

## Planning Commission Staff Report

February 10, 2016

Item 5.a.

- SUBJECT:** Vesting Tentative Map 8257
- APPLICANT/  
PROPERTY OWNER:** Ponderosa Homes II, Inc.
- PURPOSE:** Application for a Vesting Tentative Map to subdivide an approximately 4.20-acre property into 30 lots for 25 new single-family homes (approved under PUD-111) and five common area lots.
- GENERAL PLAN:** Medium Density Residential
- ZONING:** PUD – MDR (Planned Unit Development – Medium Density Residential) District
- LOCATION:** 3430-3450 Cornerstone Court
- EXHIBITS:**
- A. [Draft Conditions of Approval](#)
  - B. [Vesting Tentative Map 8257, dated "Received, December 11, 2015"](#)
  - C. [City Council Ordinance No. 2129 approving PUD-111 with Conditions of Approval](#)
  - D. [Planning Commission Staff Report for PUD-111 \(without exhibits\) and Planning Commission Meeting Minutes \(excerpt\) dated August 12, 2015](#)
  - E. [City Council Staff Report for PUD-111 \(without attachments\), dated October 6, 2015](#)
  - F. [Public Comments](#)
  - G. [Location and Notice Maps](#)

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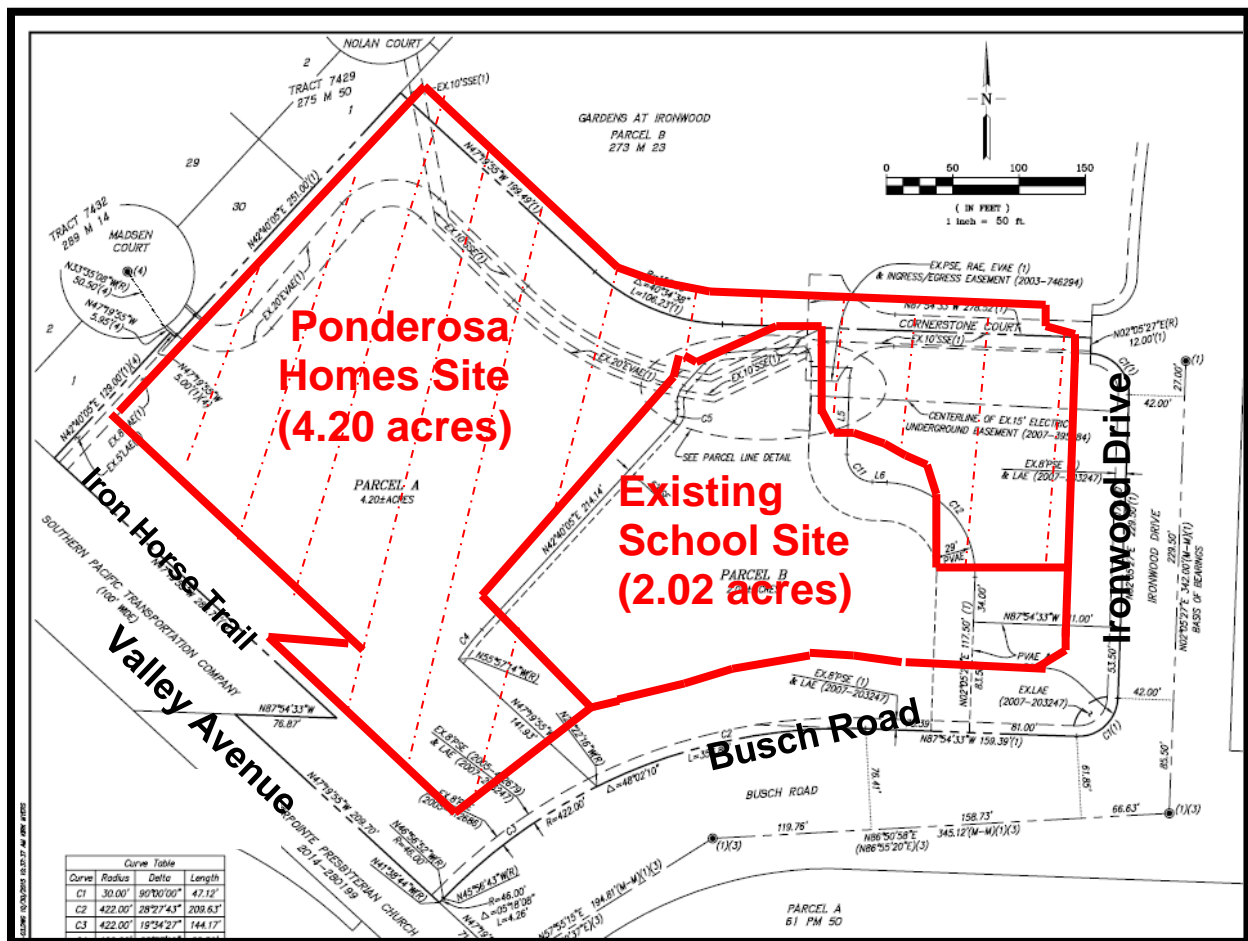
### BACKGROUND

Ponderosa Homes' applications for a General Plan Amendment and PUD rezoning and development plan for the construction of 25 single-family homes and related improvements were reviewed by the Planning Commission at its meeting on August 12, 2015. The Planning Commission, on a 3-2 vote, recommended approval of the proposed development to the City Council. Recommendations from the Planning Commission to the City Council included: 1) reducing overall density to allow an open space area, and 2) providing additional on-site parking for use by residents of the senior apartment units in the Ironwood Development.

On October 6, 2015, the City Council reviewed the applications from Ponderosa Homes. The plans were revised and included the recommendations from the Planning Commission. Specifically, two residential lots that were located near Busch Road were removed, reducing the total number of residential units from 27 to 25. The area (approximately 11,000-square-foot) would be used as a passive recreational area. The plans also included an additional nine parking spaces to be used by the residents of the senior apartments, bringing the total number of parking spaces within the project area to 22. The City Council approved the applications. For additional details of the project, please refer to the City Council staff report (Exhibit E).

In October 2015, Ponderosa Homes applied for a two-lot parcel map approval to subdivide the existing site into two separate parcels of approximately 4.20-acres and 2.02-acres. The purpose of the parcel map was to allow Centerpointe Presbyterian Church, the owner of the site at that time, to sell the 4.20-acre portion of the site to Ponderosa Homes for the construction of the approved residential development. The two-lot parcel map was approved on December 7, 2015. Figure 1 below shows the approved parcel map.

**Figure 1: Two-Lot Parcel Map**



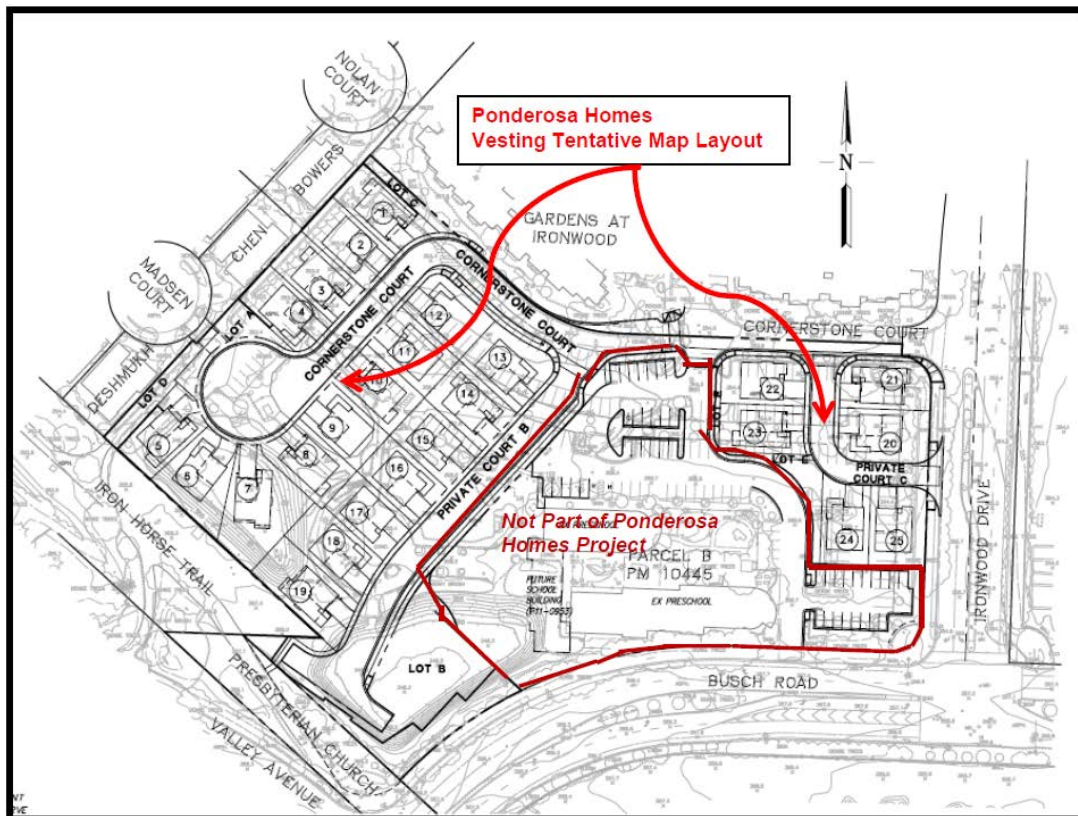
Following the parcel map approval, Ponderosa Homes submitted a Vesting Tentative Map to subdivide the approximately 4.20-acre property into 30 lots for 25 new single-family homes and five common area lots. A vesting tentative map confers a vested right to proceed with a development in substantial compliance 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 2 below) are summarized below:

- Create 25 single-family lots, ranging in size from approximately 3,658 square feet to 6,627 square feet in area.
- Create five common area parcels for bio-retention areas (Lots A and E), an open space area (Lot B), a utility easement (Lot C), and a walkway (Lot D) connecting to the existing Iron Horse Trail.
- Three private streets are proposed within the development.
- A Homeowners Association (HOA) would be established and it would own and maintain the common area parcels. The HOA would also maintain the front yard landscaping for the 25 residential lots.

**Figure 2: Vesting Tentative Map 8257**



The proposed tentative map is substantially the same as the PUD development plan (PUD-111) 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 follows the approved PUD development plan. The design of the proposed vesting tentative map's lot pattern and common area parcels are 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. The location and noticing maps are included as Exhibit F.

Mr. Jan Webster, a resident at the Gardens at Ironwood Senior Apartments (Gardens at Ironwood) emailed staff, expresses concern about the parking supply parking at Gardens at Ironwood and suggesting that Donahue Drive be opened up to parking during the construction of the residential development.

The Gardens at Ironwood were approved in 2002 as part the original Ironwood Development (PUD-18). It has a total of 172 senior apartment units and 129 parking spaces. In April 2010, a private "Agreement and Mutual Release" was signed by the Ironwood Homeowners' Association and the Gardens at Ironwood Senior Apartments that included posting "no parking" signs on both sides of Donahue Drive. In staff's response email to Mr. Webster, staff suggested that Mr. Webster and other like-minded residents of the Gardens speak with their management office directly about the parking concerns and suggestions. If the City receives communication from either the Gardens management office or the homeowners association management office that the 2010 agreement has been reconsidered and parking provisions amended, then the City will consider modifying the current parking restrictions based on the interests of a majority of the residents.

## **VESTING TENTATIVE MAP FINDINGS**

State law and the Zoning Ordinance of the Pleasanton Municipal Code (PMC) set forth the purposes and the considerations to be addressed in reviewing a Vesting Tentative Map. The Planning Commission must make the following findings that Vesting Tentative Map 8257 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 follow the PUD development plan and conditions of PUD-111.

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

The homes 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 number of green building measures, providing a minimum of 50 points, and will be constructed to accommodate photovoltaic panels and be solar-water-heating ready.

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

PUD-111 was found to be consistent with the Pleasanton General Plan and Vesting Tentative Map 8257 was submitted based on the approved development plan (please refer to the Land Use section on pages 8-10 of the attached Planning Commission staff report in Exhibit D). 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-111 includes conditions that require best management practices to be incorporated before and during construction to minimize impacts to groundwater and surface water quality.

**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 utility and services, private 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-111 and the vesting tentative map. The private 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.**

Existing private easements that are not required by the proposed development will be removed. 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.

**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. Urban stormwater runoff is required to meet the City's RWQCB permit requirements for urban development.

## **ENVIRONMENTAL ASSESSMENT**

A Negative Declaration was prepared in conjunction with the PUD proposal in July 2015. The Negative Declaration analyzed the overall development including General Plan Amendment, PUD rezoning and development plan, modifications to the previously approved church site and school operation. The analysis found that the proposed development could not have a significant effect on the environment.

The proposed Vesting Tentative Subdivision Map 8257 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 this 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 8257 be approved by the Planning Commission.

## **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission approve Vesting Tentative Map 8246 by taking the following actions:

1. Find that the proposed vesting tentative map is consistent with the PUD Development Plan and the Negative Declaration previously prepared for the PUD and that none of the conditions in CEQA Guidelines Section 15162 calling for preparation of a subsequent negative declaration have occurred;
2. Make the tentative map findings as stated in this report; and
3. Approve Vesting Tentative Map 8257 subject to the draft conditions of approval stated in Exhibit A.

**Primary Author:**

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