

SUBJECT: Vesting Tentative Subdivision Map 7890

**APPLICANTS/
OWNERS:** Kazuo and Takiko Hatsushi

PURPOSE: Application for Tentative Tract Map approval for a 15-lot subdivision consisting of 13 units, one existing unit, and one open space remainder parcel.

**GENERAL
PLAN:** Vineyard Avenue Corridor Specific Plan Area – Low Density Residential (< 2.0 du/ac) and Open Space land uses.

ZONING: PUD-LDR (Planned Unit Development – Low Density Residential) District.

LOCATION: 2756, 2770, and 2798 Vineyard Avenue in the Vineyard Avenue Specific Plan Area.

ATTACHMENTS:

1. Location Map.
2. Exhibit "A", Vesting Tentative Tract Map 7890, dated "Received February 15, 2007".
3. Exhibit "B", Draft Conditions of Approval, dated June 13, 2007.
4. Exhibit "C", PUD Development Plan Conditions Applicable to Vesting Tentative Subdivision Map 7890, dated June 13, 2007.
5. Ordinance No. 1936 for PUD-99-14.
6. Public communications

I. BACKGROUND

At its public hearing held on June 20, 2006, the City Council introduced Ordinance No. 1936, attachment #5, approving PUD-99-14, the PUD Development Plan for the development of the approximately 15-acre Hatsushi property (2756, 2770, and 2798 Vineyard Avenue). Kazuo and Takiko Hatsushi (Ralph and Amy Hughes) have now submitted their request for the approval of Vesting Tentative Subdivision Map 7890 that will subdivide their property in conformance to the PUD development plan approval.

This project is before the Planning Commission to review the proposed tentative subdivision map only for its conformance to the California Subdivision Map Act and for its substantial conformance to the approved PUD development plan. The Planning Commission's decision is final and will not be forwarded to the City Council unless appealed.

II. PROJECT DESCRIPTION

The proposed Vesting Tentative Subdivision Map 7890 would allow the subdivision of the 15-acre Hatsushi property into 13 building sites, one parcel for the existing Hatsushi home, and three parcels that will be used for open space/landscaping. The proposed lotting pattern, open space area, and lot access is in substantial conformance to the PUD development plan.

The proposed development will be constructed in two phases. Phase one will include lots 10 through 13, the cul-de-sac serving these lots and the public street connection to the adjoining Clara Lane development, and an emergency vehicle access (EVA) from the proposed cul-de-sac to Montevino Drive. Phase two will include the public street and cul-de-sac serving Lots 1 through 9 and the connection to Vineyard Avenue.

III. ANALYSIS

The PUD approval specified the implementation of specified items with the Tentative Subdivision Map. The conditions specifically addressing these items are listed in Attachment #5. The conditions that were required to be submitted with the tentative map consist largely of engineering design work, which has been addressed with the tentative map submittal, with revised design guidelines, and with a revised project-wide landscape plan. The items are minor and can be evaluated in conjunction with the final subdivision map.

These changes reflect past City practice that deferred this review to the final map, and conforms to the California Subdivision Map Act. Staff notes that doing this would expedite the completion of the first phase of the Hatsushi development which would provide the infrastructure and utilities serving the adjoining the Aminian development. Additionally, it would facilitate the applicants' goal of providing the first four lots to their family for their personal homes. A summary follows.

- Grading – The proposed grading plan is consistent with the PUD approval.
- Engineering Requirements – The City Engineer considers the civil design details – streets, utilities, etc. – to be consistent with the PUD approval as conditioned. Final review will be completed with the final subdivision map and will include the engineering conditions covered under Exhibit “B”.
- Urban Stormwater Runoff – A bio-retention pond was required at the bottom of Parcel D and a bio-retention swale was required between Hatsushi Lane and the adjoining Clara Lane development. These features are shown with the tentative map submittal. The proposal was reviewed and accepted by the City Engineer.
- Miscellaneous – Resolution of setback lines, design guidelines, common maintenance areas, geotechnical review, etc., would be completed with the final map.

The final subdivision map includes very detailed engineering drawings, legal documents, etc., that pertain to the subdivision and must be completed in order for the City Council to be able to approve the subdivision in conformance to the California Subdivision Map Act. As previously stated, deferring their review to the final map expedites the completion of infrastructure facilitating the adjoining Aminian property. Staff has provided a condition of approval to have these items completed prior to the approval of the Final Subdivision Map.

Amandeep Bawa, 2632 Ingrid Court, a resident of the adjoining Clara Lane development has communicated two questions to staff regarding construction traffic on Clara Lane:

- Can construction traffic hours be limited?

The City Council with PUD-99-14 established the construction hours for the Hatsushi development Monday through Friday from 8:00 a.m. to 5:00 p.m. No limitation was placed on construction traffic. In accordance with the California Subdivision Map Act, the City cannot change the construction hours without first approving a PUD modification since it would not be consistent with the PUD development plan approval. However, the applicant does not wish to amend the construction hours to limit construction traffic.

- Can the developer of the Hatsushi property provide a bond for any damage to Clara Lane because of Hatsushi construction traffic?

As required by PUD-99-14, the developer of the Hatsushi property is required to repair any damages to public streets resulting from development. With the final subdivision map, the developer will also be required to provide a bond that could include damages to Clara Lane.

IV. PUBLIC COMMENT

Public notices were sent to all property owners within a 1,000-foot radius of the project site. Staff has not received any verbal or written communications on this development.

V. VESTING TENTATIVE SUBDIVISION MAP FINDINGS

The Zoning Ordinance of the Pleasanton Municipal Code sets 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 the proposed tentative subdivision map conforms to the purposes of the Pleasanton Municipal Code, before making its action.

1. The proposed vesting tentative subdivision map is consistent with the Pleasanton General Plan.

The PUD Development Plan that the proposed vesting tentative subdivision map is based on was found by the City Council to be consistent with the land use plan of the Vineyard Avenue Corridor Specific Plan including density,

open space area, and public street connections. The proposed subdivision and its improvements are consistent with these land use designations.

Therefore, staff believes that this finding can be made.

2. The subject property/project site is physically suitable for this type of development and density.

Project construction would involve site grading and the alteration of the site's existing topography. Existing trees would be preserved where feasible.

Therefore, staff believes that this finding can be made.

3. 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.

- Grading has been designed to reflect existing topographic conditions and to be consistent with the requirements and geotechnical report recommendations that have been prepared for the proposed project. All lots will be designed to drain to the face-of-curb with the storm water runoff directed into public bio-retention swales for pretreatment before entering City storm drains.
- Adequate access is provided to all structures for police, fire, and other emergency vehicles.

Therefore, staff believes that this finding can be made.

4. The design of the proposed subdivision is not likely to cause serious public health problems.

The proposed project, including the recommended conditions of approval, meets all applicable City standards pertaining to public health, safety, and welfare. All public safety measures are addressed through provisions of approval for the final subdivision map.

Therefore, staff believes that this finding can be made.

5. 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.

- An Emergency Vehicle Access route will be provided from the subdivision to Montevino Drive.

- New utilities to the Aminian property will be provided from the proposed subdivision. The proposed subdivision would not affect any other existing public utility and/or access easements.

Therefore, staff believes that this finding can be made.

VI. ENVIRONMENTAL ASSESSMENT

Environmental review for the development of the Hatsushi property was undertaken with the Final Environmental Impact Report (EIR) approved by the City Council for the Vineyard Avenue Corridor Specific Plan in conformance with the standards of the California Environmental Quality Act (CEQA). There are no substantial changes to the project or to the circumstances under which the project is being undertaken that involve new significant environmental effects or that substantially increase the severity of previously identified effects. Furthermore, there is no new information of substantial importance, which was unknown at the time that the FEIR was approved by the City Council regarding the project or its effects, mitigation measures, or alternatives. Any previously identified effects or impacts are mitigated to a level of insignificance, with the mitigation measures incorporated into the project's design or imposed on the project pursuant to the conditions of approval. Therefore, no new environmental document accompanies this staff report.

VII. CONCLUSION

Staff believes that the proposed subdivision is well designed, in keeping with the requirements of the previously approved PUD Development Plan. Deferring the review of the items that are in progress to the City Council's review of the final subdivision map expedites the completion of the development and the construction of infrastructure for the facilitating the adjoining Aminian development. Staff, therefore, believes that the proposal merits a favorable action by the Planning Commission.

VIII. STAFF RECOMMENDATION

Staff recommends the Planning Commission approve Vesting Tentative Subdivision Map 7890 by taking the following actions to approve the project as recommended by staff.

1. Make the finding that the proposed vesting tentative subdivision map is covered by the Vineyard Avenue Corridor Specific Plan EIR;
2. Make the finding that the proposed vesting tentative subdivision map is consistent with the Pleasanton General Plan;
3. Make the subdivision map findings as stated in the Planning Commission staff report; and,
4. Approve Vesting Tentative Subdivision Map 7890 subject to the draft conditions of approval stated in Exhibit "B".

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