

PLANNING COMMISSION CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. PC-2016-02

RESOLUTION APPROVING VESTING TENTATIVE MAP 8257 THE APPLICATION OF
PAMELA HARDY/PONDEROSA HOMES II, INC.

WHEREAS, Pamela Hardy/Ponderosa Homes II, Inc., has applied for Vesting Tentative Map approval to subdivide an approximately 4.2-acre property at 3430-3450 Cornerstone Drive into 30 lots for 25 new single-family homes (approved under PUD-111) and five common area lots; and

WHEREAS, the tentative map is submitted in conformance to the previously approved application, PUD-111; and

WHEREAS, zoning for the property is PUD-MDR (Planned Unit Development – Medium Density Residential) District; and

WHEREAS, at its duly noticed public hearing of February 10, 2016, the Planning Commission considered all public testimony, relevant exhibits, and recommendations of the City staff concerning this application; and

WHEREAS, the environmental effects of this project were reviewed at the PUD stage, and it was determined that the previously prepared Negative Declaration was adequate to serve as environmental documentation for this project and satisfy all the requirements of CEQA; and

WHEREAS, the Planning Commission made the following findings:

1. The proposed Vesting Tentative Map conforms to the zoning regulations/development plan.

The Vesting Tentative Map and improvements follow the PUD development plan and conditions of PUD-111. Therefore, this finding can be made.

2. The design of the subdivision provides, to the extent feasible, for future passive 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 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. Therefore, this finding can be made.

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, and therefore, this finding can be made.

5. The design of the subdivision and improvements covered by the proposed Vesting Tentative 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. Therefore, this finding can be made.

6. The design of the proposed subdivisions 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. Therefore, this finding can be made.

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. Therefore, this finding can be made.

8. The restriction on approving a Vesting Tentative 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.

WHEREAS, the Planning Commission has determined that the proposed subdivision is in keeping with the requirements of the previously approved PUD Development Plan.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF PLEASANTON RESOLVES THE FOLLOWING:

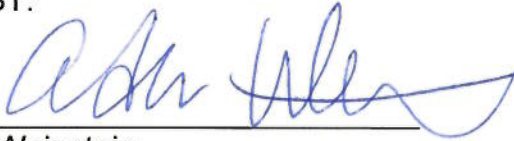
Section 1. Approves the application of Pamela Hardy/Ponderosa Homes II, Inc. for Vesting Tentative Map approval to subdivide an approximately 4.2-acre property at 3430-3450 Cornerstone Drive into 30 lots for 25 new single-family homes and five common area lots, subject to the conditions shown in Exhibit A, attached hereto and made part of this case by reference.

Section 2. This resolution shall become effective 15 days after its passage and adoption unless appealed prior to that time.

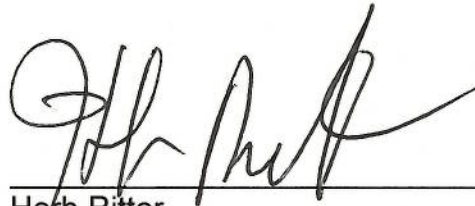
THIS RESOLUTION ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF PLEASANTON ON THE 10TH DAY OF FEBRUARY 2016 BY THE FOLLOWING VOTE:

AYES: Commissioners O'Connor, Nagler, and Ritter
NOES: None
ABSTAIN: None
RECUSED: None
ABSENT: Commissioners Allen and Balch

ATTEST:



Adam Weinstein
Secretary, Planning Commission



Herb Ritter
Chair

APPROVED AS TO FORM:



Larissa Seto
Assistant City Attorney

**EXHIBIT A
CONDITIONS OF APPROVAL**

**Vesting Tentative Map 8257
3430-3450 Cornerstone Drive
February 10, 2016**

PROJECT SPECIFIC CONDITIONS

Planning Division

1. Prior to issuance of a building permit, the project developer shall submit a construction management plan showing that adequate access to and from the existing preschool/private school will be provided and that adequate parking will be maintained for the existing preschool/private school located on the adjoining property during the construction of the residential project, subject to review and approval by the Director of Community Development.

Engineering Department

2. The project developer shall remove all deed restrictions on the subject property prior to approval of the project Final Map by the City Council.
3. The project developer shall remove all private easements on the subject property which conflict with the proposed development sequentially with the recordation of the final map if possible. Under no circumstances will a building permit be issued for any structure that conflicts with any remaining existing private easement if, for any reason, it is not possible to remove all or some of the private easements by recording quitclaims immediately after the final map.

URBAN STORMWATER CONDITIONS OF APPROVAL

4. The project shall comply with the NPDES Permit No. CAS612008, dated November 19, 2015, California Regional Water Quality Control Board, San Francisco Bay Region, Municipal Regional Stormwater NPDES Permit, Order Number R2-2015-0049 and amendments, issued the by California Regional Water Quality Control Board, San Francisco Bay Region, a copy of which is available at the Community Development Department, Public Works/Engineering section at City offices, Alameda County Clean Water Program and at State Water Board.

STANDARD CONDITIONS OF APPROVAL

Planning Division

5. Vesting Tentative Map 8257 shall be in substantial conformance to Exhibit B, dated "Received December 11, 2015," on file with the Planning Division, except as

modified by these conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development.

6. The expiration date for Vesting Tentative Map 8257 shall lapse two years from the effective date of this approval unless a final subdivision map is recorded or an extension is approved by the City.
7. Vesting Tentative Map 8257 shall incorporate by reference all applicable conditions and requirements of PUD-111, the PUD Development Plan covering this subdivision, as approved by the City Council.
8. Planning Division approval is required before any changes are implemented in the design, grading, drainage, etc. of the subdivision map.
9. The Final Subdivision Map plan check package will be accepted for submittal only after completion of the 15-day appeal period from the date of the resolution unless the project developer submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the approval is overturned on appeal, or that the design is significantly changed as a result of the appeal.
10. To the extent permitted by law, the project developer shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City, its City Council, its officers, boards, commissions, employees, and agents from and against any claim (including claims for attorney fees), action, or proceeding brought by a third party against the indemnified parties and the project developer to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorney fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

Engineering Department

11. A "Conditions of Approval" checklist shall be completed and attached to all plan checks submitted for approval indicating that all conditions have been satisfied.
12. The project developer shall grant an easement to the City over those parcels needed for public service easements (PSEs) and which are approved by the City Engineer, or other easements, which may be designated by the City Engineer.
13. The project developer shall create drainage easements across the project for the benefit of the individual lots, subject to the review and approval of the City Engineer.
14. The project developer shall create utility easements across the project for the benefit of the individual lots, subject to the review and approval of the City Engineer.
15. Prior to approval of the Final Map, the applicant developer shall comply with all applicable conditions of outside agencies having jurisdiction.

16. Prior to the first plan check, the applicant's engineer/surveyor shall submit a preliminary copy of the Final Map along with a preliminary copy of the title report and a copy of the adjoining deeds and/or recorded maps to the City. The City will forward these documents to its consultant who will estimate the cost for examining the map and certifying that the map is technically correct and in accordance with Section 66442 of the California Subdivision Map Act. After the consultant has provided a cost estimate, the applicant's engineer/surveyor may submit the first plan check along with a deposit for these costs along with all other standard plan check fees. Any unused portion of the estimate will be returned to the applicant after the map is recorded. Similarly, if the applicant withdraws their application in writing prior to the consultant having performed the work, any unused portion of the deposit will be returned to the applicant. Conversely, should consultant's estimate be insufficient to cover all of the consultant's time, the applicant will be required to pay the City the difference between the estimate and the actual cost prior to submittal of the map for the City Engineer's approval.
17. At the time the project developer submits the fee for the consultant map review, the applicant shall also submit the following information to the City Engineer for review and approval:
 - a) Four prints of the final map
 - b) One copy of the preliminary title report
 - c) One set of the computer closures
 - d) One legible copy of the latest recorded deed for the property being subdivided
 - e) One legible copy of the recorded deeds for each of the adjacent properties unless those properties are part of a recorded map which has been recorded within the last seven years; and
 - f) One legible copy of the Recorded Final map, Parcel Map, or Record of Survey used to prepare this Parcel Map.
18. The project developer's title company shall record the final map, CC&R's, Storm Water Operations and Maintenance Agreement, any grant deeds or easements, and any other required documents concurrently with the Alameda County Recorder's Office. After the recording of these documents the City shall be provided with a legible recorded copy.
19. The project developer shall provide the City with a copy of the recorded map with all recording data shown.
20. Any dedications, open offers of dedication, or grants of easements may be dedicated and accepted on the face of the map. Agreement or other required items shall be recorded as separate documents concurrently with the recordation of the final map.

[end]