

EXHIBIT A
FINDINGS FOR APPROVAL
PA #14-025, Gum Street Duplexes
Site Plan and Architectural Review (SPAR),
Site Development Planning Application (SDP), and Vesting Tentative Map
1753, 1805, 1809, 1811, 1815 Gum Street (APNs 035-222-080,090,100)
As Approved by the Planning Commission on June 9, 2015

- I. Adopt the Categorical Exemption from Environmental Guidelines, finding that:**
- (1) The project is categorically exempt from environmental guidelines (Class 32 § 15332, In-Fill Development). This section is intended to promote infill development within urbanized areas. The proposed project meets these guidelines and the conditions described in the sections below based on the Findings of Approval in Exhibit A and subject to the Conditions of Approval in Exhibit B:
 - (a) The project is consistent with the general plan and policies as well as zoning designation and regulations;
 - (b) The proposed development occurs on a site of no more than five acres substantially surrounded by urban uses;
 - (c) The project site has no value as habitat for endangered, rare or threatened species;
 - (d) Approval of the project would not result in any significant effects related to traffic, noise, air quality, or water quality;
 - (e) The site can be adequately served by all required utilities and public services.
 - (2) On the basis of the whole record before the Planning Commission, there is no substantial evidence that the project will have a significant effect on the environment in that: the proposed project will result in an increase of eight units which will have a negligible effect on traffic based on the General Plan Circulation Element, since the project would not result in significant traffic impacts to adjacent signalized intersections; a Transportation Improvement Fee will be required for the proposed project as a condition of building permit issuance, which is designed to help fund cumulative impacts of projected development in the City; the introduction of eight new housing units on the project site would not result in significant noise impacts upon adjacent uses, because noise emanating from the proposed residences would be typical of the neighborhood and would not result in a significant change or increase in the existing noise environment; the project will be required to comply with Title 24 of the California Government Code which requires that the interior noise levels of multi-family units have an interior noise level of 45 dB DNL or lower; the impact of dust and exhaust generated by grading and

excavation of future construction activities is temporary in nature and limited to site preparation and future construction of the new residences; the proposed project would have limited air quality impacts resulting from the minor pollutant emissions related to traffic generated by the proposed project; the project will not violate any water quality standards or waste discharge requirements because it will be required to comply with the standard Best Management Practices, which regulates discharge into the City's storm drainage system; and while a new project increase in runoff would not be large enough to cause flooding on- or off-site, all projects of this nature are required to comply with the City's standard of approval relating to drainage and runoff.

II. Approve the Site Plan and Architectural Review (Municipal Code § 27.08.030), finding that:

- (1) The structures, site plan, and landscaping are in scale and harmonious with the character of the neighborhood; in that the project embodies many of the Duplex Design Guidelines with an interface on both street frontages, all along Gum Street that includes visible, distinctive and unique front entries with porches and columns, white picket fences, and large windows to improve the connection of the units along Gum Street to provide street presence; and landscaping and modular pervious paving to enhance the development and neighborhood.
- (2) The development will not be detrimental to the harmonious and orderly growth of the City; in that a historic report was prepared for the structure at 1753 Gum and the surrounding orchard remnant. Neither of which qualify as a historic resource under CEQA in that; the structure is not a strong example of a style or type, it was not designed by a master architect, and it is not associated with important events or persons. It is the professional opinion of the City's consulting arborist, Walt Fugi, that the plum trees have exceeded their customary and useful life expectations. And that the subject trees are in irreversible decline and not suitable for preservation. And therefore it is the professional opinion of "architecture + history, llc" that the property is not eligible for the California Register of Historical Resources and therefore, does not qualify as a historic resource under CEQA

- (3) The development will not impair the desirability of investment or occupation in the vicinity, and otherwise is in the best interests of the public health, safety, or welfare; in that shared driveways throughout the project reduces paving. Appearances of garages are minimized along the street frontages. The two-story building massing is set back from the first story for modulation and articulation. The scale of the proposed two story duplexes are compatible with existing one and two story homes in the project vicinity.
- (4) The development meets all applicable standards as adopted by the Planning Commission and City Council, conforms with the General Plan, and will correct any violations of the zoning ordinance, building code, or other municipal codes that exist on the site, meets the development standards of the R2 District of the City's Zoning Code with respect to density, building height, floor area, landscaping and open space; and it complies with the City's Duplex Design Guidelines and the recommendations of the City's Design Review architectural consultant.
- (5) The development will not adversely affect matters regarding police protection, crime prevention, and security in that it will be constructed in accordance with the City's Security Ordinance through conditions of approval.

III. Approve the Site Development Planning Application for Removal of Major Vegetation (Municipal Code § 23.40.040), finding that:

- (1) The project will result in the removal of major vegetation including 14 trees over 6" in diameter (9 Plum trees, 3 Irish Yew trees, 1 Coast Live Oak and 1 Fig tree). The removal of these 14 trees will not be detrimental to public welfare or injurious to other property in the vicinity. The trees conflict with the footprint of the proposed construction including the proposed units and driveway access therefore it is necessary to remove the trees classified as major vegetation in order to construct the proposed improvements to allow reasonable economic enjoyment of the property. The applicant is required pay \$10,038 and to plant 58 new trees to comply with the Zoning Code which requires the full Landscape Unit Value of the existing trees to be removed to be replaced. A standard condition of approval has been included to address the tree removal and replanting requirements.

- (2) All concerns regarding removal of the 14 trees on the site have been addressed as conditions of approval requiring conformance to the City's landscape regulations, through the provision of 58 additional trees, shrubs, groundcover plantings, and landscaping as shown on the project plans and in lieu fees. The Historic Report and City Arborist examined the remnant plum orchard trees and concluded that these trees have exceeded their customary and useful expectations and that the subject trees are in irreversible decline and are not suitable for preservation. No Heritage Trees are proposed for removal.

IV. Approve the Vesting Tentative Map (Municipal Code § 26.48.060), finding that:

- (1) The proposed map is consistent with applicable general and specific plans in that the project site is designated for residential uses.
- (2) The design or improvement of the proposed subdivision is consistent with applicable general and specific plans in that it meets all zoning standards for R2 Duplex or Two Family land uses.
- (3) That the site is physically suitable for the type of development in that existing paving will be removed to make way for the development, and the foundation elements will be designed to account for fluctuations in soil water content and to accommodate earthquake vibrations.
- (4) That the site is physically suitable for the proposed density of development in that the site can be adequately served by all required utilities and public services.
- (5) That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat in that it redevelops a site located in an urban setting which has been previously improved with paving.
- (6) That the design of the subdivision or type of improvements is not likely to cause serious public health problems in that City's ordinances reduce potential air quality and noise impacts during construction, and the project will also contribute to public improvements roadways and public facilities and will otherwise not constrain the delivery of public services..

- (7) That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

V. Fence Exception (Municipal Code Section 27.84.020)

1. The proposed height, location, design, and landscaping of the proposed segment of six foot tall wood fence, located in the street side yard, is in scale and harmonious with the character of the neighborhood. The fence will not be detrimental to public health and safety because it will be located outside the triangle of visibility and will not act a visual obstruction for pedestrians or vehicles. Furthermore, it will be a compatible and appropriate transitional feature or buffer between the adjacent residential and commercial zoned properties.
2. The fence will not be detrimental to the harmonious and orderly growth of the City since it will not increase the intensity or change the use of the structure, maintaining its residential use.
3. The development will not impair the desirability of investment or occupation in the vicinity, and otherwise is in the best interests of the public health, safety, or welfare because the fence adds value to the property in a manner that is sensitive to the existing design and materials of the dwelling.
4. The development meets all applicable standards as adopted by the Planning Commission and City Council, conforms with the General Plan, and will correct any violations of the zoning ordinance, building code, or other municipal codes that exist on the site in that the fence is compatible in design and height with other fences in the neighborhood and will be constructed in conformance with the UBC.
5. The development will not adversely affect matters regarding police protection, crime prevention, and security in that it will be constructed in accordance with the City's Security ordinance and maintains open views onto the site.

VI. General Plan Conformity

- I. The project conforms to the following policies of the Land Use Element of the General Plan:

LU 1.6: Residential Development. Facilitate housing production by carrying out the goals and policies in the Housing Element.

LU 1.9b: Duplex Projects. Provide a transition between neighborhoods of differing densities by ensuring two-family dwelling construction and remodeling projects are consistent with the Duplex Design Guidelines which emphasize neighborhood character, relationship to the neighborhood, and elements of design and site layout.

LU 8.4 Sustainable Development. Incorporate Sustainability into existing single family and multifamily housing. Require sustainable features and techniques so address energy and water efficiency in remodels of existing structures.

The project is consistent with these policies in that the development of two family dwellings on the site is consistent with the Land Use Designation of low density multi family. Consistent with the City's Climate Action Plan the project will provide pre-wiring for electric vehicle (EV) charging stations inside the garages.

II. The project conforms to the following policies of the Circulation Elements of the General Plan:

C 2.4: Transportation Fee Ordinance. Require new developments to pay their proportionate share of the costs for planned on and off site roadway improvements. Utilize a Transportation Fee Ordinance to finance necessary off-site improvements equitably. The off-site improvements will include intersection and street improvements to maintain intersection levels of service, traffic safety improvements and improvements to reduce single occupant vehicle trips such as bicycle system enhancements, pedestrian improvements, and trip reduction measures.

C 5.1: Parking Standards.

1. Adopt parking requirements to provide adequate parking supply as a condition of development approval.
2. Adopt parking requirements to provide adequate parking supply for change and/or expansion of land use resulting in increased parking demand.

The project is consistent with these policies in that the project will be required to pay a Transportation Improvement Fee and the project meets the parking requirement for the proposed uses.

III. The project conforms to the following policies of the Housing Element of the General Plan:

H 1.1: Residential Protection. Protect established single-family and multi-family residential areas by the following actions:

1. Prevent the intrusion of incompatible uses not indicated in the Land Use Element as allowed in residential districts;
2. Avoid the over concentration on individual blocks of non-residential uses defined by the Land Use Element as being “potentially compatible” in residential areas;
3. Assure that adequate buffers are provided between residential and non-residential uses to provide design compatibility, protect privacy, and protect residences from impacts such as noise; and,
4. Review development proposals for conformance to the City’s multi-family design guidelines for sites located in areas that contain substantial numbers of single-family homes to achieve projects more in keeping with the design character of single-family dwellings.

H 2.1: Fair Share Housing Allocation. Attempt to achieve compliance with ABAG Fair Share Housing Allocation for total housing needs and for low- and moderate-income needs.

The proposed project complies with the policies of the Housing Element in that the project would provide adequate buffers between the commercial areas and the residential areas. The project contributes 8 housing units toward the housing demand.

IV. The project conforms to the following policies of the Urban Design Element of the General Plan:

UD 2.2: Building Scale. Ensure that new multi-family developments respect the existing scale of the neighboring buildings by providing a change in the building face at spacings common to existing buildings and by stepping

down building height towards the street to more closely match the height of existing buildings.

UD 2.3: Style and Materials. Encourage the design of new multi-family developments in areas with a dominant building style or dominant type of exterior building materials to complement the style and incorporate the common materials of the area.

UD 2.4: Multi-Family Parking. Encourage new multi-family developments to place parking underground or towards the rear of the parcel to avoid blank, ground floor walls and to screen views of parking from the street.

UD 2.5: Multi-Family Open Space. Require that a portion of required open space be useable for passive or active recreation.

The proposed project complies with the policies of the Urban Design Element in that building massing and modulation visually divides the development into sections compatible with the scale of the neighborhood and the auto court design successfully screens views of parking from the street and includes other visual enhancements such as impervious, decorative modular paving and landscaping which services as a focal point at the end of the driveway visual terminus.