

Agenda Report

TO: City Council

DATE: November 1, 1999

FROM: City Manager

SUBJECT: Appeal of Tentative Parcel Map #25377 at 3315 Calvert Road

CITY MANAGER RECOMMENDATION:

It is recommended that the City Council continue the public hearing until December 13, 1999 and remand Tentative Parcel Map #25377 back to the Subdivision Committee.

BACKGROUND:

This subdivision request was reviewed by the City Council on September 13, 1999 and was remanded back to the Subdivision Committee for reconsideration of revised plans that had not been reviewed by Planning staff. The Subdivision Committee reconsidered this request, with the revised plans, on October 13, 1999 and denied the application.

Staff's recommendation to the Subdivision Committee on October 13, 1999 was for approval of the subdivision with conditions and mitigation measures to require the applicant to submit a detailed grading and drainage plan, a tree retention plan, screening of retaining walls and minimal removal of mature vegetation on the site. Prior to recordation of the map staff recommended improvements to be made to the private access drive from New York Drive in order to have access, drainage, utilities, and sewer connections put in place to the satisfaction of the Department of Public Works and Transportation.

ANALYSIS:

At the Subdivision Committee hearing of October 13, 1999 there were four speakers in opposition to the application which had questions regarding the amount of grading required for access and future construction on the site, the manner in which drainage and sewer connections would be handled, and the impact upon views to the adjoining sites. There were no speakers in favor of the application. Additionally, the Subdivision Committee members asked several questions of the applicant relative to flood control issues, grading and retaining walls, and removal of mature trees from the site. The applicant was unable to answer the technical

questions relative to grading, access, drainage, and sewer connections for the future construction on the site. Since there were no grading plans prepared for the revised project, at the time of the hearing, the surrounding property owners and the Subdivision Committee members were not able to get specific information regarding the manner in which the future lots would be developed.

At the hearing it was identified by the Subdivision Committee that there was a possible natural watercourse running through one of the proposed houses and through the access driveway from New York Drive. The neighbor's concerns regarding new retaining walls for the driveway and the manner in which the houses would connect to the City sewer, were not adequately addressed by the applicant. The applicant's engineer was not present at the hearing and the Subdivision Committee expressed a need for additional information to show compliance with minimal civil engineering requirements for the project. The applicant stated at the hearing that he had exhausted all possible remedies to address staff's concerns and that all future construction and sewer connections would be done in accordance with City regulations. The Subdivision Committee concluded that there was not enough evidence to make the necessary findings for approval of the project, and denied the request (*See letter from Subdivision Committee to City Council, Attachment "A"*).

CONCLUSION:

The appellant has stated that the Subdivision Committee's denial is based upon a continuing concern for more technical information regarding future development of the site, and that the revised plans adequately show compliance with the City's Code requirements and that development can occur with minimal impacts upon the environment and minimal impacts upon the surrounding property owners. Staff concurs with the Subdivision Committee that the applicant should present revised grading and drainage plans to address all the identified concerns (i.e., grading and retaining walls, access, drainage, water flows, and sewer connections). Based on the lack of information, staff recommends that this matter be remanded back to the Subdivision Committee for reconsideration.

ENVIRONMENTAL ANALYSIS:

The initial environmental study prepared for TPM#25377 identified potentially significant environmental impacts upon geology, including the grading and drainage, and impacts upon plant life pursuant to the removal of seven mature Engelmann Oak Trees. The revised plans attempt to address the concerns identified in the Initial Study by substantially reducing the amount of grading at the top of the slope due to relocation of the building pad on Parcel 1. However, a new soils and geology report, and new grading and drainage plans must be submitted to assess the environmental impacts of the revised project.

GENERAL PLAN CONSISTENCY:

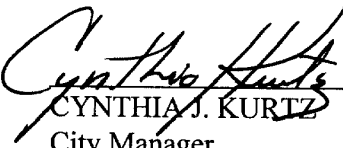
The revised architectural plans were found to be consistent with Policy 5.10 (Spatial Attributes, and Policy 7.2 (Subdivisions) of the general plan since the future homes would be designed to maximize the existing open space and would preserve the natural terrain on the site. The future

development of single family homes may have environmental impacts which are currently not identified due to a lack of information regarding the grading, access, drainage and sewer connections for future construction on the site.

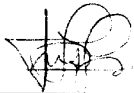
FISCAL IMPACT:

There would be no fiscal impact resulting from denial of this application. If approved, the cost for processing the final map would be approximately \$1,500. The City would collect building permit fees for future construction of homes on the site.

Respectfully Submitted,

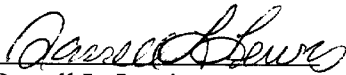

CYNTHIA J. KURTZ
City Manager

Prepared by:



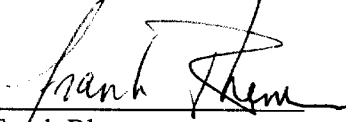
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