

DIRECTOR PUBLIC HEARING
AGENDA ITEM 1

REQUEST

PUBLIC HEARING TO CONSIDER AN APPLICATION FOR CHANGES TO THE APPROVED DEVELOPMENT PLAN AND CONDITIONS OF APPROVAL OF DEVELOPMENT REVIEW PERMIT NO. D18-0002 (PONDEROSA AT ELISSAGARAY RANCH). APPLICANT AND OWNER ARE PONDEROSA HOMES II, INC. APPLICATION NUMBER D20-0018.

Project Background and Description

The Elissagaray Infill Planned Unit Development was established in January 2014 for a single-family subdivision located on Dominique Drive between Eastlake Circle and Basque Drive. At the same time, the City Council approved a 47-lot subdivision map, a development plan, and architecture for four house plans with various elevation styles.

Subsequently, the property sold to a builder, who proposed changes to the house designs. The project, known as Ponderosa at Elissagaray Ranch, received approval for new architecture and development plan on June 7, 2018. The project consists of two single-story floorplans and two two-story floorplans. The project's conditions of approval and development plan lay out parameters by which lot mix and streetscape variety can be achieved.

Construction of the homes is currently underway. According to the applicant, there is currently a high demand for single-story homes and requests changes to the development plan and conditions of approval that would permit the construction of more Plan 2 single-story homes than currently allowed under the project conditions of approval and as shown on the approved development plan.

To permit the homes to be built as shown in the proposed development plan, the following changes will need to be made to condition of approval B.2:

- B.2. The Development Services Director may approve modifications to the Development Plan and approve building permits in compliance with the modified Development Plan provided that the following criteria are met:
- a. No same floor plan may occur on two consecutive side-by-side lots or two lots across directly the street from each other, unless they are constructed with substantially different elevations as determined by the Development Services Director. The same floor plan and elevation may be used on two back-to-back lots provided that different color schemes are used.
 - b. No same floor plan shall be used on three consecutive side-by-side lots.
 - c. No same floor plan may occur more than ~~thrice~~ four times for every grouping of ~~six~~ eight neighboring lots facing each other.
 - d. Each floor plan from this architecture package shall be used not less than ~~15~~ 17% nor more than 35% of the total lots in the subdivision and shall be generally dispersed throughout the subdivision in a manner that achieves a sufficient mix and variety in the streetscape view.
 - e. Each elevation style shall be used at least twice per floor plan but not more than ~~five~~ six times per floor plan.
 - f. The floor plans and elevations that were previously approved by the City Council on January 7, 2014 (Resolution 2014-011 for Application No. PUD12-0003) may also be constructed in addition to the floor plans and elevations of this project provided that a sufficient mix and variety in the streetscape is achieved to the satisfaction of the Development Services Director.

As demonstrated in Attachment A to the staff report, the proposed modifications would still result in a good lot mix and streetscape variety as well as comply with the Citywide Design Goals and Standards for residential architecture.

Environmental Document

The proposed project is consistent with the General Plan EIR approved by the City Council on February 1, 2011. Pursuant to CEQA Guidelines Section 15183, no additional environmental documentation is required. An analysis of the project shows that there will be no significant on or off-site impacts as a result of this particular project which were not already discussed in the General Plan EIR. There is also no evidence of any significant impacts to occur off-site as a result of the project, as traffic, air quality, land use, and other potential cumulative impacts have already been considered within the original environmental documentation. No new evidence of potentially significant effects have been identified as a result of this project.

RECOMMENDATION

Staff recommends that the Development Services Director approve the modified development plan and conditions of approval, based on the findings contained in the Director's Determination dated July 1, 2020 (Attachment B).

Prepared by Kimberly Matlock, Associate Planner

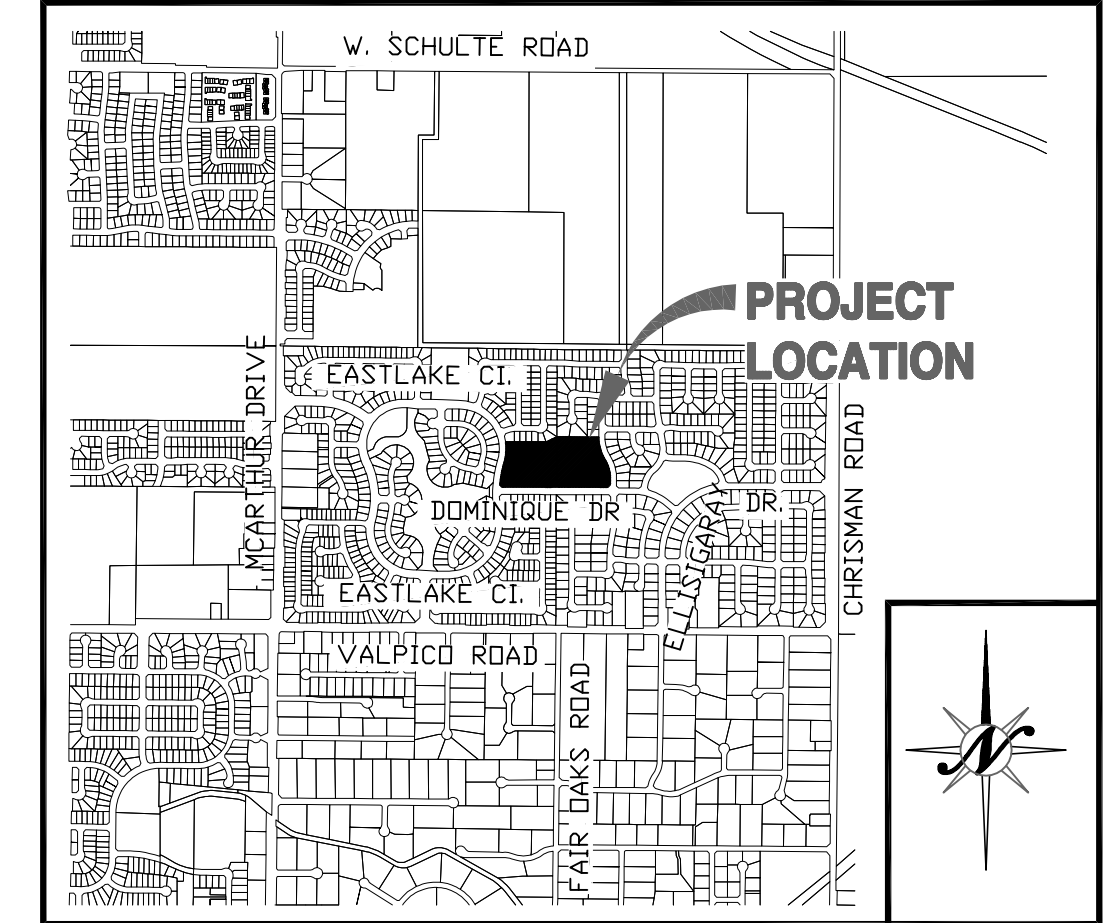
Approved by Bill Dean, Assistant Development Services Director

ATTACHMENTS

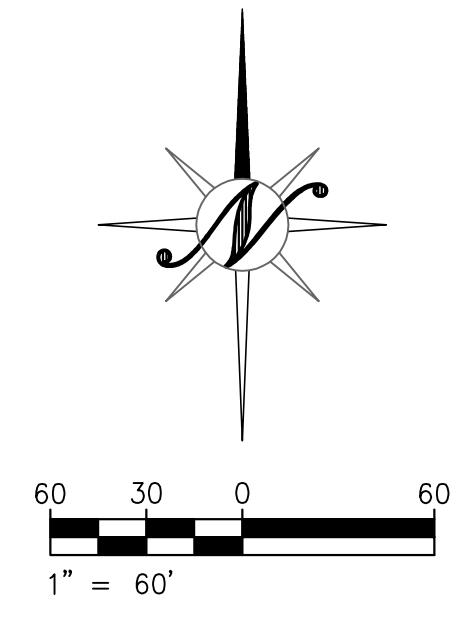
- A: Proposed Development Plan
- B: Development Services Director Determination
Exhibit 1 – Conditions of Approval

DEVELOPMENT PLAN ELISSAGARAY RANCH- TRACT 3857 TRACY, CALIFORNIA

RECEIVED
June 09, 2020
City of Tracy
Development Services



Plan	Total	% of Mix	House Elevations				Totals
			A	B	C	D	
1	14	30%	5	5	4	4	14
2	16	34%	6	6	4	4	16
3	7	15%	2	2	3	4	7
4	10	21%	3	3	3	4	10
	47	100%	13	10	16	8	47



SHEET INDEX

- 1 EX1.1 DEVELOPMENT PLAN
- 2 EX1.2 DIMENSION PLAN

LEGEND

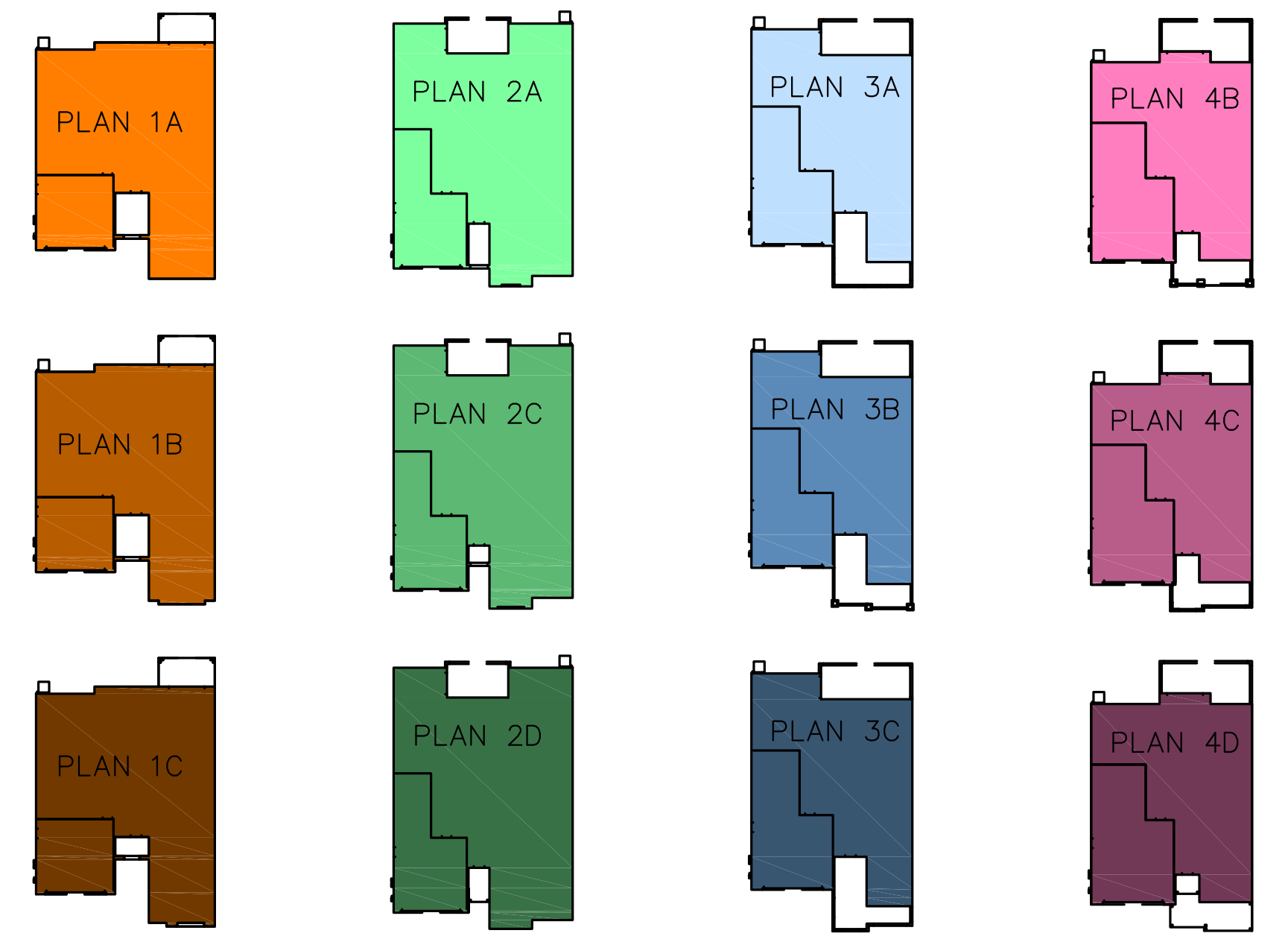
- LOT LINE
- RIGHT OF WAY
- CENTERLINE
- SETBACK LINE
- CURB, GUTTER, AND SIDEWALK
- DRIVEWAY
- STREET LIGHT
- FIRE HYDRANT
- CATCH BASIN

GENERAL NOTES

1. 18' GARAGE SETBACK
2. 15' FRONT YARD SETBACK
3. 12' FRONT PORCH OR SIDE ENTRY GARAGE
4. 15' REAR YARD SETBACK
5. 12' REAR PORCH SETBACK
6. 15' STREET SIDE YARD SETBACK
7. 5' SIDE YARD SETBACK
8. MAXIMUM LOT COVERAGE = 45%
9. BUILDING FOOTPRINTS UTILIZED BASED ON PONDEROSA HOMES ELISSAGARAY RANCH FOOTPRINTS RECEIVED APRIL 3RD, 2018. ANY ADJUSTMENTS OR NEW PLANS ARE NOT ACCOUNTED FOR IN THIS DEVELOPMENT PLAN.
10. DRIVEWAYS TO BE ADJUSTED ON THE IMPROVEMENT PLANS.
11. REFLECTS PROPOSED LOT LINE ADJUSTMENT FOR LOTS 2, 3, AND 12.

LOT MATRIX

Lot #	ADDRESS	Square Feet	PLAN	LOT COVERAGE
1	2113 BASQUE DRIVE	7,869	Plan 2A	43%
2	2123 BASQUE DRIVE	6,744	Plan 1B	45%
3	2133 BASQUE DRIVE	6,744	Plan 4C	40%
4	2143 BASQUE DRIVE	6,589	Plan 3B	42%
5	2203 BASQUE DRIVE	7,386	Plan 1A	40%
6	2223 BASQUE DRIVE	7,493	Plan 2C	44%
7	2243 BASQUE DRIVE	7,817	Plan 2D	43%
8	2244 BLAKE WAY	8,159	Plan 2A	41%
9	2224 BLAKE WAY	6,968	Plan 1C	42%
10	2204 BLAKE WAY	7,286	Plan 1B	41%
11	2144 BLAKE WAY	7,433	Plan 3C	37%
12	2134 BLAKE WAY	7,410	Plan 4D	37%
13	2124 BLAKE WAY	12,212	Plan 1A	24%
14	1203 DAVID SENFT LANE	9,422	Plan 2C	35%
15	1193 DAVID SENFT LANE	8,728	Plan 2A	38%
16	1183 DAVID SENFT LANE	9,306	Plan 4D	29%
17	1173 DAVID SENFT LANE	9,980	Plan 4B	27%
18	1163 DAVID SENFT LANE	9,485	Plan 2C	35%
19	1153 DAVID SENFT LANE	9,070	Plan 1A	33%
20	1143 DAVID SENFT LANE	9,082	Plan 2D	37%
21	1133 DAVID SENFT LANE	9,081	Plan 4D	30%
22	1123 DAVID SENFT LANE	9,081	Plan 2A	37%
23	1113 DAVID SENFT LANE	9,031	Plan 2C	37%
24	1103 DAVID SENFT LANE	10,556	Plan 1A	28%
25	1102 DAVID SENFT LANE	10,073	Plan 2A	33%
26	1112 DAVID SENFT LANE	6,776	Plan 4B	40%
27	1122 DAVID SENFT LANE	6,601	Plan 3C	42%
28	1132 DAVID SENFT LANE	6,600	Plan 1B	45%
29	1142 DAVID SENFT LANE	6,600	Plan 1C	44%
30	1152 DAVID SENFT LANE	6,600	Plan 1C	44%
31	1162 DAVID SENFT LANE	6,694	Plan 4C	40%
32	1172 DAVID SENFT LANE	7,083	Plan 1B	42%
33	1182 DAVID SENFT LANE	8,006	Plan 2C	41%
34	1192 DAVID SENFT LANE	8,574	Plan 2D	39%
35	1202 DAVID SENFT LANE	12,059	Plan 1C	24%
36	1221 DOMINIQUE DRIVE	11,840	Plan 2D	28%
37	1201 DOMINIQUE DRIVE	7,816	Plan 2C	42%
38	1191 DOMINIQUE DRIVE	7,435	Plan 4B	36%
39	1181 DOMINIQUE DRIVE	7,069	Plan 3C	39%
40	1171 DOMINIQUE DRIVE	6,779	Plan 1B	44%
41	1161 DOMINIQUE DRIVE	6,600	Plan 3A	42%
42	1151 DOMINIQUE DRIVE	6,600	Plan 4D	41%
43	1141 DOMINIQUE DRIVE	6,600	Plan 1C	44%
44	1131 DOMINIQUE DRIVE	6,600	Plan 1A	45%
45	1121 DOMINIQUE DRIVE	6,600	Plan 3B	42%
46	1111 DOMINIQUE DRIVE	6,600	Plan 4C	41%
47	1101 DOMINIQUE DRIVE	9,066	Plan 2A	37%



PLOTTED: 06/09/2020 08:46 PLOTTED BY: P:\Projects\Elissagaray Ranch\Development Plan\EX1.1 Development Plan (2020_06-09).dwg
 DWGNAME: P:\22-1111 Elissagaray Ranch\Development Plan\EX1.1 Development Plan (2020_06-09).dwg



NO.	DATE	APPROVED	REVISIONS	DESCRIPTIONS

DEVELOPMENT PLAN
 ELISSAGARAY RANCH
 TRACY, CALIFORNIA



JOB #: 12-1111
 DATE: 06/09/2020
 SCALE:
 DRAWN: PMH
 DESIGN: PMH
 CHK'D: APD

SHEET NUMBER

EX1.1

DEVELOPMENT PLAN ELISSAGARAY RANCH-TRACT 3857 TRACY, CALIFORNIA



NO.	REVISIONS	DATE	APPROVED	DESCRIPTIONS

DIMENSION PLAN
ELISSAGARAY RANCH
TRACY, CALIFORNIA



JOB #: 12-1111
DATE: 06/09/2020
SCALE:
DRAWN: PMH
DESIGN: PMH
CHK'D: APD

SHEET NUMBER

EX1.2

PLOTS: 06/09/2020 08:23 PLOTTED BY: P:\Projects\Elissagaray Ranch\Development Plan\EX1.2 Dimension Plan (2020_05-09).dwg
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CITY OF TRACY
DETERMINATION OF THE DEVELOPMENT SERVICES DEPARTMENT DIRECTOR
Ponderosa at Elissagaray Ranch
Application Number D20-0018

A determination of the Development Services Department Director approving Development Review Permit application D20-0018 for a modification to the Ponderosa at Elissagaray Ranch development plan and conditions of approval. This project is located at the Elissagaray Infill Planned Unit Development (PUD), a 47-lot single-family residential subdivision located on Dominique Drive between Eastlake Circle and Basque Drive. No changes to the zoning, subdivision layout, number of lots, or lot sizes are proposed with this application, and the approved architecture and floor plans remain valid. Applicant and Property Owner are Ponderosa Homes II, Inc.

The following considerations were relevant in evaluating this application:

1. Approved development plan
2. Proposed development plan
3. Approved Ponderosa at Elissagaray Ranch architecture and floor plans

Staff has reviewed the application and determined that the following regulations apply:

1. The Elissagaray Infill PUD
2. Tracy Municipal Code
3. City of Tracy Standard Plans
4. City of Tracy Design Goals and Standards

The Development Services Department Director has determined that the project is consistent with the General Plan EIR approved by the City Council on February 1, 2011. Pursuant to CEQA Guidelines Section 15183, no additional environmental documentation is required. An analysis of the project shows that there will be no significant on or off-site impacts as a result of this particular project which were not already discussed in the General Plan EIR. There is also no evidence of any significant impacts to occur off-site as a result of the project, as traffic, air quality, land use, and other potential cumulative impacts have already been considered within the original environmental documentation. No new evidence of potentially significant effects have been identified as a result of this project.

THE DEVELOPMENT SERVICES DEPARTMENT DIRECTOR, AFTER CONSIDERING ALL OF THE EVIDENCE PRESENTED, HEREBY APPROVES THE REVISED DEVELOPMENT PLAN FOR APPLICATION NUMBER D20-0018, SUBJECT TO THE ATTACHED CONDITIONS (EXHIBIT "1") AND BASED ON THE FOLLOWING FINDINGS BELOW.

1. The proposal increases the quality of the project site and enhances the property in a manner that therefore improves the property in relation to the surrounding area and the citizens of Tracy, because the proposed project, as conditioned, results in a development plan that ensures house designs are generally dispersed throughout the subdivision in a manner that achieves a sufficient mix and variety in the streetscape view.
2. The proposal, as conditioned, conforms to the Elissagaray Infill PUD, the Tracy Municipal Code, the City of Tracy General Plan, the Citywide Design Goals and Standards, applicable City Standards, California Building Codes, and California Fire Codes.

Development Services Department Director Determination
Application Number D20-0018
July 1, 2020
Page 2

Andrew Malik
Assistant City Manager/Development Services Department Director

Date of Action

City of Tracy
Conditions of Approval
Ponderosa at Elissagaray Ranch
Application Number D20-0018 (Revised D18-0002)
July 1, 2020

A. General Provisions and Definitions.

A.1. General. These Conditions of Approval apply to:

The Project: Ponderosa at Elissagaray Ranch

The Property: 47-lot single-family residential subdivision on the 10-acre site located on Dominique Drive between Eastlake Circle and Basque Drive, APNs 252-470-01, 252-470-04 through 11, and 252-470-13 through 50

A.2. Definitions.

- a. "Applicant" means any person, or other legal entity, defined as a "Developer."
- b. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed Engineer designated by the City Manager, or the Development Services Director, or the City Engineer to perform the duties set forth herein.
- c. "City Regulations" means all written laws, rules and policies established by the City, including those set forth in the City of Tracy General Plan, the Tracy Municipal Code, ordinances, resolutions, policies, procedures, and the City's Design documents (the Streets and Utilities Standard Plans, Design Standards, Parks and Streetscape Standard Plans, Standard Specifications, and Manual of Storm Water Quality Control Standards for New Development and Redevelopment, and Relevant Public Facilities Master Plans).
- d. "Development Services Director" means the Development Services Department Director of the City of Tracy, or any other person designated by the City Manager or the Development Services Director to perform the duties set forth herein.
- e. "Conditions of Approval" shall mean the conditions of approval applicable to the Project. The Conditions of Approval shall specifically include all Development Services Department conditions set forth herein.
- f. "Developer" means any person, or other legal entity, who applies to the City to divide or cause to be divided real property within the Project boundaries or who applies to the City to develop or improve any portion of the real property within the Project boundaries. The Developer may be the property owner or the leasee, where responsibilities for improvements are distributed among each party. The term "Developer" shall include all successors in interest.

A.3. Compliance with submitted plans. Except as otherwise modified herein, the project shall be developed in substantial compliance with the development plan received on June 9, 2020.

Conditions of Approval
Ponderosa at Elissagaray Ranch
Application No. D20-0018
July 1, 2020

- A.4. Payment of applicable fees. The applicant shall pay all applicable fees for the project, including, but not limited to, development impact fees, building permit fees, plan check fees, grading permit fees, encroachment permit fees, inspection fees, school fees, or any other City or other agency fees or deposits that may be applicable to the project.
- A.5. Compliance with laws. The Developer shall comply with all laws (federal, state, and local) related to the development of real property within the Project, including, but not limited to:
- the Planning and Zoning Law (Government Code sections 65000, et seq.)
 - the California Environmental Quality Act (Public Resources Code sections 21000, et seq., "CEQA"), and
 - the Guidelines for California Environmental Quality Act (California Administrative Code, title 14, sections 1500, et seq., "CEQA Guidelines").
- A.6. Compliance with City regulations. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City regulations, including, but not limited to, the Tracy Municipal Code (TMC), Standard Plans, and the Citywide Design Goals and Standards.
- A.7. Protest of fees, dedications, reservations, or other exactions. Pursuant to Government Code section 66020, including section 66020(d)(1), the City HEREBY NOTIFIES the Developer that the 90-day approval period (in which the Developer may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this Project by these Conditions of Approval) has begun on the date of the conditional approval of this Project. If the Developer fails to file a protest within this 90-day period, complying with all of the requirements of Government Code section 66020, the Developer will be legally barred from later challenging any such fees, dedications, reservations or other exactions.

B. Project Conditions

- B.1. Unless specifically modified by these Conditions of Approval, the Applicant shall comply with all applicable mitigation measures identified in the General Plan Environmental Impact Report, dated February 11, 2011.
- B.2. The Development Services Director may approve modifications to the Development Plan and approve building permits in compliance with the modified Development Plan provided that the following criteria are met:
- a. No same floor plan may occur on two consecutive side-by-side lots or two lots across directly the street from each other, unless they are constructed with substantially different elevations as determined by the Development Services Director. The same floor plan and elevation may be used on two back-to-back lots provided that different color schemes are used.
 - b. No same floor plan shall be used on three consecutive side-by-side lots.
 - c. No same floor plan may occur more than four times for every grouping of eight neighboring lots facing each other.
 - d. Each floor plan from this architecture package shall be used not less than 15% nor more than 35% of the total lots in the subdivision and shall be

Conditions of Approval
Ponderosa at Elissagaray Ranch
Application No. D20-0018
July 1, 2020

generally dispersed throughout the subdivision in a manner that achieves a sufficient mix and variety in the streetscape view.

- e. Each elevation style shall be used at least twice per floor plan but not more than six times per floor plan.
 - f. The floor plans and elevations that were previously approved by the City Council on January 7, 2014 (Resolution 2014-011 for Application No. PUD12-0003) may also be constructed in addition to the floor plans and elevations of this project provided that a sufficient mix and variety in the streetscape is achieved to the satisfaction of the Development Services Director.
- B.3. Prior to any work in the public right-of-way, the Applicant shall obtain applicable encroachment permits required for any work to be done in the public right-of-way. The Applicant shall submit improvement plans that shows the extent of work and construction detail of driveway modification and relocation of water and/or sewer services, if applicable, and pay plan checking, permit processing, testing, and engineering inspection fees. All work on City's right of way shall be completed, prior to final building inspection of the last residential house constructed within the property.
- B.4. Prior to issuance of any permits for ground disturbance, the Applicant shall comply with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) and a signed copy of the Incidental Take Minimization Measures shall be submitted to the City as verification of compliance.
- B.5. If the Applicant installs on-site landscaping, then the Applicant shall demonstrate compliance with the Water Efficient Landscape Ordinance to the satisfaction of the Utilities Director prior to the issuance of building permits. The landscape and irrigation plans and documentation shall be submitted with the master plans.
- B.6. Prior to the issuance of building permits, the Applicant shall document compliance with all applicable school mitigation requirements consistent with City Council standards and obtain certificate of compliance from the Tracy Unified School District for each new residential building permit.