

# Agenda Report

**TO:** City Council

**DATE:** December 13, 1999

**FROM:** City Manager

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

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## **CITY MANAGER RECOMMENDATION:**

It is recommended that the City Council:

1. Adopt a Negative Declaration with Mitigation Measures, pursuant to the guidelines of the California Environmental Quality Act;
2. Approve Tentative Parcel Map No. 25377 to allow a two-lot subdivision for single family residential development with the findings and conditions contained in Attachment "A", Attachment "B" and Attachment "C" of the report;
3. Adopt the Mitigation Monitoring Plan for Tentative Parcel Map No. 25377 contained in Attachment "D" of the report.

## **BACKGROUND:**

This subdivision request was originally denied by the Subdivision Committee on August 11, 1999 and again on October 13, 1999. The denial decision was appealed by the applicant and was last reviewed by the City Council on November 1, 1999. The City Council remanded the case back to the Subdivision Committee for consideration of a revised grading and drainage plan and other information that had not been reviewed by Planning staff nor the Subdivision Committee. The Subdivision Committee reconsidered this request, with the revised plan and information, on December 8, 1999. The Subdivision Committee voted 3-0 to approve the application with the findings and conditions attached as Attachments A and B. The Public Works and Transportation conditions and the Mitigation Measures were also approved (see Attachments C and D). The Action Minutes from the Subdivision Committee which includes the staff report is attached for reference as Attachment E.

The applicant and his representative spoke in favor of the subdivision project and stated they were in agreement with the conditions of approval recommended by staff. Four persons spoke in opposition to the subdivision. While many of their concerns

were included in the staff report and the conditions of approval, they still felt the driveway access to Parcel No. 1 was not feasible because of the retaining wall limitations in the grading ordinance. The Subdivision Committee discussed this issue with the applicant as well as other issues relating to the drainage of the area, maintenance of Calvert Road, impact of development on surrounding properties and delivery of utilities to each lot. After much discussion with the applicant's engineer, the Subdivision Committee determined that the conditions of approval and mitigation measures were adequate to address the issues. Most of the issues discussed would be required to be solved prior to the final map approval. Thus the Subdivision Committee felt comfortable approving the tentative map. The applicant did not indicate at the Subdivision Committee hearing whether he would be withdrawing his appeal to the City Council.

#### **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. Staff has included several mitigation measures as part of the as part of the Mitigation Monitoring Plan (Attachment "D") to mitigate the impact of the subdivision. These include requiring replacement and retention of trees, revising the geotechnical report to address protection of surrounding properties, detailed grading and design plans for the driveway and retaining walls to Parcel No. 1, screening of retaining walls, a hydrology/drainage study showing how the area drainage will be directed onto New York Drive, parking of construction equipment in a safe manner, repairing damage to the private street (Calvert Road) and effective management of dust particles during grading and construction.

#### **GENERAL PLAN CONSISTENCY:**

The revised 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 proposed subdivision would be in keeping with the sizes of other lots in the vicinity and would not have significant adverse effects upon the neighboring property owners.

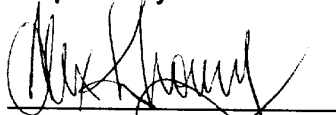
#### **FISCAL IMPACT:**

There would be a negligible fiscal impact resulting from approval 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.

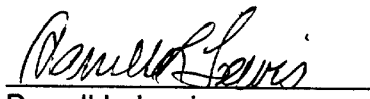
Respectfully Submitted,

  
CYNTHIA J. KURTZ  
City Manager

Prepared by:

  
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Senior Planner

Approved by:

  
Darrell L. Lewis  
Director of Planning and Permitting

### ATTACHMENTS

- Attachment A – Specific Findings for Tentative Parcel Map No. 25377
- Attachment B – Conditions of Approval
- Attachment C – Public Works and Transportation Conditions and Water and Power  
Comments
- Attachment D – Mitigation Monitoring Program
- Attachment E – Action Minutes from Subdivision Committee hearing of 12/8/99