

RESOLUTION 2018-_____

RECOMMENDING CITY COUNCIL APPROVAL OF AN AMENDMENT TO THE REDBRIDGE PLANNED UNIT DEVELOPMENT AND A DEVELOPMENT REVIEW PERMIT TO INSTALL COMMUNITY GATES AND A GUARD HOUSE FOR THE REDBRIDGE SUBDIVISION APPLICATION NUMBERS PUD18-0001 AND D18-0014

WHEREAS, On June 1, 1999, the City Council approved the Redbridge Planned Unit Development (PUD) and Vesting Tentative Subdivision Map for the Redbridge subdivision, consisting of 438 single-family residential lots with private streets, alleys, and parks on approximately 138 acres located in the vicinity of Redbridge Road and Lammers Road, and included a condition of approval related to the timing of gate installation and requirements for a temporary public access easement (City Council Resolution 99-194); and

WHEREAS, On April 4, 2000, the City Council approved an amendment to the conditions of approval for the Redbridge PUD and Vesting Tentative Subdivision Map related to private streets, setbacks, and private parks (City Council Resolution 2000-107); and

WHEREAS, Condition of Approval B.16(e) of the Redbridge PUD required a temporary public access easement allowing the use by the public of School House Road to Redbridge Road to Lammers Road, until such time as Schulte Road is completed; and

WHEREAS, The timing for the completion of Schulte Road is uncertain; and

WHEREAS, On May 24, 2018, the Redbridge Owners Association submitted an application for the following: (1) an amendment to the Redbridge PUD to remove Condition of Approval B.16(e) and replace with new language that permits the immediate installation of gates at Redbridge, Application Number PUD18-0001; and (2) a Development Review permit to approve the design details of the proposed community gates and guard house; and

WHEREAS, The City conducted a traffic impact analysis to evaluate the potential level of service impacts of limiting traffic through the Redbridge subdivision; and

WHEREAS, A Memorandum of Traffic Impact Analysis was prepared by Kimley Horn & Associates, which concluded that from the standpoint of vehicle traffic operations and delays at intersections, there would be no significant impacts to levels of service and no mitigation measures would be needed; and

WHEREAS, The subject property is zoned Planned Unit Development (PUD) and designated Residential Low by the General Plan; and

WHEREAS, An Initial Study/Mitigated Negative Declaration was adopted by the City Council on December 6, 1994 for the Corral Hollow West project, which included the gated Redbridge subdivision; and

WHEREAS, The Planning Commission conducted a public hearing to review and consider the application on October 10, 2018;

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission hereby recommends that the City Council take the following actions:

1. Approve an amendment to the Redbridge Planned Unit Development (Application Number PUD18-0001) to remove all of the existing language of Condition of Approval B.16(e) and replace with the following new language: "The Redbridge subdivision, which was approved with private streets, alleys and parks, is permitted to be a gated community, subject to approval of a Development Review permit for the specific design of the improvements."
2. Approve a Development Review permit to install community gates and a guard house for the Redbridge subdivision (Application Number D18-0014), subject to the conditions as stated in Exhibit 1, attached and made part hereof and based on the following findings:
 - a. 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 gates on Redbridge Road would be set back approximately 200 feet from Lammers Road and include an attractive design that consists of a tubular steel fence and electric gate with stone veneer pilasters, precast caps, community logo, accent pavers in the street, a center median with landscaping and additional trees, and an approximately 170 square foot guard house, adorned with a decorative stone exterior, board and batten siding, an asphalt shingle roof, and community logo. The gate at Blackstone Drive would be improved to include modifications to the street curb line, additional lights, and signs, as stated in Exhibit 1.
 - b. The proposal conforms to Chapter 10.08, Zoning Regulations, of the Tracy Municipal Code, the City of Tracy General Plan, the Citywide Design Goals and Standards, applicable Infrastructure Master Plans, and other City regulations.

The foregoing Resolution 2018-_____ was adopted by the Planning Commission of the City of Tracy on the 10th day of October, 2018, by the following vote:

AYES:	COMMISSION MEMBERS:
NOES:	COMMISSION MEMBERS:
ABSENT:	COMMISSION MEMBERS:
ABSTAIN:	COMMISSION MEMBERS:

CHAIR

ATTEST:

STAFF LIAISON

City of Tracy
Development Review
Conditions of Approval
Redbridge Community Gates and Guard House
Redbridge Subdivision (Redbridge Road and Blackstone Drive)
Application Number D18-0014
October 10, 2018

These Conditions of Approval shall apply to the Development Review permit to install community gates and a guard house for the Redbridge subdivision, located east of Lammers Road in the vicinity of Redbridge Road and Blackstone Drive, Application Number D18-0014 (hereinafter "Project"), proposed by Redbridge Owners Association (hereinafter "Applicant").

A. Definitions.

The following definitions shall apply to these Conditions of Approval:

1. "Applicant" means any person, or other legal entity, defined as a "Developer".
2. "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 term "Developer" shall include all successors in interest.
3. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed engineer designated by the City Manager, the Development Services Director, or the City Engineer, to perform the duties set forth herein.
4. "Development Services Director" means the Development Services 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.
5. "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 (including the Standard Plans, Standard Specifications, Design Standards, and relevant Public Facility Master Plans).
6. "Conditions of Approval" means these conditions of approval applicable to the Development Review permit to install community gates and a guard house for the Redbridge subdivision, located east of Lammers Road in the vicinity of Redbridge Road and Blackstone Drive, Application Number D18-0014.
7. "Property" means the subject property of the Development Review permit to install community gates and a guard house for the Redbridge subdivision, located east of Lammers Road in the vicinity of Redbridge Road and Blackstone Drive, Application Number D18-0014.

B. Planning Division Conditions of Approval

1. The Developer shall comply with all laws (federal, state, and local) related to the development of real property within the Project boundaries, including, but not limited to: the Planning and Zoning Law (Government Code sections 65000, et seq.), the Subdivision Map Act (Government Code sections 66410, et seq.), the California Environmental Quality Act (Public Resources Code sections 21000, et seq., "CEQA"), and the Guidelines for the California Environmental Quality Act (California Administrative Code, title 14, sections 15000, et seq., "CEQA Guidelines").
2. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City Regulations.
3. 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 that are within the purview of the Mitigation Fee Act [Government Code section 66000 et seq.] ("Exactions") and imposed on this Project by these Conditions of Approval) shall commence on the date of the conditional approval of this Project. If the Developer fails to file a protest of the Exactions 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 of the Exactions. The terms of this paragraph shall not affect any other deadlines or statutes of limitations set forth in the Mitigation Fee Act or other applicable law, or constitute a waiver of any affirmative defenses available to the City.
4. The project shall be developed in substantial compliance with the plans received by the Development Services Department on May 24, 2018, to the satisfaction of the Development Services Director.
5. Prior to building permit issuance, the Developer shall submit plans that comply with all requirements of the California Building Code, to the satisfaction of the Chief Building Official.
6. Prior to building permit issuance, the Developer shall submit plans that comply with all requirements of the California Fire Code, to the satisfaction of the Fire Marshall, including requirements for installation of an Opticom system and Knox gate key switch for access by emergency vehicles.

C. Engineering Division Conditions of Approval

C.1. General Conditions

- C.1.1 Developer shall comply with the applicable recommendations of the technical analyses/ reports prepared for the Project listed as follows:

- a) **“Redbridge -Gate Closure Study Traffic Impact Analysis”**, prepared by Kimley-Horn and Associates, Inc., dated November 7, 2016

C.2. Encroachment Permit - The Developer shall submit all relevant documents related to encroachment permit required by the applicable City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:

C.2.1. Improvement Plans prepared on a 24” x 36” size 4-mil thick polyester film (mylar) and these Conditions of Approval. Improvement Plans shall be prepared under the supervision of, and stamped and signed by a Registered Civil, Traffic, Electrical, Mechanical Engineer, and Registered Landscape Architect for the relevant work.

C.2.2. Signed and stamped Engineer’s Estimate that summarizes the cost of constructing all the public improvements shown on the Improvement Plans.

C.2.3. Check payment for the applicable engineering review fees which include plan checking, permit and agreement processing, testing, construction inspection, and other applicable fees as required by these Conditions of Approval. The engineering review fees will be calculated based on the fee rate adopted by the City Council on May 16, 2017, per Resolution 2017-098.

C.2.4. Traffic Control Plan signed and stamped by a Registered Civil Engineer or Traffic Engineer licensed in the State of California.

C.3. Improvement Plans - Improvement Plans shall contain the design, construction details and specifications of public improvements that is/are necessary to serve the Project. The Improvement Plans shall be drawn on a 24” x 36” size 4-mil thick polyester film (mylar) and shall be prepared under the supervision of, and stamped and signed by a Registered Civil, Traffic, Electrical, Mechanical Engineer, and Registered Landscape Architect for the relevant work. The Improvement Plans shall be completed to comply with City Regulations, these Conditions of Approval, and the following requirements:

C.3.1. Grading and Storm Drainage Plans

C.3.1.1. Site Grading

- a. Include all proposed erosion control methods and construction details to be employed and specify materials to be used.
- b. All grading work shall be performed and completed in accordance with the recommendation(s) of the Project’s Geotechnical Engineer. A copy of the Project’s Geotechnical Report must be submitted with the Grading and Storm Drainage Plans.

C.3.1.2 Storm Drainage

- a. The Developer shall design and install the Project's permanent drainage connection(s) to the City's existing 12-in storm drain line located on Redbridge Road per City Regulations and as approved by the City Engineer. Storm drainage calculations for the sizing of the on-site storm drainage system and the Project's permanent storm drainage connection must be submitted with the Improvement Plans.

C.3.2. Sanitary Sewer

- a. Prior to the issuance of Building Permit for the Project, Developer shall submit improvement plans and secure approval of plans from the City's Building Division for the design of the sewer improvements.
- b. The Developer shall design and install sanitary sewer facilities including the Project's sewer connection in accordance with City Regulations and utility improvement plans approved by the City Engineer. The Developer is hereby notified that the City will only provide maintenance of the sewer lateral within the public right-of-way or sewer easement.
- c. The Developer is responsible for the cost of installing the Project's permanent sewer connection to the nearest public sewer line on including but not limited to, replacing asphalt concrete pavement, where required, restoring pavement marking and striping, and other improvements that are disturbed as a result of installing the Project's sewer connection.

C.3.3. Water Connection

- a. Developer shall install water connection (including water meter) to existing water main in Redbridge Road per City Standards.
- b. Water Shutdown Plan and Traffic Control Plan: If water main shut down is necessary, the City will allow a maximum of four hours water supply shutdown. The Developer shall be responsible for notifying residents or business owner(s), regarding the water main shutdown. The written notice, as approved by the City Engineer, shall be delivered to the affected residents or business owner(s) at least 72 hours before the water main shutdown. Prior to starting the work described in this section, the Developer shall submit a Water Shutdown Plan and Traffic Control Plan to be used during the installation of water connection.

C.3.4. Street Improvements:

- a. Roadway Improvements on Redbridge Road: Prior to issuance of the final certificate of occupancy, the Developer shall design and install improvements on Redbridge Road (a private road) which includes a Guardhouse (private), Double swing gates (private for Phase2), street widening (private), concrete ADA path of travel to sidewalk (private), 8-foot wide raised median (private), storm drains, manholes, lighting (private) signing and striping (private), fence (private) and pedestrian gate (private) and other improvements as determined by the City Engineer.
 - b. Roadway Improvements on Blackstone Drive: Prior to completion of Redbridge Road gate, the applicant shall modify the existing roadway on Blackstone Drive to comply with City Standards for street termination. Modifications shall include reconfiguration of the street curb line, additional lighting, regulatory and warning signage for the dead-end street, signing and striping, pedestrian gate, and other improvements as determined by the City Engineer.
 - c. The roadway improvements described in these Conditions of Approval must be designed and constructed by the Developer to meet the applicable requirements of the latest edition of the California Department of Transportation Highway Design Manual (HDM) and the California Manual of Uniform Traffic Control Devices (MUTCD), the applicable City Regulations, and these Conditions of Approval prior to final inspection.
 - d. Irrigation and Landscaping Plans - All parkway landscaping improvements on the Redbridge Road shall be designed and constructed in accordance with City Regulations. Design and construction details of these improvements shall be included in the Irrigation and Landscaping Plans.
- C.4. Building Permit - No building permit will be approved by the City until the Developer demonstrates, to the satisfaction of the City Engineer, compliance with all required Conditions of Approval and payment of applicable processing fees
- C.5. Improvement Security – If required by the City Engineer, the Developer shall provide improvement security for all public facilities, as required by these Conditions of Approval. The form of the improvement security may be a surety bond, letter of credit or other form in accordance with section 12.36.080 of the TMC.)
- C.6. Release of Improvement Security - Improvement Security(s) shall be released to the Developer after City Council's acceptance of public improvements, and after the Developer demonstrates, to the satisfaction of the City Engineer, compliance of these Conditions of Approval, and completion of the following:

- C.6.1. Improvement Security for Faithful Performance, Labor & Materials, and Warranty shall be released to the Developer in accordance with Section 12.36.080 of the TMC.
- C.6.2. Written request from the Developer and a copy of the recorded Notice of Completion.
- C.7. Special Conditions
 - C.7.1. Both the existing and proposed gates shall remain open during regular school hours.
 - C.7.2. Any damages to existing improvements within the street right-of-way due to construction related activities shall be repaired or replaced as directed by the City at Developer's cost.
 - C.7.3. All improvement plans shall contain a note stating that the Developer (or Contractor) will be responsible to preserve and protect all existing survey monuments and other survey markers. Any damaged, displaced, obliterated or lost monuments or survey markers shall be re-established or replaced by a licensed Land Surveyor at the Developer's (or Contractor's) sole expense. A corner record must be filed in accordance with the State law for any reset monuments (California Business and Professions Code Section 8871).
 - C.7.4. Nothing contained herein shall be construed to permit any violation of relevant ordinances and regulations of the City of Tracy, or other public agency having jurisdiction. This Condition of Approval does not preclude the City from requiring pertinent revisions and additional requirements to the Grading Permit, Encroachment Permit, Building Permit, Improvement Plans, OIA, and DIA, if the City Engineer finds it necessary due to public health and safety reasons, and it is in the best interest of the City. The Developer shall bear all the cost for the inclusion, design, and implementations of such additions and requirements, without reimbursement or any payment from the City.