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TOP STORY

Pleasanton's Hands Tied In AMG & Associates' Large Downtown Housing Project

By David Jen
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Photo courtesy of amgassociatesinc.com

PLEASANTON – The city has received an application for a five-story housing project that would soar some 33 feet above the maximum downtown building height, and, because of state laws, the city has little opportunity to deny it.

Submitted by Encino-based AMG & Associates, LLC, the application proposes a 46-unit residential project complete with 1,400 square feet of ground-floor retail commercial space, but with no on-site parking, at 4884 Harrison Street. The site is across from the library and sits among one and two-story houses.

“Due to the limitations on local control included in SB (Senate Bill) 35, the city has no discretion in reviewing this project,” read a letter to residents from senior planner Eric Luchini. “Furthermore, per the specific language of SB 35, no public hearings or review by the planning commission or city council are allowed.”

SB 35, signed into law in 2017, was designed to alleviate the California housing crisis by implementing ministerial approvals — a process that refers to a project just having to check off a list of requirements in order to avoid public hearings and subjective reviews by the city. Examples include: locating a multifamily housing development (at least two residential units) in an urbanized area; ensuring 75% of the perimeter of the site is developed; making sure it is zoned or designated by the general plan for residential or mixed-use housing; including affordable housing and consistent with local government’s objective zoning and design review standards.

The bill authorizes “a development proponent to submit an application for a multifamily housing development, which satisfies specified planning objective standards, that is subject to a streamlined, ministerial approval process, as provided, and not subject to a conditional use permit,” reads the bill.

Objective standards involve no personal judgment from public officials and can be verified by reference, explained Community Development Director Ellen Clark.

“Generally, these will include quantitative standards included in our Zoning Code, General Plan or similar document, such as a building setback from a property line, building height, Floor Area Ratio, parking [But this project is proposed to have no parking, so it won’t meet the General Plan parking requirement] or on-site open space requirements per unit, etc.,” said Clark.

Opponents of the project, such as Councilmember Julie Testa, view it as an example of what can go wrong when laws relocate housing decisions from local to state agencies.

The project will impose several negative consequences on the surrounding area, she continued.

“The aesthetics are huge,; the imposition of sun and light are significant; but by far, the biggest impact on that neighborhood will be the lack of parking,” she said.

The city, she continued, will have to create parking ordinances for the area to prevent the influx of new cars from overwhelming existing residents.

City staff rejected an AMG application for the same property in January.

“The previous application was denied, because the project failed to meet a required setback,” said Clark. “In the revised application, the project design has been adjusted to reduce the width of the building and provide a 10-foot side-yard setback consistent with city zoning standards.”

The city, therefore, may not now deny the application based on the setback.

“However, the city is continuing to comprehensively review the application and will issue its approval or denial based on conformance with all applicable standards,” continued Clark.

“The one positive about the project is that it’s a hundred-percent affordable,” said Testa. “I (would) certainly welcome that if it were done in another part of town, where it wasn’t so out of place and such a burden to the existing residents.”

The city must decide on the application’s approval by Sept. 16, according to Luchini’s letter. What follows depends largely on AMG.

“We do not have a definitive timeline for construction of the project, if approved. However, it will reflect the applicant’s timing for preparation of building construction plans and securing of a building permit, and then the time involved to actually construct the project,” said Clark.