

Planning Commission Staff Report

May 25, 2016
Item 5.c.

- SUBJECT:** Vesting Tentative Map 8317
- APPLICANT:** Ponderosa Homes II, Inc.
- PROPERTY OWNERS:** John G. and Jana C. Altieri, et al.
- PURPOSE:** Application for a Vesting Tentative Map to subdivide an approximately nine-acre property into 20 lots for 19 new single-family homes (approved under PUD-99) and one common area lot.
- GENERAL PLAN:** Medium Density Residential; Open Space-Public Health and Safety/Wildland Overlay
- ZONING:** PUD – MDR (Planned Unit Development – Medium Density Residential) District
- LOCATION:** 1851 Rose Avenue
- EXHIBITS:**
- A. [Draft Conditions of Approval](#)
 - B. [Vesting Tentative Map 8317, dated "Received, May 12, 2016"](#)
 - C. [Draft City Council Ordinance No. 2142 approving PUD-99 with Conditions of Approval](#)
 - D. [City Council Staff Report for PUD-99 \(without attachments\) and Draft City Council Meeting Minutes \(excerpt\) dated April 19, 2016](#)
 - E. [Planning Commission Staff Report for PUD-99 \(without exhibits\) and Planning Commission Meeting Minutes \(excerpt\) dated March 23, 2016](#)
 - F. [Public Comments](#)
 - G. [Location and Notice Map](#)

BACKGROUND

On April 19, 2016, the City Council approved Ponderosa Homes' application for a Planned Unit Development (PUD) development plan to construct 19 detached single-family homes in two phases and related site improvements (PUD-99). The Planning Commission had previously recommended approval of PUD-99 at its March 23, 2016 hearing. For additional details on the PUD application, please refer to the City Council and Planning Commission staff reports (Exhibits D and E).

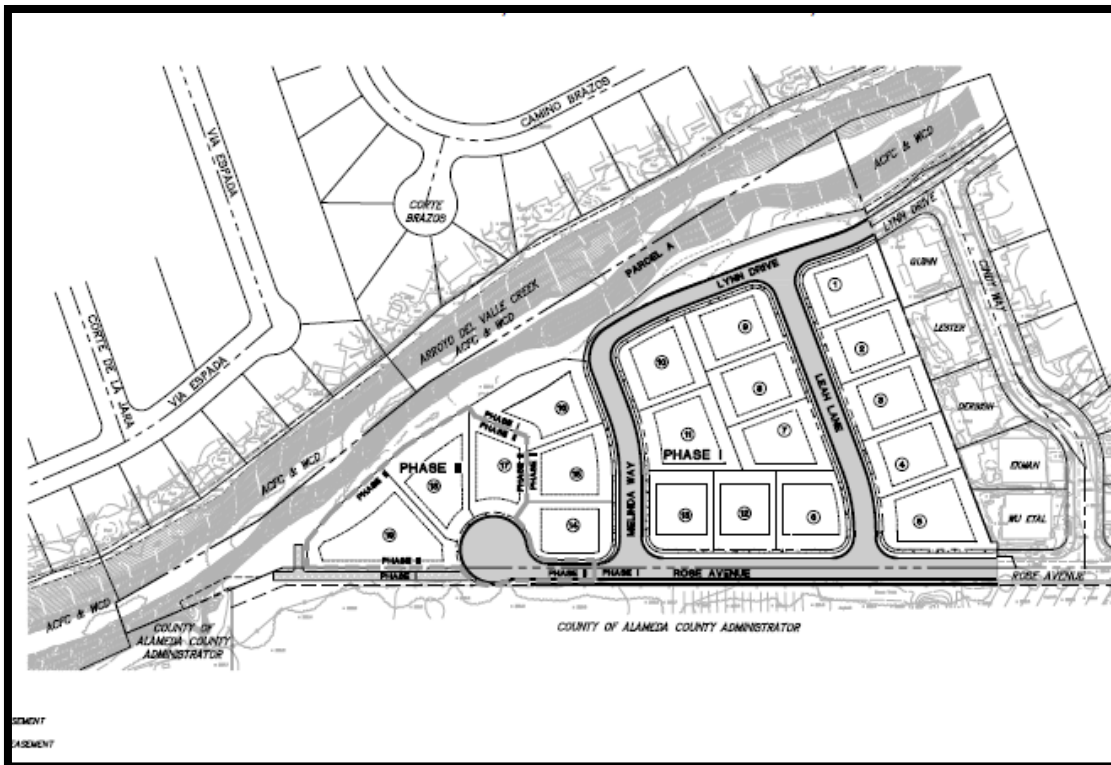
Following the approval of the PUD development plan, Ponderosa Homes submitted a Vesting Tentative Map to subdivide the approximately nine-acre property into 20 lots for 19 new single-family homes and one common area lot. A Vesting Tentative Map confers a vested right to proceed with a development in substantial compliance with the ordinances, policies, and standards in effect at the time an application for the map is deemed complete. Vesting tentative maps are reviewed in the same manner as regular tentative maps, and the Planning Commission is the sole reviewing body (unless appealed). Staff has found the Vesting Tentative Map for the project application to be complete and is forwarding it to the Planning Commission for its review.

PROJECT DESCRIPTION

The details of the requested Vesting Tentative Map (Figure 1) are summarized below:

- Create 19 single-family lots, ranging in size from approximately 9,881 square feet to 18,913 square feet in area.
- Create a common area parcel for the portion of Arroyo del Valle that is located on the project site, a bio-retention area, and a public trail (Lot A).
- A Homeowners Association (HOA) would be established and would own and maintain the common area parcel.

Figure 1: Vesting Tentative Map 8317



The proposed tentative map is substantially the same as the PUD development plan (PUD-99) approved by the City Council.

DISCUSSION

Review of a tentative map is limited to review of its consistency with the approved PUD development plan and compliance with State-mandated findings. As described above, the Vesting Tentative Map is consistent with the approved PUD development plan. The design of the proposed Vesting Tentative Map's lot pattern and common area parcel is consistent with the approved PUD development plan approved by the City Council.

PUBLIC NOTICE

Notice of this application was sent to surrounding property owners within a 1,000-foot radius of the site. Anand Oswal emailed staff (Exhibit F), expressing concerns about the potential impacts of the development project on wildlife habitat. As discussed in the April 19, 2016 City Council agenda report on the PUD, the development project would have no adverse impacts on biological resources. The proposed Vesting Tentative Map is consistent with the approved PUD development plan. Staff acknowledges the comments and concerns but does not believe they are relevant to the Vesting Tentative Map review.

VESTING TENTATIVE MAP FINDINGS

State law and the Zoning Ordinance of the Pleasanton Municipal Code (PMC) set forth the considerations to be addressed in reviewing a Vesting Tentative Map. The Planning Commission must make the following findings that Vesting Tentative Map 8317 conforms to the purposes of the PMC, before making its action.

1. The proposed vesting tentative subdivision map conforms to the zoning regulations/development plan.

The Vesting Tentative Map and improvements conform to the PUD development plan and conditions of PUD-99. The map and improvements thus--conform to the underlying zoning district.

2. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.

Being an irregular-shaped site, not all of the homes would be oriented on an east-west alignment allowing for southern exposure. The homes in the project will comply with the City's residential Green Building Ordinance, which requires that each home achieve a "Green Home" rating on the "Single-Family Green Building Rating System." The homes in the development will incorporate a considerable number of green building measures into the project, providing approximately 94 points and greatly exceeding the 50 point minimum. Energy efficiency is the cornerstone of every green home. For this development, the homes will exceed Title 24 state energy conservation requirements by 10% and have humidity control systems installed.

3. The proposed vesting tentative subdivision map, together with its design and improvement, is consistent with the Pleasanton General Plan.

PUD-99 was found to be consistent with the Pleasanton General Plan and Vesting Tentative Map 8317 was submitted based on the approved development plan (please refer to the Land Use section on page 5 of the attached Planning Commission staff report in Exhibit E). The proposed subdivision and its improvements are compatible with the objectives, policies, land uses, and programs specified in the General Plan.

4. The subdivision site is physically suitable for this type and density of development.

The property is not in a flood zone or earthquake fault zone and is relatively flat. Project construction would involve minimal site grading and alteration of existing topography. Thus, the project site is physically suitable for the proposed development.

5. The design of the subdivision and improvements covered by the proposed vesting tentative subdivision map will not cause substantial environmental damage and avoidably injure fish and/or wildlife or their habitat.

As part of the PUD review, the City found no potential for significant environmental effects. PUD-99 includes conditions that require best management practices to be incorporated before and during construction to minimize impacts to groundwater and surface water quality. Vesting Tentative Map 8317 establishes an open space buffer around Arroyo del Valle, which would further protect wildlife habitat.

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

The proposed subdivision meets all applicable City standards pertaining to public health, safety, and welfare (e.g., standards pertaining to public utilities and services, public road design and traffic safety, fire hazards and noise hazards). All public safety measures are addressed through the design and conditions of approval for PUD-99 and the Vesting Tentative Map. The street design is satisfactory to the Livermore-Pleasanton Fire Department and Traffic Engineer. The homes will be equipped with automatic residential fire sprinklers and will be required to meet the requirements of the California Building Code, Fire Code, and other applicable City codes and/or requirements. The site is free from toxic or hazardous materials and no earthquake, landslide, flooding, or other natural hazards exist at this site.

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

There are no existing easements on the project site. This Vesting Tentative Map provides for easements shown on the PUD development plan or required in the PUD conditions of approval.

8. **The restriction on approving a tentative subdivision map on land covered by a land conservation contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act) is not applicable.**

The site is not covered by a land conservation contract, including a Williamson Act contract.

9. **The discharge of waste from the proposed subdivision would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board (RWQCB).**

No discharge violation currently exists and sewer capacity is available for this subdivision. The project would not discharge any waste other than domestic sewage and all sewage would be discharged into the city's sanitary sewer system for ultimate treatment. Stormwater runoff would be collected and conveyed through bio-retention basins located on the north side of the extended Lynn Drive, and on the south side of Rose Avenue. Stormwater would then be conveyed through underground piping to a proposed energy dissipater outfall into the arroyo. Urban stormwater runoff is required to meet the City's RWQCB permit requirements for urban development. Additionally, the proposed outfall has been approved by the U.S. Army Corps of Engineers.

ENVIRONMENTAL ASSESSMENT

A Supplemental Environmental Impact Report (SEIR) was prepared for the Housing Element Update in 2011. The proposed development is substantially consistent with the 2011 Housing Element update, which was analyzed in the SEIR. No new information or changed circumstances have occurred that would require supplemental environmental review, pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162.

The proposed Vesting Tentative Map 8317 is consistent with the approved PUD plans. No new information or changed circumstances which require additional CEQA review has been identified. Therefore, no separate environmental document accompanies the staff report for this item.

CONCLUSION

The proposed subdivision is consistent with the City Council-approved PUD development plan and requirements of the PUD approval. Therefore, staff recommends that Vesting Tentative Map 8317 be approved by the Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve Vesting Tentative Map 8317 by taking the following actions:

1. Find that the anticipated environmental impacts of the proposed development are adequately evaluated in the SEIR prepared for the 2011 Housing Element Update and that none of the conditions in CEQA Guidelines Section 15162 calling for preparation of supplemental environmental review have occurred;
2. Make the tentative map findings as stated in this report; and
3. Approve Vesting Tentative Map 8317 subject to the draft conditions of approval stated in Exhibit A.

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Reviewed/Approved By:

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