit entry condition for both affected end-cap units. An enhanced private open space/unit entry condition would see Unit 33 oriented off the end-cap of the building grouping and would see Unit 34's private open space/unit entry located around the corner – i.e., on the "standard" paseo side of the building grouping. This is different than what was discussed at the meeting last week as the idea forwarded to move both the garages around the corner would likely create problems for emergency vehicle minimum radii standards for movements at the corner leading into the garage alley area - and would trade one garage-dominated elevation for another (i.e., two two-car garages at the end-cap condition as originally discussed probably are not an improvement over having all garages off the common alley). Candidate pairings to receive this modification include Unit pairings 23/24; 25/26; 33/34; 73/74; 79/80; 98/99; and 103/104. Per the following comment, additional candidate pairings might be 82/83 and 95/96.

18. The location of the eleven open parking spaces shown on the west side of Building Groupings 81-88 and 89-95 180 should be "flipped" to the east side of these buildings. These open parking spaces should be internal to this half the project from a distribution context – even though such a move places units closer to the light industrial use.

19. In conjunction with the comment above, consideration should be given to change out unit pairings 81/82 and 95/96 to have these four units be four of the project's required BMR units. It would be acceptable to have these units slightly smaller than currently shown (i.e., smaller than indicated Plan 1 size at 1,326 sf and Plan 2 size at 1,457 sf).

20. The size ultimately locked down for the BMRs should reflect a small, but functional, three bedroom unit – probably in the 1,150 to 1,250 square foot range. This best size of a unit is a size that would allow use of income levels aligned with a four-person household rather than incomes for a smaller household (there is a 10% drop in allowable prices for each one person reduction in household size).

21. In the long run it would be likely the abutting light industrial building will switch out to a residential use so the odd interface between residential and light industrial will be addressed through the redevelopment of the abutting site. (Note: The Town may potentially consider facilitating that change – i.e., the redevelopment of the abutting light industrial site through the update of the General Plan. Placing some of the project's required BMRs at this interface would be supported by the Town.

22. The building massing of the unit pairings closest to the entry off of Fostoria (i.e., Units 97/98) and closest to the entry off of El Capitan Drive (i.e., Units 1/2) should be softened by using location-specific modified floor plans for these unit parings. The modified plans could have slightly larger footprints but should not "read" as three story units as viewed from the respective project entrances.

23. The three longest dead-end alleyways (Alleyways B, D and E) shown on the current site plan submittal should make provision for a functional, dedicated vehicular turnaround at the end

of the alleys. There is a need to accommodate the turnaround needs for at least the occasional regular passenger car that will travel down to the end of the alleyway without knowing it is a dead-end and without having the ability to pull into one of the garages to accommodate a standard three-point U-turn movement. The provision of a minor vehicular turnaround is necessary so these vehicles don't have to back up to exit or have to make five-point turning movements to turn around.

24. For Alleyways D and E, it would be better to take space devoted to the three common parking spaces shown between Building Groupings 42-48 and 49-56 and so as to assign ten feet to the north and south ends of the respective building groupings. This reallocated space would allow placement of one recessed, common parking space at both the north side of Building Grouping 41-48 and at the south side of Building Grouping 49-56. This adjustment would allow a retention of the count of the common parking spaces; would aid distribution of common parking (just minimally, admittedly); and would allow for enlargement of the side yard setbacks for at least these two building groupings be by 10'+/-. The same adjustment should be made to the south side of Building Grouping 9-16, borrowing ten feet out of the combined space shown north of Building Grouping 1-8 and between the two building groupings.

25. The fifteen foot grade break between the east and west halves of the project effectively kills any functionality of the paseo it bisects and while also forcing an inappropriate, unsupportable building massing condition. The massing "problem" is that the buildings on the up slope side of the grade break (i.e., Building Groupings 42-48 and 49-56) will effectively loom over the down slope side of the grade break (i.e., over Building Groupings 57-64 and 65-72) because of the magnitude of the grade break and the relative proximity of the building grouping pairings. The down slope units will have a fifteen foot high wall (which will have to be supplemented with the requisite safety railing above it - adding another 4'+/) just fifteen feet away from their front doors – with about 26 high three-story building massing sitting just fifteen feet further back from the wall. The total combined height of wall and structure creates an effective 40'-plus height "face" in the thirty foot zone extending out from the down slope units. This is too aggressive to be supported by staff.

26. There also won't be a "soft" way to handle the fifteen foot grade break at the north and south property lines. The up slope half of this building grouping pairing is going to loom over the side property line (and offsite uses lying beyond the property line).

27. Also, the planned grade break would result in a "forced" grading, landscaping and walkway condition in the grade transition as there isn't enough room between the ends of the building groupings and the north and south boundaries to appropriately absorb the grade differential.

28. One obvious adjustment that mitigates all the grade break issues comes to mind – though it admittedly comes at the "price" of having to introduce an alternate building grouping design for four to six of the thirteen building groupings. Instead of having the grade break located at the paseo at the mid axis of the site, the grade break could/should be handled mid-building – split into two grade adjustment locations. Specifically the fifteen foot grade change could/should happen in two pieces - having Building Groupings 25-32, 32-40, 57-64 and 65-72 utilize a split floor layout (a "walk-up" townhouse design) seeing the garages

serving these units sit 2/3rds to one full floor below the finished floor elevations at the unit entries. The grade change would be handled by rear-of-garage retaining walls (interior stairway up to the level of the project entries could still be supplied) along the long axis of the buildings. At the exterior of the building groupings the exterior slope change could be handled by 3:1 to 4:1 slope gradients (with selective use of stairways) along a 40 foot length of the ends of the building groupings.

29. As plans further progress, there will be a long list of details that will be of interest to the Town. This proposed project includes a product type not built in Danville. The closest we have are "walk up" product built in the Shadowhawk/K&B project and in the Danville Place/Castle project built a bit to the west of your project site.

30. At this point it is anticipated the Town would create design guidelines for this Row House-type product – with a goal of guiding what is built to align with quality standards expected in Danville and meeting the HCD-directive to have the GP Update/Zoning actions "deliver" a site where there is developer-certainty and the ability to develop "by right". To that end – we've started our search of what is out there with other jurisdictions. A "hit" for this type of product are the design guidelines developed for Mountain View for Row House projects. You are encouraged to go to their website to download a copy of their design guidelines. In addition to the guidelines for Row House product, they have design guidelines for lower-density – more traditional townhouses and for product jumping up to a 36-60 units per acre standard. Under separate cover I'll send you an early version of a table that lists and groups the various "objective" standards contained in their design guidelines. Be advised that we will be inclined to look to this table for direction on areas to focus on for our review (e.g., building height standards, direction on mix of tandems and standard parking, etc.,).

I'm sending all this material over today in anticipation that we'll get together next week to discuss these comments in more detail and to outline "next steps" for plan development.

I appreciate your quick turnaround on the basic site plan information for the Dublin Row House projects. The attached draft sample worksheet is one we'll use to bridge from your information and additional information our staff will secure on the Dublin projects. We assume we will ultimately need to "ID" a couple of noteworthy projects that best reflect the product type Trumark desires to build and provide "fleshed-out" fact sheets to facilitate reviews of your plans by DRB, the Planning Commission and the Town Council. We won't "push" the poor examples and will continue to seek to hear about good projects that reflect this product scheme and density.

RESOLUTION NO. 128-2007

AUTHORIZING THE INITIATION OF A GENERAL PLAN AMENDMENT STUDY BY CORRIE DEVELOPMENT CORPORATION (APPLICANTS) AND ARMAND BOREL (PROPERTY OWNER) INVOLVING THE 7.0 ACRE NORTHERLY PORTION OF A 16.65 ACRE PROPERTY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF FOSTORIA WAYAND CAMINO RAMON (3020 FOSTORIA WAY – APN 218-090-031)

WHEREAS, Corrie Development Corporation (Applicants) has requested authorization to initiate a General Plan Amendment Study involving the 7.0 acre northerly portion of a 16.65 acre property located at the northwest corner of the intersection of Fostoria Way and Camino Ramon (3020 Fostoria Way – 218-090-031); and

WHEREAS, Corrie Development Corporation has submitted documentation to the Town of Danville indicating it has entered into an unrecorded Real Property Option and Purchase Agreement, dated June 14, 2004, pursuant to which Armand Borel (Property Owner) granted an option to purchase the subject 16.65 acre property to Sidney Corrie, Jr., owner of Corrie Development Corporation; and

WHEREAS, said documentation of option rights is in the form of the Memorandum of Option involving the subject property and recorded with the County Recorder's Office on August 23, 2004 ("DOC-2004-0299282-00); and

WHEREAS, Applicants have indicated their intent to submit application for a General Plan Amendment Study proposing a mix of uses on the 7.0 acre property, with the requested uses including, a hotel, a self-storage facility, and a mix of commercial uses providing for general retail, restaurant and office occupancies; and

WHEREAS, the 7.0 acre subject property is a portion of the 66.6 acre property involved with a prior general plan amendment study request, processed in the earlier 1980s as General Plan Amendment request GPA 85-2, that resulted in the application of the three land use designations, including Residential – Single Family – Medium Density (3-5 dwelling units per acre), Residential – Multiple Family – Medium Density (13-21 dwelling units per acre), and Commercial; and

WHEREAS, General Plan Amendment request GPA 85-2, as approved by the Town Council on February 18, 1988, imposed development standards and limitations as to how these three land use categories could be exercised on the 66.6 acre property; and

ATTACHMENT U

WHEREAS, a majority of the original 66.6 acre property was subsequently developed substantially consistent with the intent and requirements set forth through the approval of GPA 85-2; and

WHEREAS, GPA 85-2 provided for approximately five acres of the 30-32 acres of lands slated for commercial use to be considered for development with hotel/motel uses and directed that a specific 1.8 acre property within the GPA study area and located next to Interstate Freeway I-680 be developed with a motel use; and

WHEREAS, to date no hotel/motel use has been established within the 66.6 acre area addressed by GPA 85-2; and

WHEREAS, the 1.8 acre property next to Interstate Freeway I-680 was, subsequent to the approval of GPA 85-2, partially developed with roadway related improvements associated with the construction of the I-680/Fostoria Way overpass and brought into Town of Danville ownership; and

WHEREAS, the underlying land use designations for the undeveloped portions of the 66.6 acre area addressed by GPA 85-2, as well as the accompanying development standards and limitations set forth through the approval of GPA 85-2, remain in effect, carried forward through two subsequent Town-wide General Plan updates; and

WHEREAS, as regards the 7.0 acre property covered by the current General Plan Amendment Study authorization request, is subject to development standards and limitations set forth through GPA 85-2 directing that a minimum of 385-470 feet of the northerly portion of the property (equates to a range of 3.9 to 4.8 acres of the 7.0 acre property) be developed consistent with the Residential - Single Family - Medium Density (3-5 dwelling units per acre) land use designation; and

WHEREAS, the remaining, southerly portion of the 7.0 acre property (i.e., 2.2 to 3.1 acres) is subject to development standards and limitations set forth through GPA 85-2 directing development with "destination commercial" uses such as automobile dealers, automobile related products, large destination type stores, and other similar stores which depend on the general public's knowledge of their location through marketing efforts or repeat shopping; and

WHEREAS, as provided for under GPA 85-2 the southerly portion of the 7.0 acre property (again being a range of 2.2 to 3.1 acres) may be considered for development

with hotel/motel development to constitute a portion of the approximately five acres of the original 66.6 acres that may be considered for that use; and

WHEREAS, the Town of Danville requires Town Council authorization prior to preparation of General Plan Amendment Studies; and

WHEREAS, the Town Council did consider the applicant's request at a public hearing on November 6, 2007; and

WHEREAS, the Town Council did hear and consider all reports, recommendations, and testimony submitted in writing and presented at the hearing; now, therefore, be it

RESOLVED, that the Danville Town Council concurs with the recommendation of staff and authorizes the preparation of a General Plan Amendment Study; and, be it further

RESOLVED, given the location and mixture of land uses surrounding the subject property, it is appropriate to have the applicants prepare alternative schematic site and circulation plans covering the subject 7.0 acre property, with such plans extending over the remainder portion of the 16.65 acre Armand Borel property, to facilitate a thorough General Plan Amendment Study for the property; and, be it further

RESOLVED, the expanded scope of the application submittal is directed to occur to allow the development review process of all the remainder property involved with GPA 85-2 to adequately identify and address development opportunities and constraints associated with the remainder property; and, be it further

RESOLVED, the applicants are directed to prepare alternate development schemes beyond their preferred development scheme, with such alternate schemes to depict possible projects with land use designations of roughly comparable development yields of the current and the proposed land use designations for the development site; and, be it further

RESOLVED, in acknowledgement that the Town Council typically directs applicants for GPA Studies to prepare alternate development schemes beyond their preferred development scheme, the Town Council directs the applicants to prepare alternate development schemes for the 16.65 acre Borel property as follows:

1. An "existing baseline" development scheme - reflecting current land use designations (i.e., reflecting a project consistent the mix of Residential - Single Family – Medium Density (3-5 dwelling units per acre) and the Commercial designations – with, or without, up to five acres devoted to hotel/motel use);

2. A "preferred project" development scheme – reflecting Applicant's preferred land use for the northerly 7.0 acres of the Borel property and depicting at least one possible development scheme for the southerly remainder of the Borel property that is consistent with the current land use designations and the development standards and limitations set forth through GPA 85-2 (and taking into consideration traffic capacity assigned in existing traffic models for the 16.65 acre Borel property);

3. A mixed commercial/single family residential/high density multiple family residential" development scheme – including, at a minimum, 3.33 developable acres for a multiple family residential uses (meeting the California Department of Housing and Community Development default minimum density assigned to Danville for the 2007-2014 Housing Element cycle - i.e., 30 dwelling units per acre minimum density); an appropriate amount of single family residential uses (placed as a buffer to existing single family residential uses along the north side of the project); and a mixture of commercial uses incorporating uses reflected in the applicant's preferred project and commercial uses consistent with the current land use designation and the development standards and limitations set forth through GPA 85-2;

and, be it further

RESOLVED, that the Town Council directs applicants to supplement the application for the General Plan Amendment Study for the northerly 7.0 acres with an application for a Preliminary Development Plan – Rezoning request (i.e., an application to rezone the property to a PUD zoning designation); and, be it further

RESOLVED, that the Town Council directs that the submittal materials for the General Plan Amendment Study shall address potential land use compatibility, storm drainage, noise and traffic issues associated with the subject property's development; and, be it further

RESOLVED, that in authorizing the above-mentioned General Plan Amendment Study, the Town Council is not indicating any predisposition to approve the requested General Plan Amendment.

APPROVED by the Danville Town Council at a regular meeting on November 6, 2007 by the following vote:

AYES: Shimansky, Andersen, Arnerich, Doyle, Stepper
NOES: None
ABSTAIN: None
ABSENT: None

Michael K. Shimansky
MAYOR

APPROVED AS TO FORM:

Robert B. Ewing
CITY ATTORNEY

ATTEST:

CITY CLERK