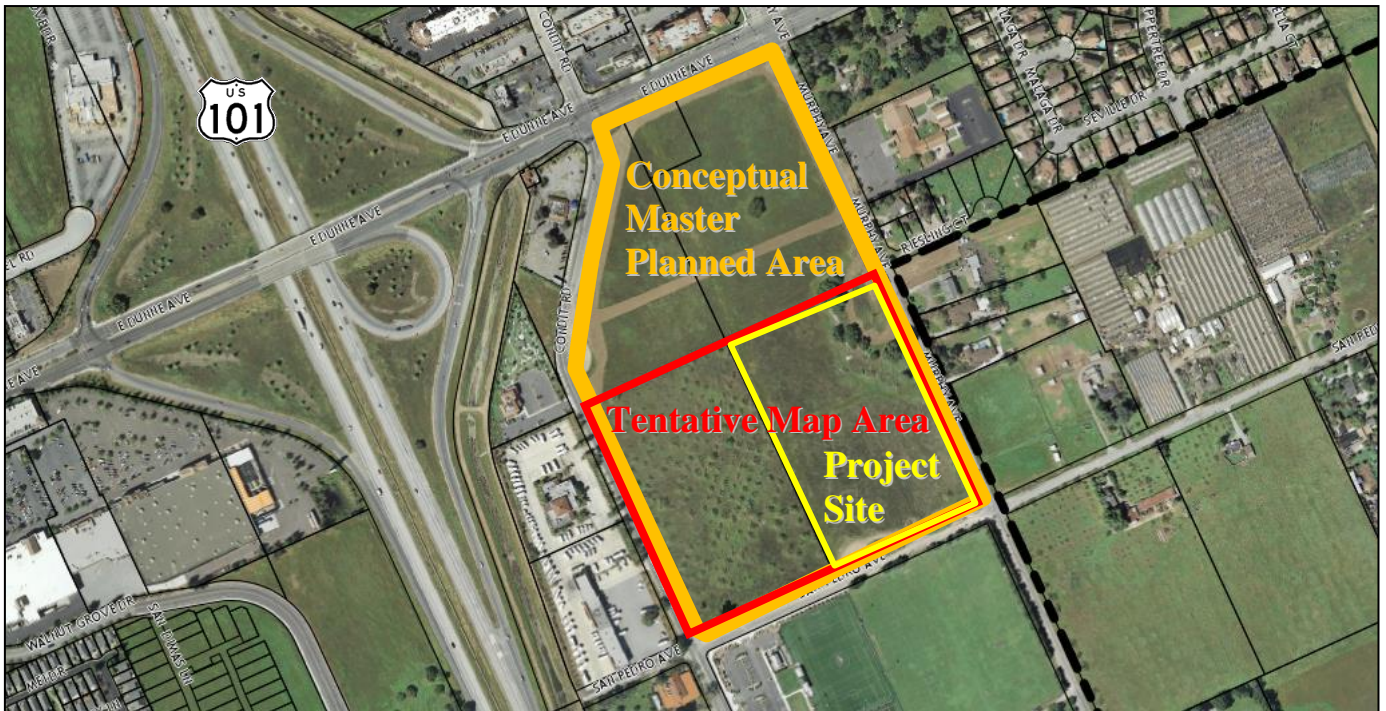


## LOCATION MAP



## BACKGROUND

The Presidio - Evergreen LLC, (Condit - Mana) project entered the City's planning process more than two years ago. Initially, the property owners of the two southern parcels sought General Plan and zoning modifications as well as development approval for a residential mixed density project concept. Because of the land use change, size of the project, and unique development characteristics, and use interface at this geographical location, the City Council approved a Memorandum of Understanding (MOU) which requested that the developers take part in a Master Plan effort which included the two proposed residential parcels, as well as the commercially zoned property to the north. The total Master Plan site comprises approximately 32 acres.

The Master Plan process, directed by an MOU, sought to understand and determine the master on-site and off-site improvements, public space locations, circulation and streets issues/impacts and common design elements which would direct and inform the logical and successful integration of uniform major design and connectively elements on the separate properties. Both residential development projects competed for residential allotments through the 2015 Residential Development Control System (RDCS) process. Partial allotments were awarded to both projects. On July 12, 2016 the formal Master Plan for all the properties was presented to the Planning Commission, as a prelude to final discretionary entitlement actions. After much discussion, the July 12, 2016 hearing was continued to July 26, 2016.

Presidio - Evergreen does not own or control the commercial parcels located north of the two residentially planned sites; also subject to the Master Plan effort. Via testimony, the developer is highly interested in doing so, if possible. Through the Master Plan process, the zoning and development conditions of approval have been determined to anticipate the cross-functionality of the independent parcels, so that they can be alternatively or concurrently developed in a way that links design features and circulation functions.

## **DISCUSSION**

The proposed request is the consideration of a Subdivision Map for an 18.2 acre site. At the July 26, 2016 hearing, the Commission recommended approval of the two other actions associated with this request including a Zoning Amendment and Development Agreement; however, the Planning Commission denied the Subdivision Map. This action is incomplete, as findings for denial were not made in accordance with Section 17.20.100 (Denial-Planning Commission criteria) of the Municipal Code. The Subdivision Map has been agendized for Planning Commission, for clarification and/or the completion of findings for the denial action which took place on July 26, 2016.

### **Site Description and Surrounding Uses**

The subject site consists of two parcels (APN: 817-12-006 and 817-12-009), approximately 18.2 gross acres, located north of the City's Outdoor Sports Complex across San Pedro Avenue. The land use designation for the two parcels are Multi-Family Medium (APN: 817-12-006) and Multi-Family Low (APN: 817-12-009) with current zoning as R-3 Medium-Density Residential. The easterly parcel is adjacent to a vacant commercially designated property to the north, the future apartment development proposed to the west (currently vacant), existing single-family homes and vacant residentially designated properties across Murphy Avenue to the east, and the City-owned Outdoor Sports Complex to the south across San Pedro Avenue.

### **Project Description**

The project includes a Tentative Map for the 60 townhome style condominiums and 14 single family homes along with subdividing parcels on adjacent parcel for future shared detention pond and project amenities.

### **ANALYSIS:**

At the July 26, 2016 Planning Commission hearing, the Commission voted to deny the Subdivision Map. The Subdivision Map is being brought back to the Commission for re-consideration to clarify the findings for denial.

Section 17.20.100 (Denial-Planning Commission criteria) of the Municipal Code states that a tentative subdivision map may be denied by the Planning Commission on grounds specified in City ordinances or the State Subdivision Map Act.

The Planning Commission shall deny approval of the Tentative Map if it makes any of the following findings:

1. That the proposed map is not consistent with applicable general and specific plans;
2. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;
3. That the site is not physically suitable for the type of development;
4. That the site is not physically suitable for the proposed density of development;
5. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;

6. That the design of the subdivision or the type of improvements is likely to cause serious public health problems;
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements for access or for use will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of records or to easements established by judgment of a court of competent jurisdiction and no authority is granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

If the Planning Commission makes findings to deny the map, and the subdivider disagrees with the action by the Planning Commission, the decision may be appealed within ten days of such decision.

### **Community Engagement**

The proposed project was publicly noticed (mailing to property owners within 300 feet of the project) for the minimum 10-day period and a sign has been posted at the project site in accordance with the Planning Division requirements. No public comments were received at the time of writing this report.

### **Conclusion**

Staff finds that the proposed Subdivision Map is consistent with the applicable General Plan and proposed Planned Development recommended for approval to the City Council at the July 26, 2016 Planning Commission hearing. Staff recommends that the Planning Commission reconsider the Subdivision Map request.

### **LINKS/ATTACHMENTS:**

1. Subdivision Resolution, SD2016-0006
2. Tentative Map, Exhibit B