

- SUBJECT:** PTR-7952, Tentative Map Tract 7952
- APPLICANTS/
PROPERTY OWNERS:** Jerry Raney
- PURPOSE:** To merge and re-subdivide two existing parcels totaling approximately .51-acre into six new parcels ranging in size from 3,150 square feet to 4,320 square feet.
- GENERAL PLAN:** High Density – Greater than 8 dwelling units per gross acre
- SPECIFIC PLAN:** Downtown Specific Plan
- ZONING:** Planned Unit Development – High Density Residential (PUD-HDR) and Core Area Overlay District
- LOCATION:** 4693 and 4715 Augustine Street
- ATTACHMENTS:**
1. Exhibit B, Draft Conditions of Approval dated January 14, 2008
 2. Exhibit A, Tentative Tract Map 7952 Submittal, dated “Received November 14, 2008”
 3. Exhibit C, Ordinance 1985 with Approved Conditions of Approval for the PUD-72 Development Plan
 4. Exhibit D, Location Map
 5. Exhibit E, Notification Map

BACKGROUND

On November 4, 2008, the City Council approved the applicants’ request for a Planned Unit Development (PUD) plan consisting of six single-family lots. The tentative map is required to be in substantial conformance with the approved development plan and the

Subdivision Map Act and is reviewed by the Planning Commission where final action is taken.

PROJECT DESCRIPTION

The tentative tract map (7952) conforms to the approved plans for PUD-72 and the conditions of approval. The tentative map exhibit shows all lots and public infrastructure within the project boundary and along the project frontage. The property would be divided into the following six parcels:

Lot No.	Lot Size (sq. ft.)
1	3,800
2	3,640
3	3,430
4	3,150
5	4,080
6	4,320

Existing homes are located on Lots 1, 2 and 5 and are proposed to remain. Three single-family detached units will be constructed on Lots 3, 4, and 6 per the approved design submitted as part of PUD-72.

DISCUSSION

Review of a tentative subdivision map requires review of its consistency with the approved PUD development plan, and for compliance with the Subdivision Map Act and any additional local ordinances. As described above, the tentative map conforms to the PUD development plan and its conditions.

TENTATIVE SUBDIVISION MAP FINDINGS

State law and the Municipal Code set forth certain findings that must be made in order to approve a tentative subdivision map.

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

As described above, staff believes that the tentative map's design and improvements closely follow the development plan and conditions of approval for PUD-72. The required modifications have been made as discussed above or as addressed in the conditions of approval.

This finding can, therefore, be made.

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

The site is relatively small, limiting how the homes can be situated. The homes in this project are required by the PUD approval to comply with the City's residential Green Building Ordinance and for each home to achieve a 105 point rating on the "Single-Family New Construction Green Building Rating System." Energy efficiency is the cornerstone of every green home with each home required to meet the minimum points in the energy category. In addition, the homes are conditioned to be "solar-ready" to allow for future installation of a photovoltaic (PV) system on each home.

This finding can, therefore, be made.

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

The proposed subdivision map is consistent with the PUD development plan and is compatible with the objectives, policies, land uses, and programs specified in the General Plan and the Downtown Specific Plan.

This finding can, therefore, be made.

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

The site is a flat, infill lot within the Downtown area. The Downtown Specific Plan land use designation for the property is High Density Residential. The project was rezoned PUD-HDR to provide consistency with the land use designation for the approved development plan.

This finding can, therefore, be made.

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

The design will not likely cause environmental damage. The City reviewed the project at the PUD processing stage and found no new environmental issues that were not covered in the Downtown Specific Plan Environmental Impact Report.

Therefore, this finding can be made.

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

The subdivision is designed to be served by all City utilities and serviced at established service levels in that full water and sewer service is provided.

This finding can therefore be made.

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

There are no existing easements for access or use through the property and the approved development plan provides proper access and easements to the new parcels.

Therefore, this finding can be made.

8. *The restriction 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.

This finding can be made.

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.*

The project will meet all state and local ordinances and requirements including the California Regional Water Quality Control Board.

This finding can, therefore, be made.

PUBLIC NOTICE

Staff sent notices of the Planning Commission's public hearing on this item to all property owners, tenants and residents located within 1,000-feet of the subject property on December 30, 2008. As of the writing of this staff report, staff has received no public comment.

ENVIRONMENTAL REVIEW

An Environmental Impact Report was prepared and certified for the Downtown Specific Plan. The California Environmental Quality Act (CEQA) specifies that individual residential projects that are prepared pursuant to the requirements of an adopted specific plan, for which an EIR has been prepared and certified, are exempt from additional environmental review. There is neither new information nor changed circumstances to trigger further environmental review. Therefore, no environmental document accompanies this report. All relevant mitigation measures have been incorporated into the project or its conditions at either the PUD or this subdivision stage.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve the tentative tract map 7952, subject to the attached conditions, Exhibit B, 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 described above; and
3. Approve the tentative tract map 7952 by resolution, subject to the conditions of approval listed in Exhibit B.

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