

Memorandum



TO: PLANNING COMMISSION MEMBERS

FROM: David Hanham, Planning Manager

SUBJECT: Appian Village: 154 Unit Condominium Complex

DATE: April 11, 2022

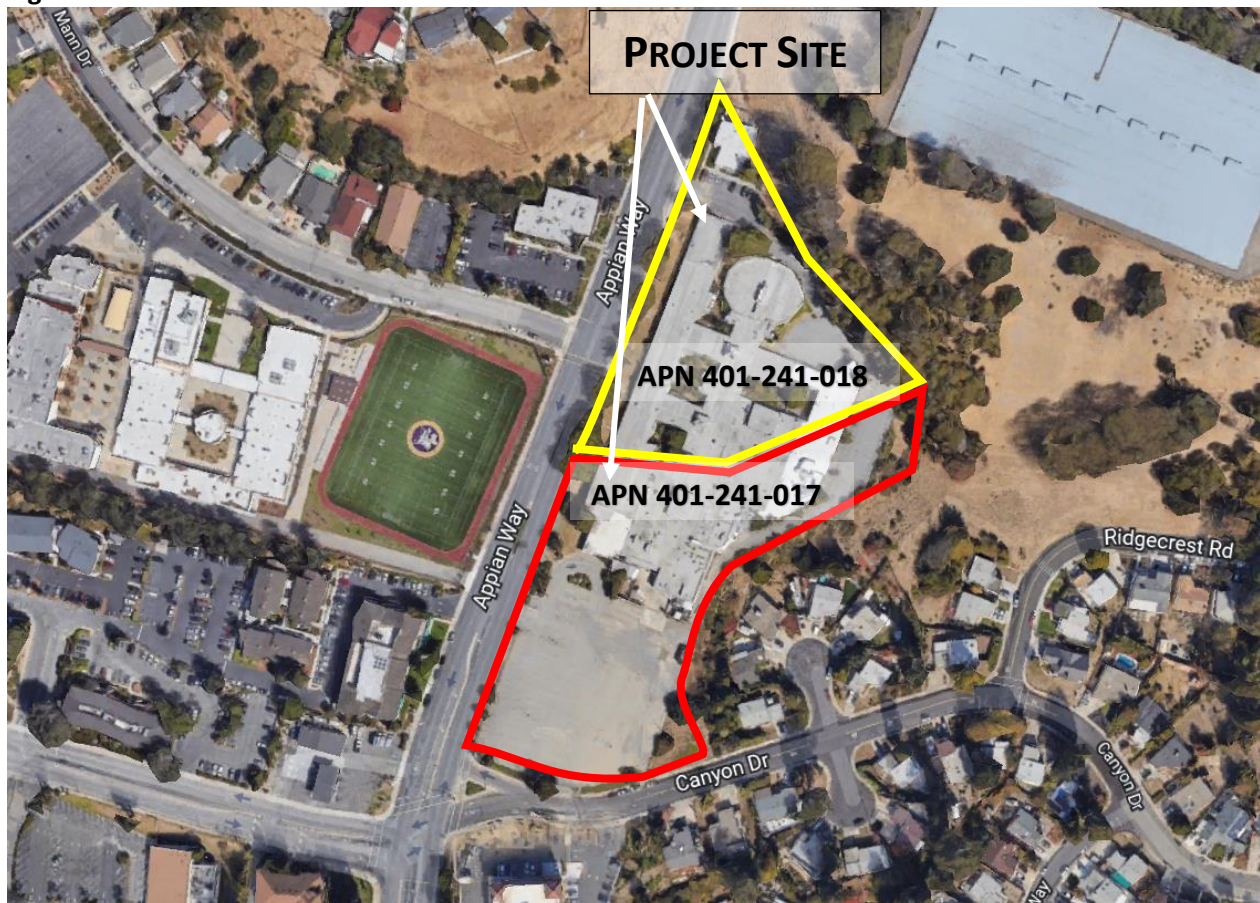
Property Owner:	2151 Appian Way, LLC, Contact: J Ligons 3045 Research Drive Richmond, CA 94806
Applicant:	DeNova Homes, Contact: Trent Sanson 1500 Willow Pass Road Concord, CA 94520
File:	PL21-0016/Comprehensive Design Review (CDR) DR 21-06/Vesting Tentative Subdivision Map. VTSM 21-06
Location:	2151 Appian Way, Pinole CA 94564
Assessor Parcel Numbers:	401-240-017 and 401-240-018
Total Area:	7.3 acres/317,988 sf
General Plan Land Use Designation:	SSA, Service Sub Area
Specific Plan Land Use Designation:	SSA, Appian Way Corridor /Service Sub-Area
Zoning Classification:	APN 401-240-018, RMU, Residential Mixed Use (20.1 to 30 units per acre) APN 401-240-017, CMU, Commercial Mixed Use (20.1 to 30 units per acre)
Review Authority:	Comprehensive Design Review - Planning Commission – Pinole Municipal Code (PMC) Section Table 17.10.060-01 Vesting Tentative Subdivision Map - Planning Commission – PMC Section Table 17.10.060—01 Affordable Housing Regulatory Agreement – City Council – PMC Section 17.32.060 (D) California Environmental Quality Act Determination – Planning Commission – CA Public Resources Code Section 15022

BACKGROUND

The property at 2151 Appian Way is owned by the Limited Liability Corporation “2151 Appian Way, LLC.” The project area is bound by the Maloney Reservoir to the north, Canyon Drive to the South, Poquito Court to the East and Appian Way to the West. Mann Drive runs perpendicular to the upper northwest portion of the site, at a three-legged intersection. The site is currently developed with a vacant one-story, 108,500 square foot hospital facility. Represented by applicant DeNova Homes, the property owner is proposing to demolish all existing structures at the project site and construct 154 units of for-sale market rate and affordable housing. **Figure 1** shows the site location and neighborhood context.

The two parcels at 2151 Appian Way have been a vital part of Pinole’s recent past. The Doctors Medical Center, which was constructed in 1967 featured important healthcare services like an emergency room, intensive care unit and surgical center. The Medical Center ceased operations in 2006, and the building has been vacant, and the site not used since that time. There has been some interest from a variety of developers since the Medical Center closed, including an application submitted by the Making Waves Academy in 2019 for a Comprehensive Design Review entitlement. The Making Waves Academy application was subsequently withdrawn during the review phase of the project.

Figure 1 – Site Location



On March 3, 2021, DeNova Homes applied for a Comprehensive Design Review and a Vesting Tentative Subdivision Map to construct both market rate and affordable for-sale homes at the project site. The purpose of the application is to construct a 154-unit residential project of stacked flat and townhome product types. The 154 units are distributed throughout 26 buildings on the project site. See **Figure 2** for the site plan and layout of the 26 buildings.

Figure 2: Building Distribution



The Planning Commission Ad-Hoc Committee, consisting of three Planning Commissioners met on May 12, 2021, and January 6, 2022, to discuss the Appian Village Project. The Ad-Hoc Committee discussed the following topics: circulation, parking, landscaping, fire access, children's play areas, setbacks, and the height of buildings 19-22 as view from the residences on Poquito Court. At a meeting on January 6, 2022, the Ad-Hoc Committee reviewed all changes that were made by the applicant recommended approval of the project to the Planning Commission.

Notable modifications that were made by the applicant in response to the Ad-Hoc Committee's comments are listed below and are reflected in **Attachment C** of this report.

1. Circulation:
 - Widened the entrances on Canyon Drive and Appian Way from 24 feet to 32 feet to improve vehicular and pedestrian circulation.
2. Utilities, Service and Safety:
 - Established two additional Emergency Vehicle Accesses (EVA) on Appian Way.
 - Included sidewalks and hydrants around the rear of the property for access to the open space adjacent to the project.
 - Worked with Republic Trash Hauler and EBMUD concerning collections and utility's locations.
3. Massing/Visual Impact:
 - Lowered building heights on Buildings 19-23 from 35 feet to 30 feet.
 - Added more color to the garage side of the buildings.

4. Project Features:

- Included new play area for children in the main outdoor space between Buildings 14 and 15.

PROJECT DESCRIPTION

The project site, spanning approximately 7.7 acres, consists of two contiguous parcels and is located at 2151 Appian Way. The applicant is proposing to demolish the former Doctor's Medical Center which has been vacant for over fifteen years, and redevelop the property into a new residential community, "Appian Village," bringing additional for-sale housing units to the City. The Appian Village project proposes all new construction of 26 buildings for a total of 154 units. All of the units are for-sale, ranging from 1,249 square feet (sf) to 1,825 sf. Buildings 1-6 will contain stacked flat units, where each unit is above/below each other and Buildings 7-26 will be townhome style units, where each unit is side by side. The applicant will be installing all new infrastructure (water, sewer, storm drainage, and streets) as well as all new curb, gutter, sidewalks, landscaping, paseos (pedestrian pathways), turf areas and a children's outdoor/play area.

The applicant is proposing to demolish all of the existing buildings, parking areas and infrastructure at the subject site, including removal of all of the existing landscaping.

Table 1 provides data on the number of units and product type for each proposed building. All of the unit's proposed elevations are shown in **Attachment C** of this report

Table 1 – Unit Distribution		
Building Number	Number of units	Product Type
1	8 units	Stacked Flats
2	8 units	Stacked Flats
3	10 units	Stacked Flats
4	10 units	Stacked Flats
5	8 units	Stacked Flats
6	10 units	Stacked Flats
7	5 units	Townhomes
8	5 units	Townhomes
9	5 units	Townhomes
10	5 units	Townhomes
11	5 units	Townhomes
12	5 units	Townhomes
13	5 units	Townhomes
14	7 units	Townhomes
15	7 units	Townhomes
16	5 units	Townhomes

Table 1 – Unit Distribution			
Building Number	Number of units	Product Type	
17	4 units	Townhomes	
18	4 units	Townhomes	
19	5 units	Townhomes	
20	7 units	Townhomes	
21	4 units	Townhomes	
22	4 units	Townhomes	
23	5 units	Townhomes	
24	4 units	Townhomes	
25	4 units	Townhomes	
26	5 units	Townhomes	
TOTAL BUILDINGS	TOTAL UNITS	DISTRIBUTION OF PRODUCT TYPE	
26	154	Stacked Flats: 54	Townhomes: 100

Required Land Use Approvals

Entitlements and required City of Pinole approvals for the project include Comprehensive Design Review a Vesting Tentative Subdivision Map, an Affordable Housing Regulatory Agreement, and a California Environmental Quality Act (CEQA) determination. Pursuant to PMC Table 17.10.060-1, the Planning Commission has approval authority of the Comprehensive Design Review, Tentative Vesting Subdivision Map and CEQA determination. The City Council has approval authority over the Affordable Housing Agreement which would be reviewed by the Council only after entitlements are approved by the Planning Commission. It should be noted that the Council has *de novo* approval authority of the entitlements on a timely filed appeal of the Planning Commission's decision.

Site Parameters

The site is bound by the Maloney Reservoir to the north, Canyon Drive to the South, Poquito Court to the East and Appian Way to the West. Surrounding land uses include a combination elementary and junior high school in addition to professional office buildings to the west of the property. To the north, there is an existing Reservoir, existing single family residential dwellings to the east and an existing business (CVS) to the south. The project site is typically flat, however, along the northern and eastern edge of the property there are severe slopes which will be retained by retaining walls. The property high point is on the northeast corner of the property, and it drops to the southwest corner of the property. The topography is shown on Sheets 3.0 and 4.0 in the Vesting Tentative Subdivision Map of the Appian Village Design Package (**Attachment C**).

The site has been vacant for approximately 16 years. **Figure 1** shows the existing site conditions. **Figure 2** shows the proposed site conditions after the construction of Appian Village.

ANALYSIS

This section of the report will analyze the Appian Village entitlement applications and the findings that each of the applications are required to meet in order to be granted approval from the Planning Commission. This portion of the report will also state the application's consistency with the City's General Plan, the Three Corridor Specific Plan, and the Zoning Ordinance. As part of the consistency evaluation, the Planning Commission is required to make specific findings and other consideration consistent with Chapters 16.12 Tentative Maps) & 17.12 (Entitlements) of the PMC in order to approve the Comprehensive Design Review and Vesting Tentative Subdivision Map.

General Plan Consistency

The property located at 2151 Appian Way has a General Plan Land Use Designation of "SSA" (Sub-Service Area). The SSA designation is intended to maintain and enhance existing land uses while providing land use flexibility and incentives to encourage new private investments and additional development. Each Service-Sub Area has a different emphasis. Appian Way Corridor SSA is defined to maintain and enhance the regional gateway area into Pinole and capitalize on freeway access to upgrade existing development and attract a desirable mix of commercial services and residential uses. The density for the Appian Way-SSA General Plan designation is 10.1 (minimum) to 50 (maximum) dwelling units per acre (du/ac).

POLICIES

The Appian Village project helps to implement numerous policies within different elements of the General Plan including the Community Character Element, Land Use and Economic Development Element, Circulation Element, Health and Safety Element, the Natural Resources and Open Space Element, and the Sustainability Element. The policies below are a partial list of the most relevant to the Appian Village project.

Community Character Element

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|----------------------|--|
| POLICY CC.1.1 | All new development and redevelopment shall adhere to the basic principles of high-quality urban design and architecture including, but not limited to, human-scaled design, pedestrian orientation, and interconnectivity of street layout, siting buildings to highlight important intersections, entryways, focal points, and landmarks. |
| POLICY CC.1.2 | Require all new development to incorporate high-quality site design, architecture and planning to enhance the overall quality of the built environment in Pinole and create a visually interesting and aesthetically pleasing town environment. |
| POLICY CC.1.5 | Encourage project compatibility, interdependence, and support with neighboring uses, especially between commercial and mixed-use centers and the surrounding residential neighborhoods. Uses should relate to one another with pedestrian connections, transit options, shared parking, landscaping, public spaces, and the orientation and design of buildings. |

Land Use and Economic Development Element

- POLICY LU.3.2** Ensure high quality site planning, architecture and landscape design for all new residential development, renovation, or remodel
- POLICY LU.4.1** Ensure all new development, renovation or remodeling preserves and strengthens Pinole's residential neighborhoods by requiring projects to be harmoniously designed and integrated with the existing neighborhood.
- POLICY LU.4.2** Maintain the character and long-term viability of the City's residential areas by ensuring that residential projects are well designed and consistent with challenging development constraints.
- POLICY LU. 7.5** Ensure that new and existing developments can be adequately served by municipal services and facilities in accordance with City standards. New projects which require construction or expansion of public improvements shall pay their fair share of the costs necessary to improve or expand infrastructure to serve them, including street improvements, parks, water storage tanks, sewer and water service, and other public services.

Housing Element


- POLICY H 2.1** Enhance neighborhood identity and sense of community by designing new housing to have a sensitive transition of scale and compatibility in form with the existing neighborhood.
- POLICY H.2.3** PROMOTE HIGH QUALITY DESIGN. Provide stable, safe, and attractive neighborhoods through high quality architecture, site planning, and amenities that: (1) reduce the perception of bulk; (2) recognize existing street patterns; (3) enhance the sense of place; (4) minimize the visual impact of parking and garages; and (5) use quality building materials.
- POLICY H.3.4** PROVIDE ADEQUATE TRANSPORTATION FACILITIES AND SERVICES. Provide adequate transportation alternatives which improve accessibility of residential neighborhoods to the community and beyond, while maintaining neighborhood integrity. The following are specific policies to reduce traffic on residential streets and improve available transportation alternatives: • Encourage a variety of transportation modes to serve existing neighborhoods. • Plan new commercial development around the use of certain arterial corridors and in close proximity to new residential development. • Foster pedestrian-oriented neighborhoods. • Maintain and improve AC


Transit and WestCat services, including the implementation of BART Express Service.


POLICY H.4.1 PROVIDE A CHOICE OF HOUSING. Provide a mix of sizes and housing types to meet the needs of Pinole's diverse population. Specific examples include traditional single-family homes, second units, mixed use developments, infill development, accessible housing, and transitional and emergency housing. Opportunities must be available for lower, moderate, and above-moderate income households reflecting available job opportunities in close proximity to Pinole. Available housing choices should also strive to minimize transportation needs.

POLICY H.4.4 SUPPORT THE DEVELOPMENT OF AFFORDABLE HOUSING. Maintain appropriate land use regulations and other development tools to encourage development of affordable housing opportunities throughout the City.


Circulation Element

 **POLICY CE.1.4** Encourage maximum utilization of the existing public transit system and alternate modes of transportation in Pinole.

 **POLICY CE.8.1** Require development to provide pedestrian walkways that are safe, interconnected, and accessible by all members of the community.


 **POLICY CE.8.4** Encourage the location of basic shopping and services within walkable distances to residential areas.

Health and Safety Element

 **POLICY HS.6.1** Promote and encourage walking and bicycling as viable forms of transportation to services, shopping, and employment.

 **POLICY HS.7.3** Reduce the transport of runoff and surface pollutants off site.

Natural Resources and Open Space Element

 **POLICY OS.3.6** Minimize Environmental Impacts. Encourage development patterns which minimize impacts on the City's biological, visual, and cultural resources, and integrate development with open space areas.

ACTION OS.8.8.6 Require new development projects to incorporate facilities and measures to treat stormwater before discharge from the site. The facilities shall be included in required Stormwater Control Plans and

sized to meet NPDES permit requirements. Projects shall protect water quality by incorporating Low Impact Development (LID) design to detain, treat, and infiltrate runoff by minimizing impervious area, such as use of pervious pavements and green roofs, disperse runoff to landscaped areas; and/or route runoff to rain gardens, cisterns, swales, and other small-scale facilities distributed throughout the project area.

Sustainability Element

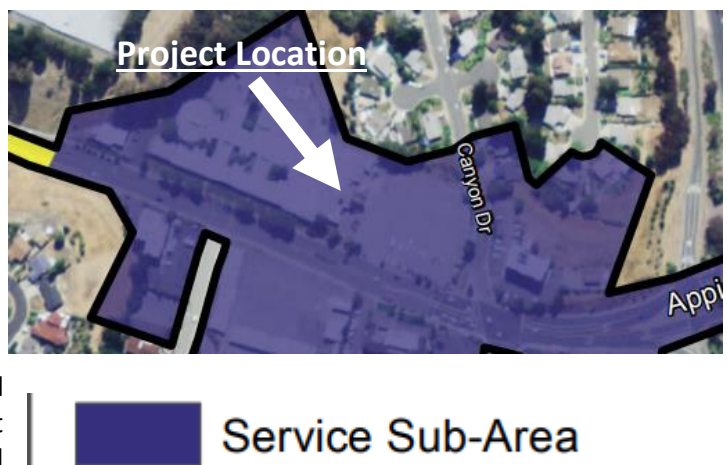
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| POLICY SE.3.4 | Reduce GHG emissions by reducing vehicle miles traveled and by increasing or encouraging the use of alternative fuels and transportation technologies. |
| POLICY SE.4.3 | Pinole will promote and require renewable energy generation and cogeneration where feasible and appropriate. |
| POLICY SE.4.5 | Pinole will continue to promote and support and require, where appropriate, the development of solar energy. |
| POLICY SE.5.3 | Prior to reuse, former commercial and industrial sites will be cleaned up, according to relevant state and federal regulations. |
| POLICY SE.8.7 | Work to improve Pinole's pedestrian and bicycle infrastructure and to meet the needs of all pedestrians and bicyclists. |

Staff Comment: Based on the policies listed above from the General Plan in addition to the fact that at 20.88 du/ac, the Appian Village project falls within the allowable density of 10.1 to 50 du/ac, Staff concludes that the Appian Village Project is consistent with the General Plan.

Specific Plan and Zoning Consistency

The Appian Village project is in the Appian Way Corridor of the Three Corridor Specific Plan. The Appian Village project area, which consists of two parcels (APNs 401-240-017 and 401-240-018) has a Specific Plan Designation of SSA/Appian Way Corridor. See **Figure 3** for a map of the Specific Plan designation. By redeveloping the former Doctors Medical Center site with residential use for Appian Village, it is replacing an underutilized parcel with new residential development and allowing to increase the residential

Figure 3 – Specific Plan Designation

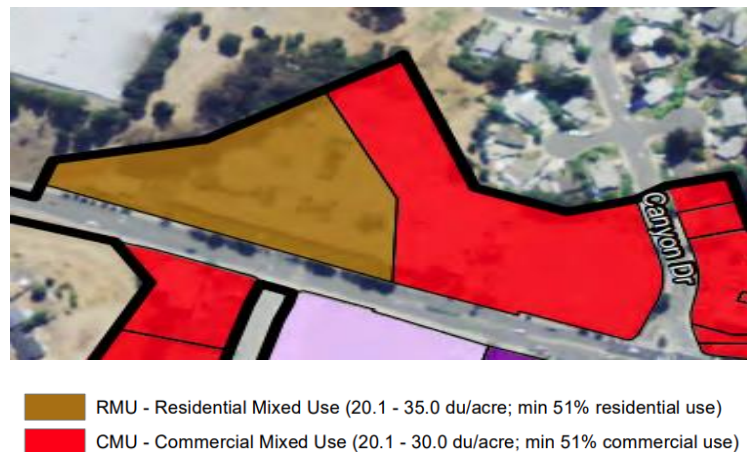


density along the Appian Way Corridor. The Specific Plan includes policies to help fulfill the Plan's objectives. See **Table 2** for the land use policies in the Specific Plan that are consistent with this project.

Table 2 - Land Use Policies of the Three Corridor Specific Plan Applicable to the Appian Village Development	
Land Use Policy 1	Provide for a variety of housing types throughout the plan areas.
Land Use Policy 3	Provide affordable housing within the plan areas consistent with the City's General Plan
Land Use Policy 4	Ensure development of "Opportunity Sites" with high quality mixed-use or high-density housing
Land Use Policy 6	Actively promote the "revitalization" of underutilized land.

Each parcel in the Appian Village project has a different zoning classification. The northern parcel, APN 401-240-018 (total of 3.6 acres) has a zoning of RMU (Residential Mixed Use). The southern parcel 401-240-017 (total of 4.1 acres) has a zoning designation of CMU (Commercial Mixed-Use). See **Figure 4** for a map of the Zoning designation. The Three Corridor Specific Plan Zoning designation RMU allows for parcels to be developed with a 100% residential project. However, the CMU Zoning designation requires at least 51 percent of the total floor area to be commercial retail and service use, unless the development includes community benefits as specified in the General Plan and the development accompanies an Affordable Housing Agreement. The Appian Village development is proposed on both parcels as a 100% residential project and has committed to providing community benefits and entering into an Affordable Housing Agreement with the City. See the section below on Community Benefits.

Figure 4 – Zoning Designation



COMMUNITY BENEFITS:

As detailed above, the Appian Village project is required to provide three (3) Community Benefits as described in the General Plan. A community benefit is something provided by the project in addition to the project simply satisfying applicable requirements. Below are examples of potential community benefits, as specified in the General Plan¹, that the applicant can use to enhance their project:

1. *Residential developments with mixed-income workforce housing that includes long term affordability covenants to assure at least 20 percent of the units on site remain affordable to lower-income households*
2. *Residential or nonresidential developments with on-site childcare*
3. *LEED-certified gold or higher green building developments*
4. *On-site recreation facilities available to the public*
5. *Developments that include 50 or more employment opportunities for existing residents*
6. *Developments which include substantial public art features*
7. *Developments that provide a bus turnout or other features that directly benefit transit riders or transit providers*
8. *Construction of off-site infrastructure improvements to correct pre-existing deficiencies*
9. *Substantial financial contributions that enable the City to complete high-priority capital projects listed in the most recent City Capital Improvement Program –*
10. *Other features that provide substantial benefits and address unmet needs of the neighborhood or City as a whole*

The Applicant has chosen to provide community benefits as shown in **Table 3**. Staff supports the community benefits package that has been proposed by the applicant.

Table 3: Appian Village Community Benefits	
Benefit Category from General Plan	Appian Village Proposed Benefits
Residential developments with mixed-income workforce housing that includes long term affordability covenants to assure at least 20 percent of the units on site remain	The applicant is proposing that 20% of the homes (31 out of 154) will be reserved for Moderate- and Low-Income ranges. Eight (8) units or 5% will be reserved for low-income residents (80% of Area Median Income, AMI) and 23 units or 15% will be reserved for moderate income residents (120% of AMI). The affordable units will be distributed throughout the project. The applicant will determine what plan will be used for each affordable unit and the units will not be clustered together.

¹ Page 5.0-23 of the Pinole General Plan, accessible online:
www.ci.pinole.ca.us/city_government/planning/general_plan

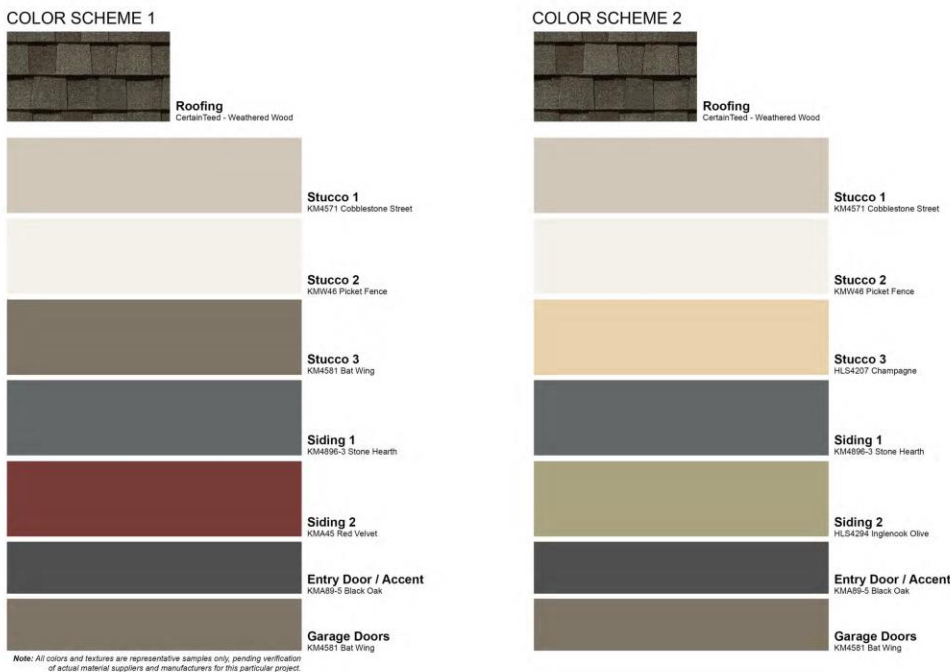
Table 3: Appian Village Community Benefits	
Benefit Category from General Plan	Appian Village Proposed Benefits
affordable to lower-income households	The City's Inclusionary Ordinance requires 15% of the units in a for-sale development to be made available to moderate-income households. Therefore, the applicant is reserving an additional above and beyond 5% of the units for low-income families. Eight for-sale homes for low-income families and 21 for-sale homes for moderate income families in Pinole is a strong community benefit.
LEED-certified gold or higher green building developments	<p>The applicant has indicated that due to more stringent LEED-certification requirements for residential verse a commercial, industrial, or institutional use, they were not able to provide a LEED-certified gold development. However, the applicant has agreed to make the entire development all electric (no natural gas). Additionally, the development will provide solar panels on each building and pre-wiring for electric vehicles in all of the garage for the entire 154 units.</p> <p>Additionally, the applicant has agreed to construct the buildings to be 15% more efficient than required by CA Title 24 Standards and agreed to design and build the project's irrigation to achieve 25% less water usage as compared to the average household in the region. All of these green building features will benefit the community as a whole by reducing greenhouse gases.</p>
Developments that provide a bus turnout or other features that directly benefit transit riders or transit providers	Development of the site will include access and traffic improvements. The primary entrance on Appian Way will align with Mann Drive to form a proper 4-legged intersection. Currently, access drives into the site are off set from Mann Drive, which require left-hand turn lanes. In accordance with the traffic analysis, "split-phasing" of the existing traffic signal will be implemented to prevent conflicts between vehicles making left-turns out of the development, and pedestrians making the crossing across Appian Way. This will provide a more protected pedestrian access, in particular for students attending the middle school. The existing southbound left-hand turn lane into the hospital driveway will be eliminated, decreasing traffic conflicts. Frontage improvements across Appian Way and Canyon Drive include eliminated or re-located driveways to prevent turning movement conflicts, new sidewalks built to current accessible standards, and provide a newly striped bike lane as defined in the Circulation Element of the General Plan.

Table 3: Appian Village Community Benefits	
Benefit Category from General Plan	Appian Village Proposed Benefits
	<p>Relocated bus stops and new bus shelters along Canyon Drive and Appian Way are proposed to better-serve existing riders and the residents of the new community. WestCAT helped to determine the relocation of the bus stop along Canyon Drive. The relocated Appian Way stops are closer to the Mann Drive/project entry intersection to ensure riders utilize the protected and signalized crosswalks. New WestCAT-standard bus shelters can be accommodated in each location. These transit-related community benefits will provide value to the Pinole community.</p>
Other features that provide substantial benefits and address unmet needs of the neighborhood or City as a whole	<p>The new development will help the city to achieve its current and future Regional Housing Needs Assessment (RHNA) housing and affordability goals. Redevelopment of this “opportunity site” and priority development area / gateway to Pinole will remove the blighted and long-abandoned hospital. The new development will provide a much-improved and attractive streetscape, with buildings fronting on Appian Way and Canyon Drive to provide a sense of pedestrian and community connection and create a human scale with front doors and “front-door” activity along the public sidewalks of Appian Way and Canyon Drive. Specific Plan Land Use Policies 4 and 6 promote the development of “opportunity sites” with “high quality...high density housing” and revitalizing underutilized land.</p> <p>Development of the site with 154 new “rooftops” will help to promote the vitality of retail uses in this area of the city and in particular help to support the pending redevelopment of the “Safeway” center at the southwest corner of this intersection. Development of the site as 100% residential will provide new customers and also will not compete with the existing CVS across Canyon Drive nor the pending Safeway center retail development. New residential development with its new consumers will help to support the specific plan goals of supporting current commercial/retail uses as well as strengthen and promote future commercial developments by increasing residents/consumers in the area.</p>

Overall Design of the Project DR-21-06

The Appian Village site is defined as an “Opportunity Site” by the Three Corridor Specific Plan and has a residential capacity of approximately 225 units. The 154 units are designed to be 20.8 du/ac, which is at the lowest end of the density allowed on the site. The scale and design of the buildings were designed to contextually add a new look to the section of Appian Way. By changing the streetscape to incorporate residential units with front doors facing Appian give this area a softer look compared to the former vacant Doctors Medical Center. Sheet AO24 and Sheet Number 3 of the Site Plans (**Attachment C**) shows a portion of the streetscape and color schemes for the project. The project is proposing two color schemes that will allow for differentiation of the buildings throughout the project (see **Figure 5**).

Figure 5: Proposed Color Schemes



The project has been designed such that all garages are oriented at rear of the buildings (interior to the project site) so there are no garages that front on Appian Way or Canyon Drive. To avoid the “sea of garages” look that may occur when only one color is being used for the garage., Staff required the color scheme to be applied to the garage section of the building, which makes the garage better integrated with the rest of the building. See **Figure 6** for Elevation views of the four-unit building type and **Figure 7** for Elevation views of the eight-unit building type, to see differences in color scheme and design. All building types (four, five, seven, eight and ten-units) are shown on Sheets A009, A012, A018 and A021 of the plan set in **Attachment C**.

Generous landscaping is incorporated to create a sense of community within the development. The landscaping along Appian Way and Canyon Drive gives the project a residential theme similar to other

residential area in the city. The proposed site plan includes large green spaces such as bio-swales and small park amenities throughout the project designed for shared Appian Village community use.

Figure 6: Elevation View of the Proposed Four Unit Residential Building Type



Figure 7: Illustrative Elevation View of the Proposed Eight Unit Residential Building Type



Comprehensive Design Review Findings

In order to approve the Comprehensive Design Review, the Planning Commission must find for each of the required Comprehensive Design Review findings. Each finding is listed below followed by staff comment and conclusion.

1. The proposed project is consistent with the objectives of the general plan and complies with applicable zoning regulations, planned development, master plan or specific plan provisions, improvement standards, and other applicable standards and regulations adopted by the city.

Staff Comment: General Plan and Specific Plan policies have been identified to satisfy consistency with the project. The project is consistent with Table 17.24.020.01 Development Standards for

the City of Pinole base Zoning Districts, Section 17.24.030 Additional Standards for Multifamily Zoning Districts. The project is consistent with Tables 6.16 through Table 6.19 and Figure 6.11 of the Appian Way Corridor Land Use and Development Standards.

Additionally, the Applicant has provided Community Benefits as required by the CMU Zone District in the Three Corridor Specific Plan in order to develop the CMU-designated parcel as 100% residential housing.

Based on the zoning and the size of the parcels, development at the project site is at a maximum of 231 units. The proposed unit count for Appian Village is 154 units. All residential projects in the city are required to have an inclusionary affordable housing component. Table 17.32.020-1 requires that 15 percent of the proposed project shall be affordable units. Appian Village is required to provide 23 units of moderate income (120 % of AMI). Appian Village is proposing that 31 units out of 154 units would be available for households making 80 to 120 percent of the median income. The project exceeds the Municipal Code requirements for affordability.

Staff Conclusion: Based on the discussion above, the proposed project is consistent with the General Plan, Three Corridor Specific Plan, and the City of Pinole Zoning Ordinance.

2. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.

Staff Comment: Appian Village has two ingress and egress locations. The main access way is on Appian Way. The second access way is located on Canyon Drive. The access on Appian Way is a full signalized intersection with split phasing to add an additional safety feature for pedestrians and cyclist. The access on Canyon Drive is a full access entry that allows residents to access to Appian Way intersection. Each unit has a vehicular garage and there is no parking for vehicles behind the buildings. All visitor parking stalls are marked. The project is also proposing separate entrances in the front of the building and the rear of the building for pedestrian access. Appian Way has improved curb, gutter, and sidewalk for pedestrian access in front of the project area. There is a crosswalk with high-visibility striping and pedestrian crossing signage at the main entrance of the project and at the corner of Canyon Drive and Appian Way. Sheet 3.0 of the Design Package (**Attachment C** shows the sidewalk and crosswalks as well as all of the interior streets for the project.

Staff Conclusion: Based on the discussion above, the proposed project with not create conflicts with vehicular, bicycle or transportation modes of circulation.

3. The site layout (orientation and placement of buildings and parking areas), as well as the landscaping, lighting, and other development features, are compatible with and complement the existing surrounding environment and ultimate character of the area under the general plan and applicable specific plans.

Staff Comment: All of the project amenities are located within the project area and is for Appian Village residents. as seen on Sheet 3.0 of the project plans (**Attachment C**). The project's site layout as well as the landscaping, lighting, and other development features are compatible with and complement the existing surrounding environment and ultimate character of the area under the General Plan and the Specific Plan. The project plans submitted with the application provide the landscaping and lighting plan that is consistent with the General Plan, Three Corridor Specific Plan, and Pinole Zoning Ordinance regulations.

The landscape plan includes the removal of the existing trees on the project site and replacement with new trees. A conceptual landscape plan is provided with potential tree, shrub and ground cover choices that are drought tolerant and well-suited to Pinole's climate. Much of the proposed new landscape material is proposed inside the complex with some landscaping along Appian Way and Canyon Drive. As described in the Landscape Plan on pages L-1 through L-4 (**Attachment C**), new landscaping, including 194 new trees plus shrubs and ground cover, will replace approximately 153 existing trees, 10 of which are heritage trees. Based on the layout of the plan, the trees will need to be removed.

Staff Conclusion: Based on the above discussion, the site layout and development features are compatible with and complement the existing surrounding environment and ultimate character of the area.

4. Qualifying single-family residential, multi-family residential, and residential mixed-use projects shall comply with all relevant standards and guidelines in the city's currently adopted design guidelines for residential development.

Staff Comment: Appian Village is proposing a multi-family project within the Three Corridors Specific Plan area. The Three Corridors Specific Plan includes design guidelines for multi-family residential projects which include design standards for massing, landscape, setbacks, and exterior building design. The Appian Village project's design includes elements that are consistent with the Three Corridors Specific Plan. The CMU and RMU zoning require development intensity of between 20.1 and 30 dwelling units per acre. At 20.8 du/acre, the proposed project minimizes the density to lowest level of the scale while meeting all of the design guidelines.

Staff Conclusion: Based on the discussion above, the project is consistent with the Three Corridors Specific Plan design guidelines.

In conducting comprehensive design review, the Planning Commission must take into account the following consideration. Each consideration is listed below followed by staff comment and conclusion.

1. Considerations relating to site layout, the orientation and location of building, signs, other structures, open spaces, landscaping, and other development features in relation to the physical characteristics, zoning, and land use of the site and surrounding properties.

Staff Comment: The Development Package dated January 22, 2022 (**Attachment C**), as well as the assessment of the project in this report demonstrates that the project has been designed to consider all of the development features applicable to the project site and surrounding properties. Project orientation along Appian Way and Canyon Drive allow the project to have different orientations along the two roadways and within the interior of the project. The architecture for the project includes a mix of materials and colors. The mix of materials and colors will be used will provide a modern looking building. The building will be a mixture of stucco and sidings. Each unit has a porch/patio and a balcony.

Staff Conclusion: Based on the discussion in the staff report and the design package dated January 22, 2022, relating to site layout and other design features in relation to the physical characteristics of the site and surrounding properties have been made.

2. Considerations relating to traffic, safety, and traffic congestion, including the effect of the development plan on traffic conditions on abutting streets, the layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exits, driveways, and walkways, the adequacy of off-street parking facilities to prevent traffic congestion, and the circulation patterns within the boundaries of the development.

Staff Comment: As shown on page 3.0 of the Civil Drawings (**Attachment C**), the project has two different ingress and egress ways. The access on Appian Way is at an upgraded 4-way signalized intersection with split phasing for additional safety. The access on Canyon Drive leads to a full signalized intersection at Appian Way and Canyon Drive. The layout of the site allows for the driveways to be spread out through the project and so that not all of the traffic is coming from one ingress and egress of the property. There is no on-street parking associated with this project. A traffic study, provided by the applicant, shows all of the trip generation and circulation patterns within the boundaries generated by this project, and concludes that the project will have a less than significant impact on Vehicle Miles Traveled (VMT) and that the intersections will operate at an acceptable level. There are all sidewalks all throughout the interior and exterior portions of the project.

Staff Conclusion: As documented in this report, the proposed project design addresses and considered traffic, safety, traffic congestion and the effect of the development on traffic conditions. The project also includes appropriately designed vehicle and pedestrian entrance, exits, driveways and walkways.

3. Considerations necessary to ensure that the proposed development is consistent with the general plan and all applicable specific plans or other city plans, including, but not limited to, the density of residential units.

Staff Comment: As documented in this report, General Plan and Specific Plan policies have been identified to evaluate consistency with this project and the City of Pinole General Plan, and the Three Corridor Specific Plan. The project has been found to be consistent with the General Plan

and Three Corridor Specific Plan, including the project's consistency with minimum and maximum densities as prescribed by the City's Zoning Ordinance.

Staff Conclusion: As documented in this report, the project is consistent with the General Plan and the Three Corridors Specific Plan.

4. Considerations relating to the availability of city services, including, but not limited to, water, sewer, drainage, police, and fire, and whether such services are adequate based upon city standards.

Staff Comment: Based on a review of available utility information, this project has availability of water, sewer, drainage, police, and fire. The applicant will be required to install new green infrastructure in compliance with the most current Contra Costa Clearwater Program Guidelines Program as required under the current Regional Water Quality Control Permit. The Project will also be required to add trash capture devices basins within interior street areas and visitors parking lot prior to the issuance of a building permit for compliance.

Staff Conclusion: As documented in this report, City services are available and adequate to serve the site. Also, the developer will pay impact fees to augment city services for this project.

VESTING TENTATIVE SUBDIVISION MAP

The Appian Village project is a for-sale residential project with a mix of market rate and affordable housing units. All 154 units are individual units within 26 total buildings. As part of the project, the Applicant is applying for a Vesting Tentative Subdivision Map for Condominium Purposes. The Applicant is proposing to subdivide the two parcels into 26 building parcels and seven infrastructure parcels (Streets A, B, C, F, & G, drainage (three bio-swales areas).

The Tentative Map was reviewed by the City Land Surveyor and found that the Map was consistent with the Subdivision Map Act. City Staff reviewed the map and determined that it was consistent with the General Plan, Three Corridor Specific Plan, and the Zoning Ordinance of the City of Pinole and recommends approval of the Map to the Planning Commission.

ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) provides several Categorical Exemptions which are applicable to categories of projects and activities that the Lead Agency has determined generally do not pose a risk of significant impacts on the environment. The subject project consists of a residential development within the developed urban area of the City of Pinole. The project is exempt under Section 15332 of the State CEQA Guidelines (Class 32-Infill Development Projects) and under Government Code Section 65457 and State CEQA Guidelines Sec. 15182 (Specific Plan Consistency). The detail of these exemptions is located in **Attachment B** of this report.

PUBLIC NOTIFICATION

Pursuant to California Government Code Section 65090 to 65094, public notice must be given at least 10 days before the scheduled date of a hearing. The notice is required to state the date, time, and place of hearing, identify the hearing body, and provide a general explanation of the matter to be considered.

Notice of this hearing was provided in accordance with PMC Section 17.10.050 in the following manner:

- 1- Published in at least one newspaper of general circulation in the city.
- 2- Mailed to the owners of property within a radius of 300 feet of the exterior boundaries of the property involved in the application.
- 3- Mailed to the owner of the subject real property or the owner's authorized agent and to each local agency expected to provide water, sewerage, streets, roads, schools, or other essential facilities or services to the proposed project.
- 4- Posted at City Hall.
- 5- Mailed to any person who has filed a written request for notice.

Additionally, due to the size of the project, Staff provided additional notification/community engagement enhancements in the following manner:

- 1- Requiring a virtual community meeting hosted by the applicant (occurred on June 2, 2021).
- 2- Enhanced written notification including:
 - a. Increasing the radius of notification from 300 feet to 1,500 feet, which increased the number of property owners in the vicinity who received notice from 39 to 651.
 - b. Providing an increased notification time period, from the standard 10 days in advance of the hearing to 17 days
 - c. Requiring the applicant to install large 4'x8' signs in two key locations at the property letting the public know about the application and upcoming hearing opportunity 17 days in advance of the hearing.
- 3- Build out of an [individual development project webpage](#) with project information, plans, studies and hearing information, developed and maintained by City staff.
- 4- Staff use of social media (Facebook) to notify public of upcoming development and link to project specific pages.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution 22-01 approving Comprehensive Design Review, Vesting Tentative Subdivision Map, and CEQA Notice of Exemption for the construction of Appian Village, which consists of 26 three-story all-electric buildings housing 154 units of for-sale market rate, moderate- and low-income housing, with 308 parking spaces within garages, 47 visitors parking spaces as well as bicycle parking and all new landscaping located at 2151 Appian Way.

ATTACHMENTS

- A. Draft Resolution 22-01 – with Exhibit A, Conditions of Approval
- B. CEQA Determination – Notice of Exemption, with Environmental Studies

- A. Shadow Study for the Appian Village Apartment Project
- B. Air Quality and Greenhouse Gas Analysis
- C. Biological Technical Memorandum
 - C-1 Arborist Report
- D. Cultural Resources Constraints Analysis
 - D-1 Historic Resource Evaluation
- E. E. Geotechnical Report
 - E-1 Structural Assessment
- F. Phase 1 Environmental Site Assessment Report
- G. Environment Noise Assessment
- H. Traffic Impact Study
- C. Development Plan Package, with Attachments
 - A. Tentative Map, Grading and Demolition Plan, Utility Plan, Storm Water Control Plan, dated July 26, 2021
 - B. Landscape Plans, dated December 2021
 - C. Floor Plans and Elevations, dated January 14, 2022
 - D. Streetscape and Shade Study Diagram, dated January 14, 2022, March 2021, September 2021, and December 2021