



## Planning Commission Staff Report

April 15, 2009  
Item 5.a.

- SUBJECT:** PTR-8004, Vesting Tentative Map Tract 8004
- APPLICANT:** Pamela Hardy, Ponderosa Homes II, Inc.
- PROPERTY OWNER:** Ponderosa Homes II, Inc.
- PURPOSE:** Application for Vesting Tentative Map approval to subdivide an approximately 23.1-acre site located at 1 Reimers Drive in the Ironwood Planned Unit Development into 110 single-family home lots plus four common area parcels.
- GENERAL PLAN:** The General Plan Land Use designation for the parcel is Public and Institutional/Medium Density Residential.
- ZONING:** The subject property is zoned PUD-LDR/MDR/HDR/P&I & Mixed P&I/MDR (Planned Unit Development – Low Density Residential/Medium Density Residential/ High Density Residential/Public & Institutional and Mixed Public & Institution/Medium Density Residential) District.
- LOCATION:** The property is located at 1 Reimers Drive in the Ironwood Planned Unit Development.
- ATTACHMENTS:**
1. Exhibit A, Draft Conditions of Approval
  2. Exhibit B, Vesting Tentative Map Tract 8004
  3. Exhibit C, Tree Report dated March 19, 2009
  4. Exhibit D, Community Trails Master Plan
  5. Exhibit E, Preliminary Plotting Plan for Lots 41 and 42
  6. Exhibit F, Location Map
  7. Exhibit G, Public Noticing Map
  8. Exhibit H, City Council Ordinance No. 1987 with Conditions of Approval for PUD-74
  9. Exhibit I, Minutes of the February 17, 2009, City Council Hearing
  10. Exhibit J, Minutes of the July 9, 2008, Planning Commission Hearing
  11. Exhibit K, Approved PUD-74 Development Plan

## I. BACKGROUND

On February 17, 2009, the City Council approved Ponderosa Homes' application for a Planned Unit Development (PUD) development plan to construct 110 detached single-family homes for residents aged 55 years and older (Case PUD-74). The Planning Commission (4-1 vote) had previously recommended approval of PUD-74 at its July 9, 2008, hearing.

The remaining steps prior to actual construction of the subdivision improvements include approval of a tentative map, approval and recordation of a final map, and review and approval of the subdivision improvement plans. Vesting tentative maps are reviewed in the same manner as regular tentative maps, with the Planning Commission being the sole reviewing body (unless appealed). Staff has found the vesting tentative map application to be complete and is forwarding it to the Planning Commission for its review.

## II. PROJECT DESCRIPTION

The applicant, Pamela Hardy, Ponderosa Homes II, Inc., is requesting tentative map approval to subdivide an approximately 23-acre site into 110 single-family residential lots and four common area lots (Parcels A-D). The lot details are summarized below:

- Lots 1-110 – 110 new single-family residential lots, ranging in size from 5,126 to 12,820 square feet in area, would be created to accommodate 110 detached single-family homes for residents aged 55 years and older. The floor plans and building elevations for the homes were approved as part of PUD-74.
- Parcels A-D – Parcels A and B are open space parcels for landscaping and stormwater treatment. Parcel C is an open space parcel containing the private recreation area and clubhouse. Parcel D is an open space parcel created to accommodate a trail connection to the public trail that Ponderosa will be installing along the northerly boundary of the development. The public trail and trail connection were required by the City Council as part of its approval of PUD-74. Please see the "Trail Connection" section below for additional discussion.

The proposed tentative map is substantially the same as the PUD development plan which the Commission previously reviewed in conjunction with Case PUD-74. A few minor revisions have been shown on the tentative map as noted below:

- The grading for the site was revised to eliminate the retaining walls along the northern and eastern boundaries of the site. This modification requires grading on the adjacent properties owned by the City (to the north, a portion of the old Mohr Avenue right-of-way), Zone 7 (to the north and northeast), and Legacy Partners (to the east). The off-site grading to the north will require the removal of 39 trees that are located in the old Mohr Avenue right-of-way. Pursuant to the City's Tree Preservation Ordinance, a tree report has been prepared by James R. Clark, Ph.D., Consulting Arborist with HortScience. The report indicates that the 30 English walnut trees, eight California black

walnut trees, and one almond tree are in poor to fair condition and are unlikely to recover. Furthermore, the trees would be subject to significant impacts due to the proposed grading and walnut trees are not tolerant of construction impacts. The report indicates that all of the trees are unsuitable for preservation and recommends the removal of all 39 trees.

- A portion of the site drainage was adjusted to drain to the northwest corner at the end of Court "H." In addition, as required by PUD condition no. 74, the applicant revised the stormwater treatment for the project by substituting pervious concrete pavement at the street intersections for the media filtration vaults (i.e., oil/water separators) that were shown on the PUD plan. The use of the pervious pavement required a change in the direction of the street drainage.
- As a result of the above modifications, the building pad elevations for most of the lots changed slightly (changes vary between -2.2 feet to +2.7 feet).
- The underground stormwater storage basin located west of Lots 94-98 was relocated beneath the roadway near the southwest corner of the project. This change allowed the applicant to increase the length of Lots 97 and 98 by 24 feet each.

Staff believes the above minor changes can be made and the tentative map is in substantial conformance with the PUD-74 approval.

### **PUD Requirements of the Tentative Map**

The tentative map submittal was required to address the following three items: 1) investigate the feasibility of installing retaining walls along the rear property lines of Lots 10-13 and 16-17 in order to eliminate the 2:1 slope bank in the rear yards and maximize the flat, usable space (condition no. 19); 2) investigate the feasibility of including sidewalks on both sides of the street by reducing the street width (condition 72.g.); and 3) show the trail connection along the north side of the development and the related modifications to the PUD development plan (Condition 22). The tentative map submittal addresses these three items as described below.

#### **Grading for Lots 10-13 and 16-17**

The applicant has eliminated all of the 2:1 slope banks at the rear of Lots 10-13 and 16-17. Lots 16 and 17 now have a 1.5-foot tall retaining wall along the rear property lines. As a result of the grading modifications noted earlier, the applicant was able to eliminate the 2:1 slope banks at the rear of Lots 10-13 without the use of retaining walls.

#### **Sidewalks and Reduced Street Width**

The applicant has provided sidewalks on both sides of the street by reducing the street width

from 36-feet wide to 32-feet wide. On-street parking has been maintained on both sides of the street.

### Trail Connection

The City's Community Trails Master Plan shows a future Class C trail adjacent to the northern boundary of the subject site (Attachment #4). This future trail would start near the Mohr Avenue/Irongate Court intersection and head east within the old Mohr Avenue right-of-way to provide access to the future uses in the East Pleasanton Specific Plan, including the recreation uses that will be established around the old quarry pits.

At the City Council hearing for PUD-74, the Council determined that a trail connection with a locked gate should be provided from the north side of this project that will provide access to the future trail along the northern boundary of the site. The applicant had provided the Council with a preliminary plan showing how a trail connection could be provided at the northeast corner of the development by reconfiguring Lots 41 and 42 (Attachment #5). Because the public trail was not listed in the City's Capital Improvement Program (CIP), the Council also required Ponderosa Homes to install the public trail between the Mohr Avenue/Irongate Court intersection and the trail link on the Active Adult project. The Council added the following PUD conditions to address these items:

### Trail Connection Condition

22. Prior to City acceptance of the subdivision improvements, the applicant shall install a trail connection with a locked gate along the north side of the development that will provide access to the future public trail along the northerly boundary of the subject development. The trail connection shall include an approximately six-foot wide paved trail with landscaped shoulders and be designed and graded to easily connect to the future public trail along the northerly boundary of the subject development. Final design of the trail connection and the related modifications to the PUD development plan shall be submitted for Planning Commission approval as part of its review of the tentative map. The applicant shall create access easements within the development to allow City maintenance personnel to use the trail connection for accessing the City owned right-of-way north of the development. The access easements may be abandoned by the City in the future if another acceptable maintenance access point becomes available, as determined by the Director of Community Development.

### Public Trail Condition

23. Prior to City acceptance of the subdivision improvements, the applicant shall install a public trail between the Mohr Avenue/Irongate Court intersection and the northerly trail link on the subject project. The public trail shall be a Class C trail installed per the specifications of the City's Trails Master Plan. The public trail shall be shown on the subdivision improvement plans and shall be subject to review and approval by the

Director of Community Development and Director of Parks and Community Services prior to issuance of building permits for the project.

The tentative map shows the trail connection at the northeast corner of the development and the related modifications to the PUD development plan as required by PUD condition no. 22. In addition, staff had requested the applicant show the public trail on the tentative map since the applicant is proposing grading where the public trail will be located.

### **III. DISCUSSION**

Review of a tentative subdivision map requires review of its consistency with the approved PUD development plan (including review of any issues expressly deferred to the map review) and compliance with State-mandated findings. As described above, the vesting tentative map closely follows the PUD development plan. Staff believes the modifications required by the PUD conditions have been satisfactorily incorporated into the tentative map. Furthermore, although minor changes have been made to the PUD development plan to adjust the project drainage, to modify some of the grading and retaining walls, and to move the location of the stormwater storage basin, staff believes that the minor changes are consistent with the previous approval and are acceptable. In addition, because the trees along the old Mohr Avenue right-of-way are in poor health and will not recover, staff believes that it is acceptable to remove the trees. In sum, staff believes the vesting tentative map has satisfactorily addressed all issues it was required to address and has incorporated all required modifications, as conditioned.

### **IV. VESTING TENTATIVE SUBDIVISION MAP FINDINGS**

State law and the Municipal Code set forth certain findings which must be made in order to approve a tentative subdivision map. In addition, they set forth certain determinations which are grounds for denial of a tentative subdivision map.

**1. The proposed map substantially conforms to the zoning regulations/development plan.**

As described above, staff believes the map's design and improvements closely follow the development plan and conditions of PUD-74. The required modifications have been made as described above or are addressed in conditions.

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

Being a rectangular-shaped site with a north-south alignment, some, but not all of the homes would be oriented on an east-west alignment for southern exposure. The homes in this project will comply with the City's residential Green Building Ordinance, which requires that each home achieve a "Green Home" rating on Alameda County Waste Management Authority's "Single-Family Green Building Rating System." The homes in

the development will incorporate a considerable number of “Green Building” measures into the project, providing approximately 100 points and greatly exceeding the 50 point minimum. Energy efficiency is the cornerstone of every green home. For this development, the homes will exceed Title 24 state energy conservation requirements by 15% and have photovoltaic panels installed on the roofs.

**3. The subdivision, together with its design and improvement, is consistent with the General Plan.**

The PUD was found to be consistent with the General Plan, and this subdivision is closely based on that development plan. As proposed, the subdivision is compatible with the objectives, policies, land uses, and programs specified in the General Plan.

**4. The subdivision site is physically suitable for the type and density of development.**

The subject property generally has flat terrain. Grading of the lots has been limited to the creation of the pads for the future homes and to achieve the proper functioning of utilities. The steeply sloped old quarry pit located to the north of the site has been analyzed and does not pose a threat to the project in the event of bank failures. However, to further ensure safety, a PUD condition required that the northernmost homes not be built until the slope bank is repaired or unless the northernmost homes are built with pier and grade beam foundations. The site is not located within an Alquist-Priolo Earthquake Fault Zone. No drainage courses exist on the site. The flood hazard maps of the Federal Emergency Management Agency (FEMA) indicate that the subject property is not located in a flood hazard zone.

**5. The design of the subdivision and improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife in their habitat.**

With the PUD review, the City found no potential for significant environmental effects and adopted a Negative Declaration. There are no wetlands, streams, or other sensitive areas on the site. Conditions are in place to protect nesting raptors and burrowing owls, should they be found on the site. Pretreatment of urban storm water runoff has been incorporated into the project’s design. Best management practices have been required to minimize construction impacts. Although 39 trees would be removed as part of the subdivision improvements, they are older orchard trees past their prime.

**6. The design of the subdivision or type of improvements is not likely to cause serious public health problems.**

The proposed project meets all applicable City standards pertaining to public health, safety, and welfare (e.g., adequate public utilities and services, road design and traffic safety, fire hazards, geologic hazards, flood hazards, etc.). All public safety measures

are addressed through the design and conditions of approval for the PUD and tentative subdivision map. The streets, gated entry, and emergency vehicle access (EVA) connections of the proposed development are satisfactory and can be negotiated by fire and other emergency vehicles. The homes would be equipped with automatic residential fire sprinklers and would be required to meet the requirements of the Uniform Building Code, Fire Code, other applicable City codes, and State of California energy and accessibility requirements. The site is free from any toxic or hazardous materials. No earthquake, landslide, flooding, or other natural hazards exist at this site at a level deemed "unacceptable" in the General Plan.

**7. The design of the subdivision or the type of improvements does not conflict with easements for access through or use of the property.**

No easements exist. This tentative map establishes the easements shown on the PUD development plan or required in the PUD conditions of approval.

**8. The restriction on approving a tentative subdivision map on land covered by a contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act) is not applicable.**

The site is not covered by such a 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 violation currently exists at the wastewater treatment plant. Capacity is available for this subdivision. The project would not discharge any waste other than domestic sewage. Urban stormwater runoff is required to meet the City's RWQCB permit requirements for urban development.

## **V. PUBLIC NOTICE**

Notices regarding the proposed tentative map application and related public hearing were mailed to the surrounding property owners and tenants within a 1,000-foot radius of the entire Ironwood development. In addition, the public notice area was expanded (as was done for the PUD notice) to include the notice area for the previously proposed Home Depot development at the southeast corner of Stanley Boulevard and Bernal Avenue. A map of the noticing area is attached. The public notice was also published in the local newspaper. At the writing of this report, staff had not received any responses from the surrounding property owners or tenants.

## **VI. ENVIRONMENTAL REVIEW**

The environmental effects of this project were reviewed at the PUD stage and a Negative Declaration was adopted. There is neither new information nor changed circumstances to

trigger further environmental review. Therefore, no additional environmental document accompanies this report.

## **VII. STAFF RECOMMENDATION**

Staff recommends the Planning Commission approve Vesting Tentative Tract Map 8004 by taking the following actions:

1. Find that there are no new or changed circumstances which require additional CEQA review of the project;
2. Make the Tentative Map findings regarding the acceptability/suitability of the project as described above; and
3. Approve vesting tentative map Tract 8004 by resolution, subject to the conditions attached as Exhibit A.

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