

**RESOLUTION NO. PC-2023-15**

**RESOLUTION OF THE PLANNING COMMISSION APPROVING VESTING  
TENTATIVE MAP 8676,  
THE APPLICATION OF CITY VENTURES.**

**WHEREAS**, City Ventures has applied for Vesting Tentative Map approval to convert the approximately 1.96-acre site located at 2025 Santa Rita Road into one parcel for condominium purposes with 42 condominiums, and inclusive of common areas; and

**WHEREAS**, zoning for the property is zoned C-F (Freeway Interchange Commercial District) and the General Plan designation is Commercial, with a Housing Element Site Overlay (HESO); and

**WHEREAS**, at the October 30, 2023, meeting the Zoning Administrator found the 2023-2031 (6th Cycle) Housing Element Update Program EIR CEQA Guidelines Section 15183 Consistency Checklist for the Harmony Condominium project is adequate to serve as the environmental documentation for this project and satisfy all the requirements of CEQA; and

**WHEREAS**, the proposed Vesting Tentative Map 8676 is consistent with the Design Review application (P23-0332) approved by the Zoning Administrator at the October 30, 2023 hearing; and

**WHEREAS**, at the October 30, 2023 hearing, the Zoning Administrator recommended Planning Commission approval of Vesting Tentative Map 8676; and

**WHEREAS**, at its duly noticed public hearing of November 8, 2023, the Planning Commission considered all public testimony, relevant exhibits, and recommendations of the Zoning Administrator and City staff concerning this request; and

**WHEREAS**, the Planning Commission makes the following findings:

**1. The proposed vesting tentative subdivision map conforms to the zoning regulations/development plan.**

The Vesting Tentative Map and improvements conform to the Design Review development plan (P23-0332) approved by the Zoning Administrator, which in turn was determined to be consistent with the General Plan land use designation for this site, as established in the 2023-2031 6<sup>th</sup> Cycle Housing Element.<sup>1</sup> The map and improvements thus meet this finding.

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<sup>1</sup> Pursuant to Government Code 65589.5(j)(4), a proposed housing development is not inconsistent with the applicable zoning standards and criteria, and shall not require a rezoning, if the housing development project is consistent with the objective general plan standards and criteria but the zoning for the site is inconsistent with the general plan. In this instance, since the City has not yet enacted re-zoning for this and other housing element sites, consistency is evaluated against the General Plan, not the zoning ordinance.

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

As approved and conditioned in the Design Review development plan, the homes in the project will comply with the City's residential Green Building Ordinance, Climate Action Plan 2.0 and the State's Title 24 Building Energy Efficiency Standards and would be required to incorporate a series of renewable energy design and energy efficiency features. For this development, the homes will exceed Title 24 state energy conservation requirements and have humidity control systems installed.

**3. The proposed vesting tentative subdivision map, together with its design and improvement, is consistent with the Pleasanton General Plan.**

P23-0332 was found to be consistent with the Pleasanton General Plan and Vesting Tentative Map 8676 was submitted based on the approved development. The proposed subdivision and its improvements are compatible with the applicable objectives, policies, land uses, and programs specified in the General Plan.

**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 physically suitable for the proposed development.

**5. 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.**

The 2023-2031 (6th Cycle) Housing Element Update Program EIR CEQA Guidelines Section 15183 Consistency Checklist for the Harmony Condominium project, found no potential for significant environmental effects. P23-0332 includes conditions that require best management practices to be incorporated before and during construction to minimize impacts to groundwater and surface water quality.

**6. The design of the proposed subdivision 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 utilities and services, public road design and traffic safety, fire hazards and noise hazards). All public safety measures are addressed through the Objective Design Standards compliant design and conditions of approval for P23-0332 and the Vesting Tentative Map. The street design is satisfactory to the Livermore-Pleasanton Fire Department and Traffic

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Engineer. The homes 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.

**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.**

There are no existing easements on the project site. This Vesting Tentative Map provides for easements including a public access easement, public service easement and emergency access easement. The design of the subdivision and related improvements does not conflict with the proposed easements.

**8. The restriction on approving a tentative subdivision 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, including a Williamson Act 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. Stormwater runoff would be collected and conveyed through bio-retention basins located on the north and west sides of the parcel. Urban stormwater runoff is required to meet the City's RWQCB permit requirements for urban development.

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

**Section 1.** Approves Vesting Tentative Map 8676, the application of City Ventures to subdivide an approximately 1.96-acre site located at 2025 Santa Rita Road into one parcel for condominium purposes with 42 condominiums, and inclusive of common areas, 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.

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**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of Pleasanton at a regular meeting held on November 8, 2023.

AYES:

NOES:

ABSENT:

ABSTAIN:

**ATTEST:**

DocuSigned by:  
*Melinda Denis*  
EB324EE25603411

Melinda Denis  
Secretary, Planning Commission

DocuSigned by:  
*Brandon Pace*  
96FCA02E20AE421

Brandon Pace  
Chairperson

**APPROVED AS TO FORM:**

DocuSigned by:  
*Julie Harryman*  
A806168C6B2E426

Julie Harryman  
Assistant City Attorney