



MILPITAS PLANNING COMMISSION AGENDA REPORT

NEW BUSINESS

Meeting Date: January 23, 2013

APPLICATION: **Preliminary Application No. PP12-0004, Warmington Homes.**

APPLICATION
SUMMARY:

A study session to review a preliminary proposal for a 190-unit residential subdivision consisting of 32 single family homes, 158 multi-family units, and associated site improvements.

LOCATION:

569-625 Trade Zone Boulevard (APN 86-36-003 thru 006)

APPLICANT:

Bridgit Koller, Warmington Homes, 2400 Camino Ramon #234, San Ramon, CA 94583

OWNER:

David and Irene Pernik Trustee, 573 Trade Zone Blvd., Milpitas, CA 95035,
James Meeks E Trustee, 76 307 Via Arezzo, Indian Wells, CA 92210
Tavakoli Ghassem and Simindokht Trustee, 1117 Petroni Way, San Jose, CA 95120

RECOMMENDATION:

Staff recommends that the Planning Commission provide comment on: (1) Reduced density and the use of single-family residential; (2) Site Circulation and proposed deviations to the street design and layout, and (3) Reduced building setbacks.

PROJECT DATA:

General Plan/
Zoning Designation:

Multi-Family Residential, Very High Density (MFH)/ Multi-Family Residential, Very High Density (R3) with Site and Architectural Overlay District (-S) and Transit Oriented Development Overlay (-TOD)

Specific Plan:

Transit Area Specific Plan

PLANNER:

Cindy Hom, Assistant Planner

PJ:

2874

ATTACHMENTS:

A. Project Plans
B. Project Letter

LOCATION MAP



Not to Scale.

BACKGROUND

In 2008, the City of Milpitas adopted the Transit Area Specific Plan (TASP) and Environmental Impact Report (EIR) which encompasses 437 acres of land located just south and southeast of the Great Mall to the Milpitas border near San Jose. The TASP incorporates a variety of High Density Mixed Use and Residential around the existing light rail station and the planned location for BART.

A policy (Policy 3.1) in the Transit Area Specific Plan establishes a goal of 5,000 to 9,350 new housing units to meet the estimated demand for market rate housing over the next 20 years and achieve the population number and densities to provide BART with enough ridership to support investment in its extension.

On October 30, 2012, Bridgit Koller with Warmington Homes, submitted a preliminary application for the development of 190 units on a 12.51 acre site located at 569-625 Trade Zone Boulevard. At the suggestion of Staff, the applicant requests a study session with the Planning Commission to provide comment on the following areas as they relate to the proposed preliminary application: (1) Use of single-family residential; (2) site circulation; (3) parking; and (4) reduction in setback. The Planning commission comment and feedback will assist Staff and the applicant in any needed revision to the preliminary project design and density, prior to a formal submittal in the near future.

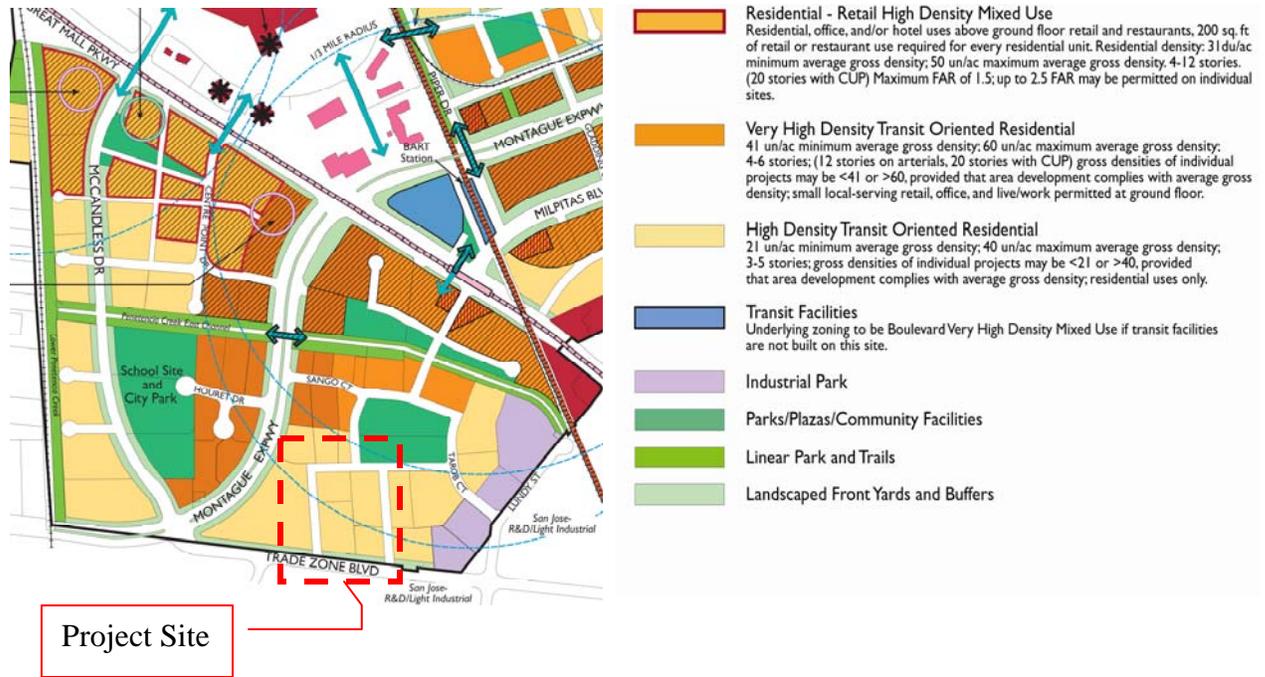
SITE DESCRIPTION

The project site consists of four parcels that are currently used as an auto dismantler yard. The project site is located within the Milpitas Transit Specific Plan Area. The subject property is bounded by Trade Zone Boulevard to the west, future residential communities (Harmony and Pace residential projects) that are currently under construction to the north, and a mix of light industrial and automotive uses to the east and south. A vicinity map of the subject site location is included on the previous page.

TRANSIT AREA SPECIFIC PLAN (TASP) AND ZONING REQUIREMENTS

The project site is zoned and designated as Multi-Family Residential, High Density with Site and Architectural Overlay and a Transit Oriented Development Overlay which allows for a density of 21-40 dwelling units to the acre. The project site located within the Trade Zone/Montague sub district of the Milpitas Transit Specific Plan area which requires installation of new public streets and a new park site as shown in the Section TASP Land Use Map below:

Map 1:
Transit Area Sectional Land Use Plan



STUDY SESSION ISSUES

(1) Reduced Density: The project proposes a new residential development consisting of 32 single family homes and 158 attached townhomes at a density of 15.19 units per acre to the gross acre, which is below the minimum density for the zoning district. Although the project would dedicate approximately 2.58 acres (20% of the total project site) to the city for new public streets and a portion of the Trade Zone/Montague sub district Park, the project would yield a net density of 19.13 units to the acre. The gross acre threshold is what the general plan and requires. The TASP does allow for density averaging within the TASP (Policy 3.8). Although the policy mentions contiguous parcels, the policy's intent to ensure the TASP density does not end up below or above the minimum and maximum densities will be secured with a legally binding instrument from all parcels involved in the averaging. The applicant has identified a recipient and requests feedback if the density averaging approach is appropriate given the project's density and product types (single family and attached townhomes) are similar to what is to be constructed for the Pace and Harmony projects as well as the current market demand for this type of housing.

Planning Commission Request: The Planning Commission is requested to comment on the overall project density as it relates to the intent of the Transit Area Specific Plan. The Commission should provide comment on the appropriateness of developing single-family residential at this site. The Commission may also comment on any expectations for higher density multi-family than what is current within the applicant's preliminary proposal.

- (2) **Site Circulation:** Vehicle access to the project is proposed off of Trade Zone Boulevard, Momentum Drive (new Public Street under construction) and proposed new public streets that would be constructed on the eastern boundary of the project site. The main entrance to the project site would be accessed from Momentum Drive. This new entry street would connect to the project's private street network which includes new meandering spine road that provides a north-south connection from Trade Zone Boulevard to the new public street (Street A and B) proposed on the eastside of the project. The proposed single family homes would be located along Momentum Drive to mirror the single family homes that are to be constructed on the other side. The Multi-Family units would be located on the remainder of the site. Pedestrian circulation is provided by sidewalks as well as active and passive paseos. A map of the proposed site plan is shown on the next page.

Based on the proposed layout, the project would be deviating from the TASP design standards for the following:

- Parking on both sides of Momentum Drive, where only one side is planned.
- Change in street layout (connector between Trade Zone and New Public Street at future Park).

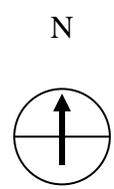
According to the street design for new local streets, on-street parking is provided on one side of the street. Currently, Momentum Drive is being constructed as part of the Pace project. The approved street parking on Momentum Drive is located on the west side of the street. The applicant requests to add street parking on the east side of the street to provide easy access to guest parking for future homeowners.

Moreover, the TASP shows a second new public local street that parallels with Momentum Drive that would serve as an north-south connector between Trade Zone and the new local street and park. The project deviates from that TASP in that it proposes a "serpentine" (meandering) private street. The proposed street layout is a departure from the public through street that was anticipated for the street circulation for this sub district area. .

Planning Commission Request: The Planning Commission is requested to provide feedback on the proposed deviation from the TASP street design and layout. The Planning Commission should comment on appropriateness of having parking on both sides a residential public street. The Planning Commission should consider the street scene and experience for multimodal uses.

The Planning Commission shall also comment on the design and appropriateness of proposed "serpentine" road in a high density urban infill environment. The Planning Commission should also comment on what kind of interface and buffer would be appropriate and adequate between the proposed residential homes and existing industrial uses.

Map 2:
Rendered Site Plan



- (3) **Reduced Building Setbacks:** Trade Zone Boulevard is an existing street frontage that will be improved as part of the development proposal. The TASP street design standard includes installation of a 6-foot bike lane, 20-foot planting strip, 8-foot sidewalk, and 15-foot building setback. The residential buildings along the Trade Zone frontage have a staggered setback. Not all buildings meet the 15-foot building setback. The applicant proposes to continue a similar undulating and pedestrian oriented street edge with a meandering sidewalk as approved for the adjacent residential project under construction.

Planning Commission Request: The Planning Commission is requested to comment on the reduced building setbacks and its impact on the overall street appearance. The Planning Commission should also consider design continuity and consistency with the neighboring properties.

Process for Exceptions

The TASP allows for exceptions with a conditional use permit. The Planning Commission would need to make the findings that the exception does not detract from the overall architectural, landscaping; and site planning integrity of the proposed development and that the deviation from the Transit Area Specific Plan standards allows for a public benefit not otherwise obtainable through the strict integrity of the Zoning Standard.

RECOMMENDATION

STAFF RECOMMENDS THAT the Planning Commission provide comment on: (1) Reduced density and the use of single-family residential; (2) Site Circulation and proposed deviations to the street design and layout, and (3) Reduced building setbacks.

Attachments:

- A. Project Plans
- B. Project Letter

LEGEND

- General Commercial
- Retail Transit Oriented
Community and Regional Retail; Hotels, Office. Maximum FAR of 2.5.
- Boulevard Very High Density Mixed Use
Permitted uses include Residential, Office, Commercial and Medical uses up to 1.5 maximum gross FAR, an FAR of 2.5 may be permitted on individual sites. 4-12 stories (20 stories with CUP). Residential use shall have 41 un/ac minimum average gross density; 60 un/ac maximum average gross density.
- Residential - Retail High Density Mixed Use
Residential, office, and/or hotel uses above ground floor retail and restaurants, 200 sq. ft. of retail or restaurant use required for every residential unit. Residential density: 31 du/ac minimum average gross density; 50 un/ac maximum average gross density. 4-12 stories. (20 stories with CUP) Maximum FAR of 1.5; up to 2.5 FAR may be permitted on individual sites.
- Very High Density Transit Oriented Residential
41 un/ac minimum average gross density; 60 un/ac maximum average gross density; 4-6 stories; (12 stories on arterials, 20 stories with CUP) gross densities of individual projects may be <41 or >60, provided that area development complies with average gross density; small local-serving retail, office, and live/work permitted at ground floor.
- High Density Transit Oriented Residential
21 un/ac minimum average gross density; 40 un/ac maximum average gross density; 3-5 stories; gross densities of individual projects may be <21 or >40, provided that area development complies with average gross density; residential uses only.
- Transit Facilities
Underlying zoning to be Boulevard Very High Density Mixed Use if transit facilities are not built on this site.
- Industrial Park
- Parks/Plazas/Community Facilities
- Linear Park and Trails
- Landscaped Front Yards and Buffers
- Neighborhood Retail Locations
5000 sq. ft. of local serving retail required on the ground floor.
- Density Bonus
Increased density permitted on sites closest to BART and light rail. See table for detail about TOD Overlay District and TOD Density Bonus allowed with a CUP.
- Potential Hotel Sites
- Potential Grocery Store Site
- Proposed BART Line
- VTA Light Rail Transit
- Union Pacific Railroad and Railroad Spur
- Potential Future Train Turn-around and/or Relocated Spur Track
- Study Area
- Pedestrian Connection
- Pedestrian Bridge

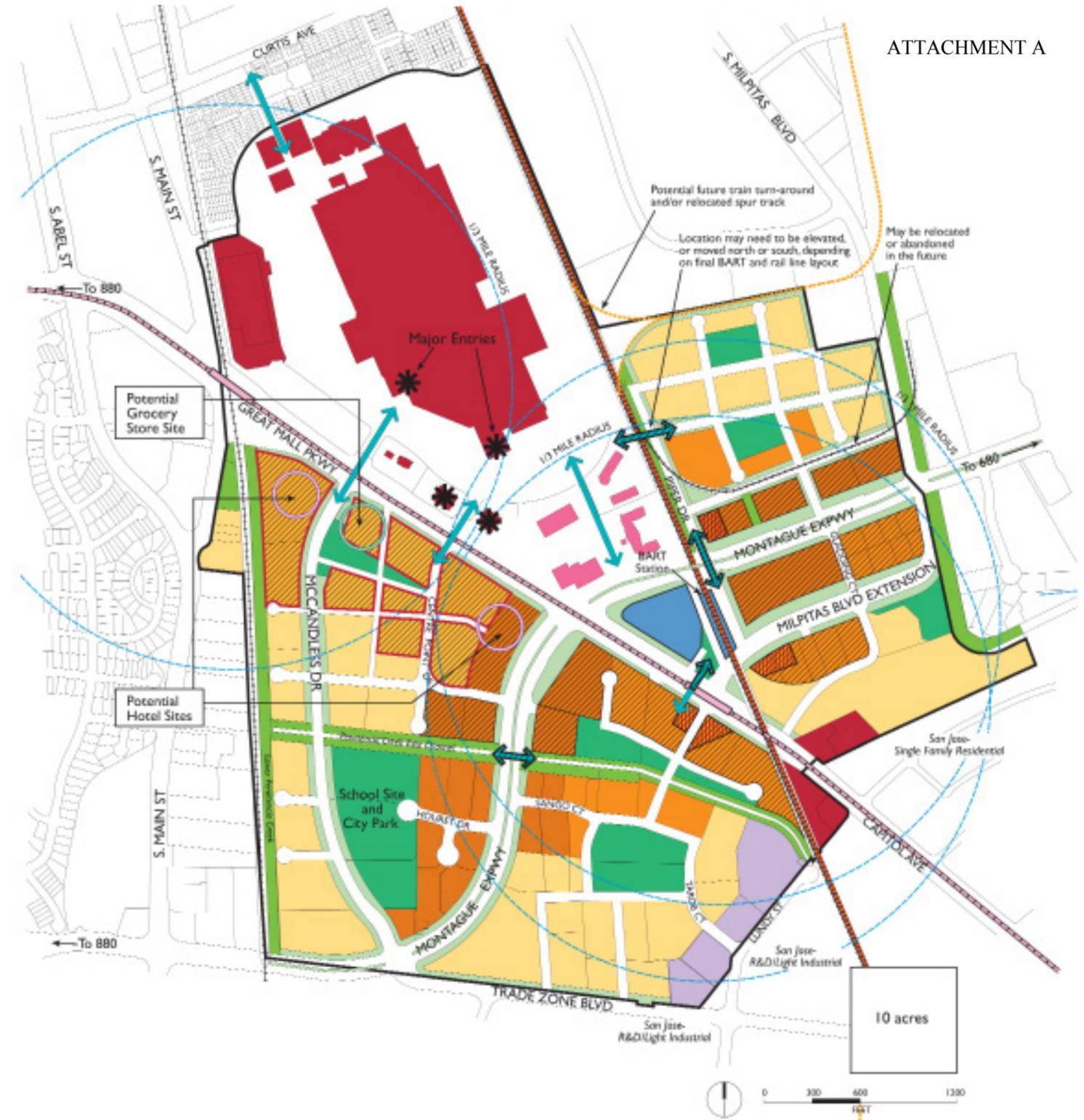


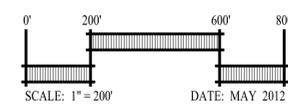
Figure 3-1
Transit Area Plan

Figure 3-1
Transit Area Plan



AERIAL BASE MAP
TRANSIT AREA SPECIFIC PLAN
 (APPROVED DEVELOPMENTS)

CITY OF MILPITAS SANTA CLARA COUNTY CALIFORNIA



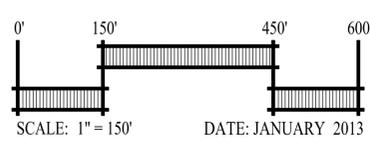
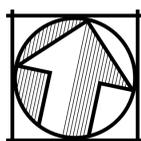
	Carlson, Barbee & Gibson, Inc.
	CIVIL ENGINEERS • SURVEYORS • PLANNERS
<small>8111 BOLLINGER CANYON ROAD, SUITE 100 SAN RAMON, CALIFORNIA 94583</small>	
<small>(925) 866-0222 FAX: (925) 866-9575</small>	



CONTEXTUAL MAP

TRADE ZONE PROPERTIES

CITY OF MILPITAS SANTA CLARA COUNTY CALIFORNIA



Carlson, Barbee
& Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS

6111 BOLLINGER CANYON ROAD, SUITE 150
SAN RAMON, CALIFORNIA 94583

(925) 866-0322
FAX (925) 866-8575



PROJECT UNIT COUNT

- 32 SINGLE FAMILY UNITS
- 158 MULTI-FAMILY UNITS
 - 11 - 5 PLEX BUILDINGS
 - 9 - 6 PLEX BUILDINGS
 - 7 - 7 PLEX BUILDINGS
- 190 TOTAL UNITS

PROJECT DENSITY

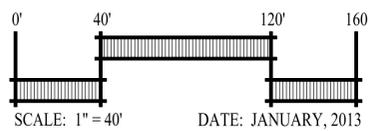
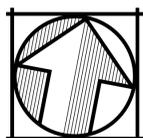
PROJECT AREA = 12.51 ACRES
 CITY DEDICATION = 2.58 ACRES
 NET DENSITY = 190 UNITS / (12.51 AC - 2.58 AC) = 19.13 UNITS/AC
 GROSS DENSITY = 190 UNITS / 12.51 AC = 15.19 UNITS/AC

PARKING

TOTAL UNCOVERED PARKING SPACES = 136
 GUEST PARKING SPACES = 84 (REQUIRED 78)
 DESIGNATED RESIDENTIAL = 52 (REQUIRED 52)

SITE PLAN TRAVERSE WARMINGTON RESIDENTIAL

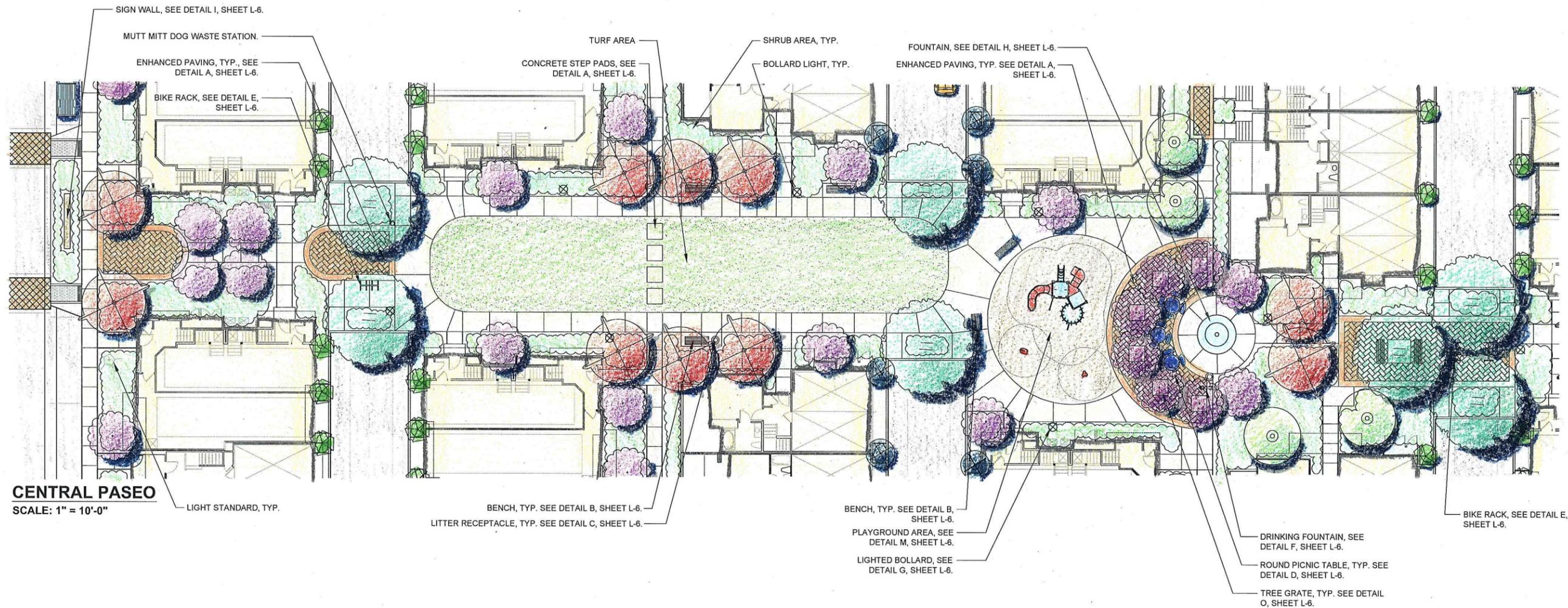
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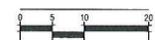


- NOTES:
1. ALL TREES SHALL BE PLANTED AND STAKED PER CITY STANDARDS.
 2. TREES PLANTED WITHIN 3' OF HARDSCAPE SHALL RECEIVE A LINEAR ROOT BARRIER INSTALLED ADJACENT TO HARDSCAPE.
 3. LANDSCAPE AND IRRIGATION SHALL COMPLY WITH CITY'S WATER-EFFICIENT LANDSCAPE ORDINANCE.
 4. ALL PLANTING AREAS SHALL BE AUTOMATICALLY IRRIGATED PER CITY STANDARDS USING LOW-FLOW SPRAY, BUBBLERS AND METHODS.
 5. ALL PLANTING AREAS SHALL BE MULCHED TO A MINIMUM DEPTH OF 3".



CENTRAL PASEO
SCALE: 1" = 10'-0"

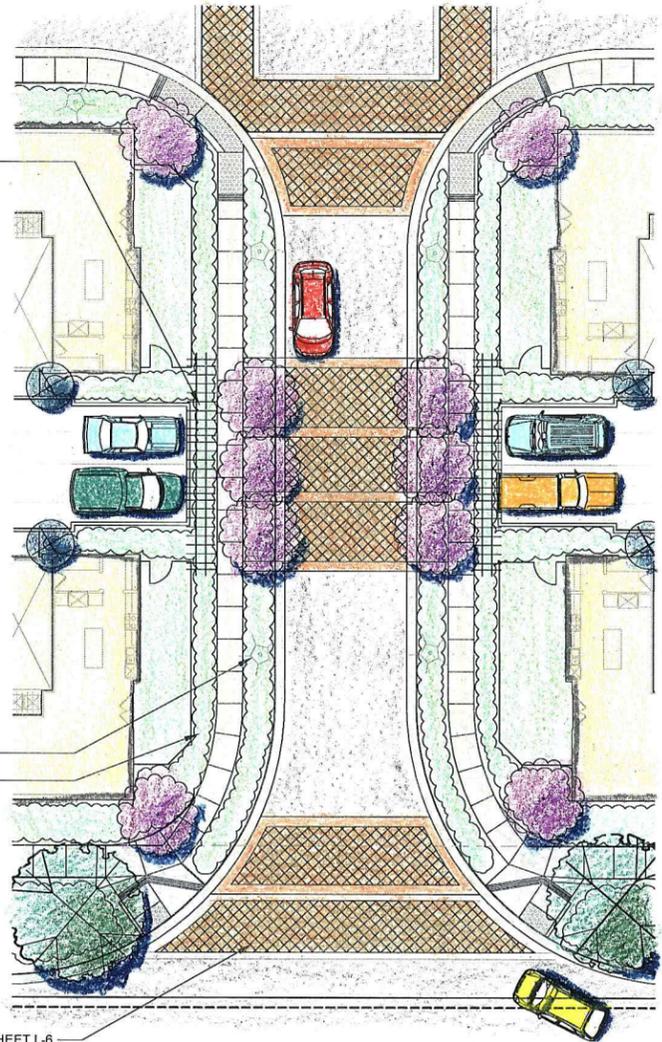
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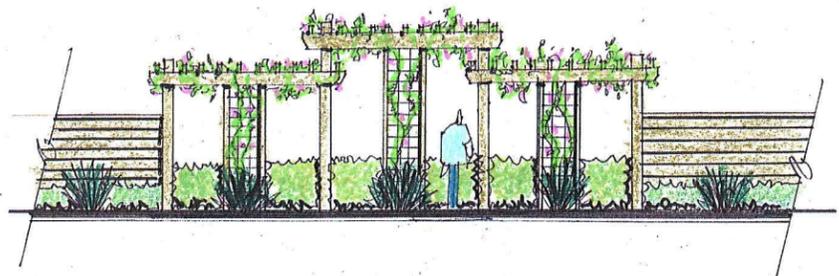
ENTRY TRELLIS SCREEN FEATURE, SEE BELOW.

LIGHT STANDARD, TYP. SEE DETAIL G, SHEET L-6.
SHRUB AREA, TYP.

ENHANCED PAVING, SEE DETAIL A, SHEET L-6.



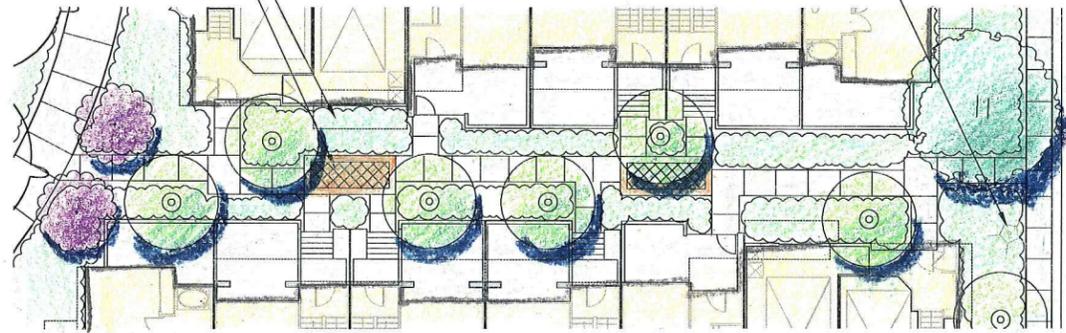
PRIMARY ENTRY
SCALE: 1" = 10'-0"



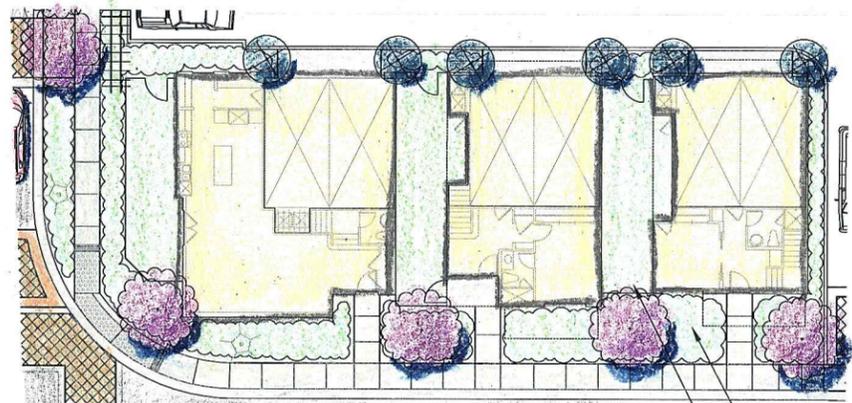
(A) ENTRY TRELLIS SCREEN FEATURE
SCALE: 1/4" = 1'-0"

SHRUB AREA, TYP.
ENHANCED PAVING, SEE DETAIL A, SHEET L-6.

LIGHT STANDARD, SEE DETAIL G, SHEET L-6.



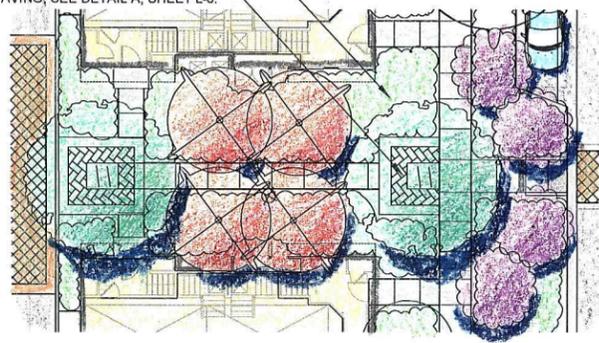
TYPICAL MULTIFAMILY PASEO
SCALE: 1" = 10'-0"



TYPICAL SINGLE FAMILY PASEO
SCALE: 1" = 10'-0"

SHRUB AREA, TYP.
SIDE YARD SCREEN FENCE, SEE DETAIL L, SHEET L-6.

SHRUB AREA, TYP.
ENHANCED PAVING, SEE DETAIL A, SHEET L-6.

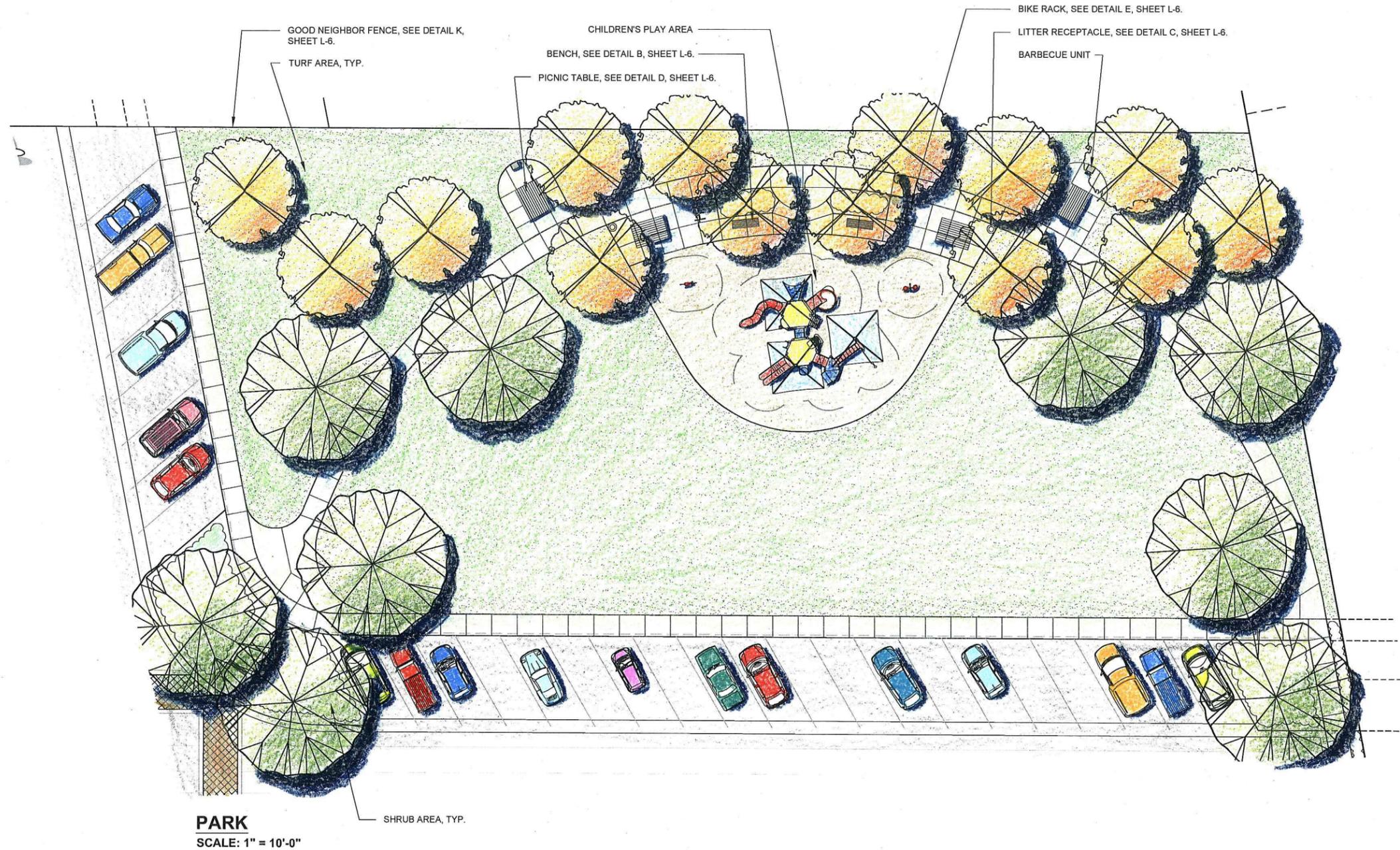


NORTH/SOUTH SPINE
SCALE: 1" = 10'-0"



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Warmington
RESIDENTIAL

TRAVERSE
TRADE ZONE PROPERTIES, MILPITAS, CALIFORNIA

PARK LANDSCAPE ENLARGEMENT

vanderToolen+Associates
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LANDSCAPE ARCHITECTS

San Francisco: 415.774.4000
San Francisco, CA 94102
Milpitas: 408.372.7415
Milpitas, CA 95035



JANUARY, 2013

VTA JOB #: 04112

L-4





Traverse Project Narrative

Purpose

Warmington Residential California (Warmington) is submitting this package for a Study Session for “*Traverse*,” before the Planning Commission to gain feedback and guidance on general design direction before making a formal application for a Tentative Map, a Major Site Development Permit, and a Conditional Use Permit. The project is an assemblage of four parcels and three property owners consisting of 12.51 Ac of commercial land. The properties’ current and recent uses have been as auto dismantlers and car parts operations.

Property & Proposed Development

The property is located on Trade Zone Blvd between Montague Expressway and Lundy Ave in Milpitas and is within the City of Milpitas’ Transit Area Specific Plan (TASP), in a transitioning neighborhood. It currently has general and specific plan designations for residential transit oriented development (TOD). The TASP and supporting EIR were adopted by the City in June 2008; this provided the General Plan amendments and Zoning to allow residential development on the site. The property is zoned R-3-TOD (Multi-Family High – 21-40 du/ac). To the east, is a Speedy Oil change and under utilized single story tilt up office/industrial space (Tarob Ct), to the south across Trade Zone Blvd are additional light industrial uses within City of San Jose limits, to the west is the future Contour (Pace) subdivision (currently an empty office building), further to the west across Montague Expressway, up McCandless are the future Harmony, by DR Horton, a townhome project by Taylor Morrison and future development by Integral Partners. Finally to the north (Sango Ct) are additional offices and service related businesses.

The project requires a Tentative Map, a Major Site Development Permit, and a Conditional Use Permit to develop. The TASP has established a spine roadway infrastructure, and park dedication on the Traverse properties. Warmington has met with City Staff (Planning, Engineering, Traffic, Fire, and Building), numerous times to share various preliminary site plans and layouts, to determine what options may be available. Staff was encouraging about the assemblage and the ability to address several aspects within the TASP Area; namely a dedication of a portion of the Trade Zone Park and the completion of the Trade Zone Boulevard frontage, in addition to removal of the current blighted appearance of the properties as they currently sit. Staff has given suggestions along the way which have helped inform the current design.

Warmington will need to obtain entitlements, a Final Map, Grading and Improvement plans, complete internal site remediation, grading and roadwork prior to construction of homes. The site is generally flat, draining to the low point at the northwest corner. It is within an AO flood zone. Grades will need to be raised during construction to remove the site from the flood zone. Soils are mostly clay and highly expansive with shallow ground water. Cornerstone Earth Group prepared a preliminary soils report in August 2012 which identified the potential for liquefaction induced settlement, undocumented fill, moderately high expansive soils and shallow groundwater all of which will need to address in the design and construction of the project. An Environmental Study by Cornerstone Earth Group was prepared for the site in August 2012 which showed soils containing various metals including lead, nickel and chromium as well as motor oil and diesel. Site remediation will need to occur, it is anticipated that this will be accomplished through Santa Clara Department of Health and Environment.

Trade Zone Blvd is an existing street fronting the project. Improvements to Trade Zone Blvd will include widening to match exiting east and west improvements, curb, gutter, sidewalk, and stripping to be provided by the project. Warmington will utilize setback averaging similar to the adjacent Pace project along Trade Zone Blvd. This site will take access from Trade Zone Blvd from Momentum Drive and through Warmington's "Entry Street 2" as shown on the site plan. Momentum Drive has limited right in right out access stipulated by existing traffic signals and proximity thereto. "Entry Street 2" will provide full access movement to the Traverse site for future homeowners and emergency services. Momentum Drive will be primarily constructed by Trumark in conjunction with their Pace project, Warmington will complete the portion of the roadway which occurs within the Traverse project. Warmington is adding parking bays along the easterly side of Momentum Drive to provide easy access guest parking for future homeowners. All other streets, both private and public meet the design criteria as outlined in the TASP. Streets "A" and "B" will be dedicated to the City. All other streets will be private and maintained by the HOA. Street names have been submitted to Planning for review and approval.

The site includes public streets and a portion of the Trade Zone Park that will be dedicated to the City. This public dedication is 2.58 Ac (20.6% of the project) of land. No other project with in the TASP has an equivalent dedication. The City has asked that this land be dedicated free of contaminants; something the TASP did not anticipate in its cost allocations and which will need to be borne by the project to the benefit to the public. As additional public benefit Warmington has offered to provide programmatic design for the entire park (includes future dedications). Warmington has met with the Park and Recreation Department and has been given guidance on design to include a playing field to accommodate both cricket and soccer (within the same field), a tot lot play area, picnic gathering areas, and general unprogrammed space to allow for flexible use, along with parking. Warmington will construct and install the portion of Park which is within the project boundary. This area will include a tot lot, picnic areas, a walking path, unprogrammed space, bike racks, planting and parking. Finally a walkway, open to the public, will also be provided from Trade Zone Blvd to the Park. This walkway will be maintained by the HOA.

Project amenities will include a central landscaped paseo which will feature a fountain, picnic tables, a tot lot, benches, turf area, bike racks, mutt mitt stations, and lighted walking paths, and enhanced northsouth paseo, decorative paving at alley entries, and an enhanced entry to include decorative paving, trellises, and a monument sign. The northwest out parcel will have wood good neighbor fencing at the west and a block wall to the north separating the current industrial uses from the proposed residential. Along the easterly boundary Warmington will use a wood good neighbor fence.

Warmington hired SL State to provide an independent marketing study to assist in informing us of the demographic and needs of the Milpitas buyer in this location. Most of our buyers will be young professionals and young families with some move up and multigenerational buyers. Given the size of the property Warmington needs to incorporate two product types to achieve the absorptions necessary to make the project work. Milpitas currently has a shortage of new single family detached homes, desired by the move up buyer and much of the approved projects in the TASP are podium (rental) or townhome. Warmington has plotted the site with 32 compact lot single family homes along Monument drive, these will respond to the single family approved on the adjacent Pace project. These homes will include 3 unique plans and will range from roughly 2100 sf to 2450 sf. Most will have a fourth or double master bedroom to accommodate the multigenerational or dual family home. These homes will have a higher spec level including granite, appliances, and finish materials. All homes will be Energy Star Certified, providing a minimum 15% increased energy efficiency and will include features such as energy efficient appliances and fixtures, tankless water heaters, higher envelope efficiency, and will be solar ready. The remainder of the site has been plotted with 158 patio townhomes. These will range from approximately 1380 sf – 2000 sf and include five separate plans. While townhomes, Warmington has designed these plans to live and feel more like a single family home, with wider footprints and private open spaces in the form of balconies and/or private out door living (enclosed front patios). The two smaller plans will feature 2 and 3 bedroom options with tandem garages for the entry level or single professional, while the larger plans will offer 3 and 4 bedroom plans with side by side garages. As with the single family, the Patio Townhomes will have similar energy efficient standards including Energy Star Certification and solar ready. Both product types would be three story wood construction.

Density in Milpitas is calculated on gross acreage. Achieving a for sale density of 21- 40 DU/AC given the heavy dedication requirement (2.58 Ac), with a product that is marketable has been a challenge. This 190 attached patio townhome and detached home project plots at 19.1 DU/AC net and 15.2 DU/AC gross; the nearly 21% dedication burden born by this property skews the gross acreage calculation. This density is between the current approved densities for Pace (14.5 DU/AC gross) and Harmony (21 DU/AC gross). It is Warmington understands however that the City has precedent for density transfers and Warmington has identified a recipient (See attached letter) for the 73+ DU which would bring the project to at least the minimum density. All homes have private two car garages. The site has an additional 136 uncovered parking spaces including designated residential and guest parking.

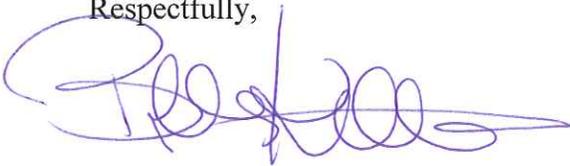
A Homeowners Association (HOA), CC&R's, and Architectural Design Guidelines will insure that the community is maintained as it was designed and that garages are used for parking and not storage. The HOA will maintain all private streets, common area amenities and landscaping as well as the exterior of the patio townhomes and unenclosed landscaping areas of the single family homes.

Summary

In summary Warmington is looking for feedback and guidance on the following four areas: general design direction (site & program), density approach, duel street parking (Momentum Only), and setback averaging along Trade Zone Blvd.

Thank you for your consideration of our materials at your Study Session.

Respectfully,



Bridgit Koller
Project Manager
925-866-6700 x204
Bridgit.koller@warmingtongroup.com