



Planning Commission Staff Report

September 29, 2010

Item 5.a.

SUBJECT: PTM-7981/Vesting Tentative Subdivision Map 7981

APPLICANT: Mike Bedker / Americap Property Solutions

PROPERTY OWNER: Elton Medeiros

PURPOSE: Application for Vesting Tentative Map approval to subdivide a 0.876-acre parcel into ten residential lots for townhouses and three common-area lots

GENERAL PLAN: High Density Residential

ZONING: PUD-HDR (Planned Unit Development – High Density Residential) District

LOCATION: 3835 Vineyard Avenue

EXHIBITS:

- A. Proposed Draft Conditions of Approval
- B. Proposed Vesting Tentative Tract Map 7981
- C. Ordinance No. 1975
- D. Approved PUD plan (PUD-71)
- E. Location Map
- F. Notification Map

BACKGROUND

At its public hearing of April 15, 2008, the City Council approved PUD-71 (Ordinance No. 1975), a planned unit development plan (PUD) rezoning and development plan for the construction of two townhome buildings, each with five units for a total of ten residential units, on an existing approximately 0.876-acre site located on the north side of Vineyard Avenue (3835 Vineyard Avenue) at Adams Way. The approved PUD also includes the construction of driveways, parking areas, and a common unfasten area for residents. The PUD approval was valid for two years. In April 2010, the Director of Community Development, upon a request by the property owner, granted a one-year extension of the original approval, which expires on May 6, 2011.

Americap Property Solutions has now submitted its request for approval of Vesting Tentative Tract Map 7981 that will subdivide the subject property pursuant to the PUD.

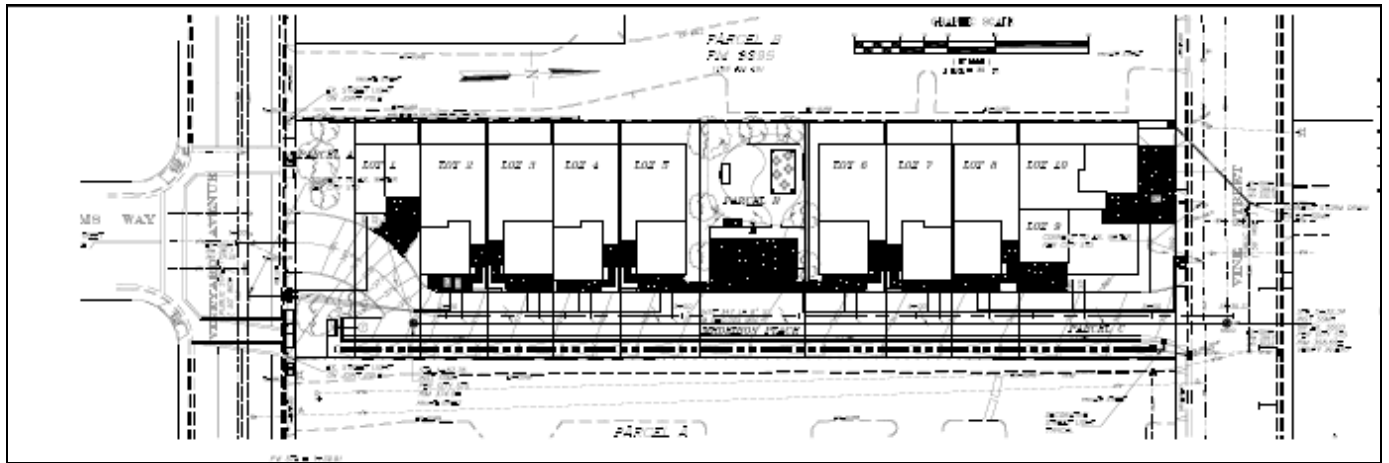
The Planning Commission has the decision-making authority to review the project to determine its consistency with the approved PUD Development Plan and the Municipal Code Title 19 Subdivisions. The Planning Commission's decision is final and will not be forwarded to the City Council unless appealed.



Existing Site

PROJECT DESCRIPTION

The proposed Vesting Tentative Tract Map 7981 would subdivide of the existing parcel into 13 parcels: 10 townhome parcels and three common area parcels owned and maintained by a homeowners association. Public infrastructure improvements covered by this application would include the installation of street frontage and utilities necessary to provide service to the site.



Site Plan

ANALYSIS

No significant substantive issues have arisen since the PUD approval. Review of a tentative subdivision map requires review of its consistency with the approved PUD, and findings mandated by State law.

The PUD-71 development plan approval conditioned the developer to install street frontage improvements on both Vineyard Avenue and Vine Street. These improvements include, but are not limited to, the following:

- the removal and installation of new wheelchair ramp on Vineyard Avenue near the southeast corner of the property.
- the modification of the remaining three wheelchair ramps at the intersection of Vineyard Avenue and Adams Way.
- the installation of a curb return type driveway on Vineyard Avenue.
- the construction of driveways on Vine Street.

Staff has reviewed these requirements with the applicants, and there were no objections. Conditions of approval have been included to address these requirements.

There would be three common parcels for the development entrances, common landscaping area, guest parking areas, and a common open space area for the residents. These three parcels would be owned and maintained by a homeowners association. Additionally, the homeowners association would also be responsible for the maintenance of the private street, utilities, and stormwater treatment measures within the development.

Staff believes the vesting tentative map is in substantial conformance with PUD-71 approval. In addition, staff recommends that the Planning Commission make the required consistency findings, as described below.

VESTING TENTATIVE SUBDIVISION MAP FINDINGS

State law and the Pleasanton Municipal Code require that certain findings must be made to approve a tentative subdivision map. In addition, they set forth certain determinations which are the grounds for denial of a tentative subdivision map.

1. The proposed map substantially conforms to the zoning regulations/development plan.

As described above, staff believes that the Planning Commission find that the map's design and improvements are consistent to the development plan and conditions of PUD-71.

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

The proposed subdivision is an infill project, where the existing lot is narrow yet long. It lies on the north side of the street; thus, it has the most exposure to the east and west. With the existing site constraints, the design of the homes has used its best effort to utilize natural heating and cooling opportunity. For instance, the end units are oriented toward the south (Vineyard Avenue) and north (Vine Street) in order to fully use the limited south-north exposure. In addition to the site orientation, the homes in this project are required by the PUD approval to comply with the City's residential Green Building Ordinance.

3. The subdivision, together with its design and improvements, is consistent with the General Plan.

The PUD, approved in April 2008, was considered in conjunction with the General Plan 2005-2025, adopted July 2009, and was found to be consistent with that General Plan, and this subdivision reflects consistency with that development plan. As proposed, the subdivision is compatible with the objectives, policies, land uses, and programs specified in the General Plan.

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

The proposed townhouse building layout is well suited for this narrow but deep lot. The courtyard area each lot and the open area between the two buildings provide a buffer between structures, and separates the proposed development from the neighboring residences. The design has considered the urban in-fill situation, and is a compliment to the neighborhood.

5. The design of the subdivision and improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife in their habitat.

With the PUD review, the City found no potential for significant environmental effects due to the in-fill nature of urban area. Pretreatment of urban storm water runoff has been incorporated into the project's design. Best management practices have been required to minimize any construction impacts.

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

The proposed subdivision, including the recommended conditions of approval, meets all applicable City standards pertaining to public health, safety, and welfare (e.g., adequate public utilities and services, road design and traffic safety, fire hazards, geologic hazards, flood hazards, etc.). All public safety measures are

addressed through the design and conditions of approval for the PUD and this proposed tentative subdivision map.

7. The design of the subdivision or the type of improvements does not conflict with easements for access through or use of the property.

No easements currently exist. This tentative map establishes the easements shown on the PUD development plan or required in the PUD conditions of approval, and no conflicts are created.

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

The site is not covered by such a 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.

Sewer capacity is available for this subdivision. The project would not discharge any waste other than domestic sewage. Urban stormwater runoff is required to meet the Regional Water Quality Control Board permit requirements for urban development.

ENVIRONMENTAL ASSESSMENT

The environmental effects of this project were reviewed at the PUD stage and the project was determined to be categorically exempt (Section 15332, In-Fill Development Projects, Class 32) from the California Environmental Quality Action (CEQA). There is neither new information nor changed circumstances to trigger further environmental review. Therefore, no additional environmental document accompanies this report.

STAFF RECOMMENDATION

Staff recommends the Planning Commission approve Vesting Tentative Tract Map 7981 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 regarding the acceptability/suitability of the project as described above; and
3. Approve Vesting Tentative Tract Map 7981 by resolution, subject to the conditions attached as Exhibit A.

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