

Planning Commission Staff Report

June 24, 2015

Item 5.a.

- SUBJECT:** Vesting Tentative Map 8246
- APPLICANT/
PROPERTY OWNER:** SHAC Las Positas Apartments LLC (Summerhill Homes)
- PURPOSE:** Application for Vesting Tentative Map approval to subdivide an approximately 5.9-acre parcel at 5850 West Las Positas Blvd. into 25 parcels consisting of 16 parcels for residential buildings containing a total of 94 condominium units and nine parcels for landscaped areas, the tot lot, streets and other common areas (approved under PUD-81-30-89D).
- LOCATION:** 5850 West Las Positas Boulevard
- GENERAL PLAN:** Business Park/Mixed Use
- ZONING:** Planned Unit Development – Mixed Use (PUD-MU)
- EXHIBITS:**
- A. [Draft Conditions of Approval](#)
 - B. [Vesting Tentative Map 8246 dated "Received March 9, 2015"](#)
 - C. [Draft City Council Ordinance approving PUD-81-30-89D with Conditions of Approval](#)
 - D. [Planning Commission Staff Report for PUD-81-30-89D \(without attachments\) and Planning Commission Meeting Minutes \(excerpt\), dated May 13, 2015](#)
 - E. [City Council Staff Report for PUD-81-30-89D \(without attachments\), dated June 16, 2015](#)
 - F. [Location and Noticing Map](#)
-

BACKGROUND

At its public hearing held on June 16, 2015, the City Council introduced an ordinance approving PUD-81-30-89D, the Planned Unit Development (PUD) development plan for a 94-unit condominium development and related on-site improvements. The 94-unit condominium PUD development plan was reviewed by the Planning Commission at its meeting on May 13, 2015. The Planning Commission unanimously recommended approval of the proposed development to the City Council. The remaining steps prior to actual construction include approval of a tentative map, approval and recordation of a final map, and review and approval of the subdivision improvement plans. 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 application to be complete and is forwarding it to the Planning Commission for its review.

PROJECT DESCRIPTION

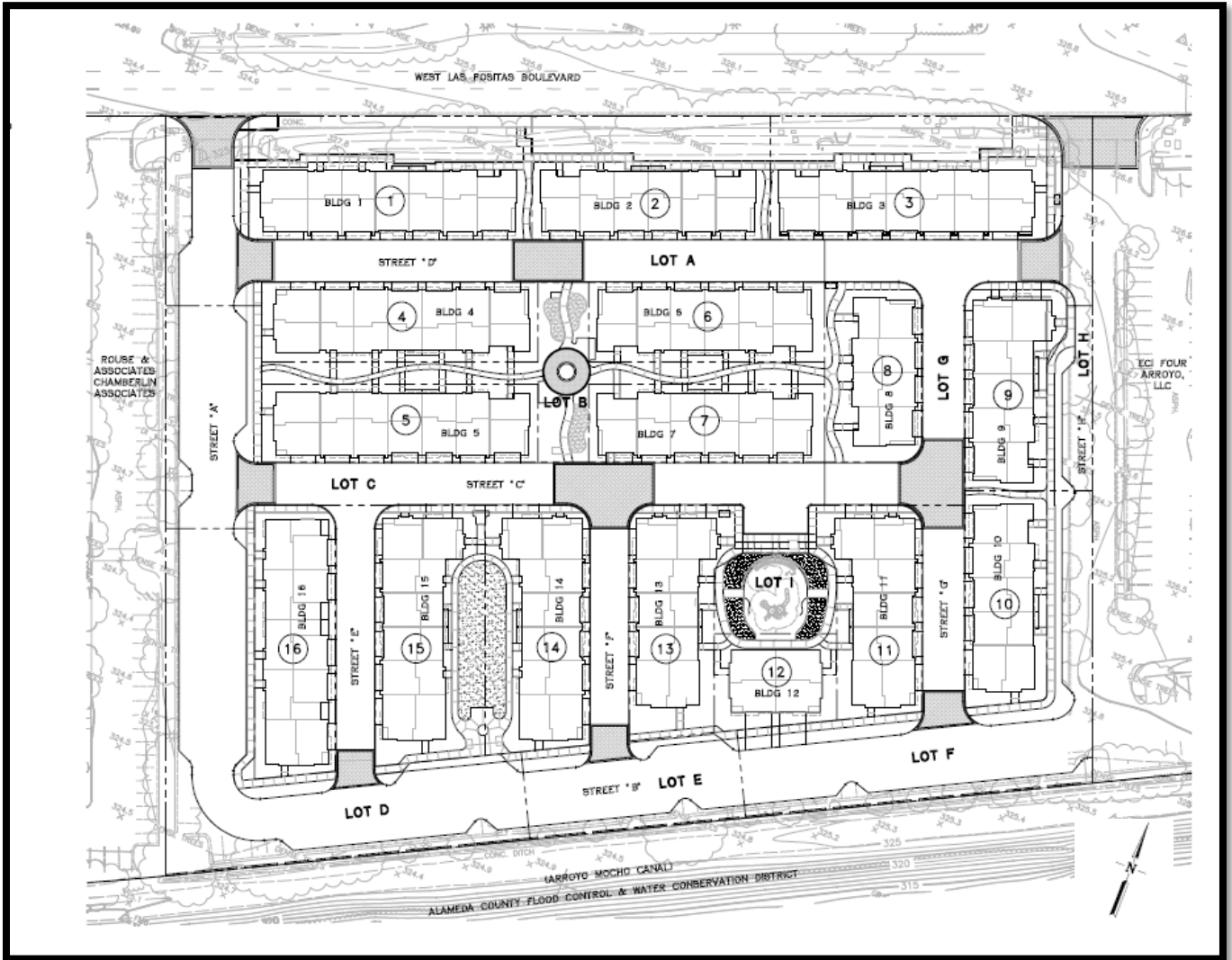
Vesting Tentative Map 8246 would subdivide the existing 5.9-acre site into 25 new parcels: 16 parcels for 16 residential buildings containing a total of 94 condominium residential units and nine parcels for landscaped areas, the tot lot, streets, and other common areas. A vesting tentative map confers a vested right to proceed with a development in substantial compliance with the ordinances, policies, and standards in effect at the time the application for the map is deemed complete. The proposed subdivision is in compliance with the approved PUD development plan. Please refer to Figure 1, below, for the project location.

Figure 1: Project Location



As proposed, each of the 16 residential buildings would be situated on its own parcel. Residential units located within each building would be condominium units with unit owners owning the air space of each unit. All 16 residential building parcels, along with the nine parcels for the landscaped areas, tot lot, streets, and other commons areas, would be owned by a homeowners association. In addition to ownership of the building and common area parcels, the homeowners association would also assume the maintenance responsibilities for all buildings and common areas including, but not limited to landscaping, utilities, bio-retention areas, and walkways. Please refer to Figure 2 on the following page for the proposed lot layout.

Figure 2: Vesting Tentative Map 8246



ANALYSIS

The design of the proposed vesting tentative map lot pattern, private streets and alleys, private pedestrian pathways, tot lot, and common areas is consistent with the approved PUD development plan approved under PUD-81-30-89D.

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 closely follows the approved PUD development plan.

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. At the time this report was published, staff had not received any public comments.

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 Subdivision Map. The Planning Commission must make the following findings that Vesting Tentative Subdivision Map 8246 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-81-30-89D.

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

Some, but not all of the homes would be oriented on an east-west alignment for southern exposure. 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-80-31-89D was found to be consistent with the Pleasanton General Plan and Vesting Tentative Map 8246 was submitted based on the approved development plan (please refer to the Land Use section on page 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 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.

The subject site is located immediately north of Arroyo Mocho. With the PUD review, the City found no potential for significant environmental effects. PUD-81-30-89D includes conditions that require best management practices to be incorporated before and during construction to minimize impacts to the water quality of Arroyo Mocho.

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., adequate public utilities and services, private road design and traffic safety, fire hazards, noise hazards, etc.). All public safety measures are addressed through the design and conditions of approval for PUD-81-30-89D and the vesting tentative subdivision 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.

The vesting tentative map will maintain the existing access and utility easements located along the eastern portion of the property and establish new easements for utilities and emergency vehicle access. It will also maintain the existing Public Service Easement (PSE) located along the northern portion of the property.

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 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

The environmental effects of this project were reviewed at the PUD stage and it was determined that the previously prepared Supplemental Environmental Impact Report (SEIR) for the Housing Element Update and Climate Action Plan General Plan Amendment and Rezonings and associated documentation, including the adopted California Environmental Quality Act (CEQA) Findings and a Statement of Overriding Considerations, and the addendum to the SEIR, and the memo to the Addendum, were adequate to serve as the

environmental documentation for this project and satisfy all the requirements of CEQA. There is neither new information nor changed circumstances to trigger further environmental review. Therefore, no additional environmental document accompanies this report.

CONCLUSION

The proposed subdivision is in keeping with the City Council-approved PUD development plan and requirements of the PUD approval. Therefore, staff recommends that Vesting Tentative Map 8246 be approved by the Planning Commission.

STAFF RECOMMENDATION

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

1. Find that there are no new or changed circumstances which require additional CEQA review of the project;
2. Make the tentative map findings as stated in this report; and
3. Approve Vesting Tentative Map 8246 subject to the draft conditions of approval stated in Exhibit A.

Staff Planner: Jenny Soo, Associate Planner, 925.931.5615, jsoo@cityofpleasantonca.gov