

SUBJECT:	TR-7940, Tentative Map Tract 7940
APPLICANTS/ PROPERTY OWNERS:	Mike Carey and Steve Maestas
PURPOSE:	To subdivide an approximately 0.24-acre site into five lots ranging in size from 1,156 square feet to 3,186.5 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:	225 West Angela Street
ATTACHMENTS:	
	<ol style="list-style-type: none">1. Location Map2. Exhibit A, Tentative Map Tract 7940 Submittal, dated “Received January 4, 2008”3. Exhibit B, Draft Conditions of Approval dated January 23, 20084. Exhibit C, Ordinance 1963 with Approved Conditions of Approval for the PUD-55 Development Plan

BACKGROUND

On October 16, 2007, the City Council approved the applicants’ application for a five-lot Planned Unit Development (PUD) plan consisting of five single-family lots. The Planning Commission had previously recommended approval of the project by a 5-0 vote at the July 11, 2007 Planning Commission hearing.

The remaining steps prior to actual grading and construction of the project, include approval of a tentative map and recordation of a final map and improvement plans. Staff has found the tentative map application to be consistent with the PUD approval and is forwarding it to the Planning Commission for review and action. The Planning Commission action is final unless appealed to the City Council.

PROJECT DESCRIPTION

Tentative map Tract 7940 is consistent with the approved plans for PUD-55 and the conditions of approval. The tentative map exhibit satisfactorily shows all lots and public infrastructure within the project boundary and along the project frontage. The property would be divided into the following five parcels:

Lot No.	Lot Size (sq. ft.)
1	3,186.5
2	2,109
3	2,080
4	1,762
5	1,156

An existing home would be located on the largest lot (Lot 1) located at the intersection of West Angela Street and Peters Avenue. Four single-family detached units would be located on the smaller lots (Lots 2-5) per the approved design submitted as part of PUD-55.



Angela Rowhouse Development (PUD-55)

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. Staff has reviewed the proposed tentative map and evaluated it to the previous PUD approval and the requirement of the Subdivision Map Act and found it to be consistent, as conditioned below.

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-55. The required modifications have been made as discussed above or as addressed in the conditions of approval.

This finding can 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 to comply with the City's residential Green Building Ordinance that requires each home to achieve a certified rating on the Alameda County Waste Management Authority's "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 conditions to be constructed to allow for future installation of a photovoltaic (PV) system.

This finding can be made.

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

The PUD was found to be consistent with the General Plan, and this subdivision is closely based on that development plan. As proposed, the subdivision is compatible with the objectives, policies, land uses, and programs specified in 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 re-zoned 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 existing heritage valley oak will be preserved on the site. 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.

Therefore, this finding can be made.

8. ***The restriction approving a tentative subdivision ma 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 requirements including those of 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 November 30, 2007. 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 Tentative Map Tract 7940, 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 tentative map Tract 7940 by resolution, subject to the conditions of approval listed in Exhibit B.

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