

## 2 Project Description

The proposed Preliminary Planned District is comprised of 18 single-family homes, which would be located primarily in the eastern portion of the project site around a common open space area. The proposed project also includes renovation of an existing private tennis and swim club, which would include retaining three of the existing 13 tennis courts; renovation of the existing clubhouse, swimming pool and spa, and the construction of a 3,540-square-foot childcare facility and 2,100-square-foot café for a total of 11,670 square feet. A pond would be constructed in the southwestern portion of the project site that would serve as a retention basin for stormwater runoff within the project site.

### 2.1 Background and Overview of the Proposed Project

#### Kimber Park Planned Development

In 1973, the Fremont City Council approved the Kimber Park Planned District P-73-1 (Kimber Park PD), a residential development located on the former Kimber Farms. The Kimber Park PD included a parcel for private recreational use with limited public access. As originally envisioned, allowed uses for this parcel included a recreational facility, a lake, and potentially a restaurant. A tennis club with seven courts and a lake were constructed on the project site shortly after development of the surrounding residential neighborhood. According to City staff, the lake, both during and after construction, would not hold water, and was eventually eliminated and the restaurant was never constructed. The tennis club was expanded by six courts in the late 1990s for a total of 13 courts.

#### Project Background

The General Plan land use designation for the site was changed when the City adopted its General Plan Update in December 2011. The site had been designated “Low Density Residential – 2-3.5 du/acre,” with permissible uses controlled through the Kimber Park PD. As part of the General Plan Update, City staff proposed that the land-use designation of the project site be changed to “Private Open Space” to reflect the Kimber Park PD. The owner of the site asked for the designation to remain unchanged to pursue an application for residential development. The City Council established the “Kimber Study Area” land use designation on the project site for a period of one year to allow the owner to process an application. The Kimber Study Area designation is effective until December 14, 2012. It allows the property owner to apply for approval of a project incorporating residential development with a density no greater than two dwelling units per acre. If an application is approved during this timeframe, the City would conform the City’s General Plan to reflect the approved designation. If the application is not approved within the 12-month period, the project site will be designated Private Open Space without further action.

### 2.2 Regional Location

The project site is located in the City of Fremont in Alameda County, California. Regional access to the City is provided via Interstate 680 (I-680) and Interstate 880 (I-880). Cities that border the City of Fremont include Union City to the north; Milpitas to the south; and Newark to the west. The regional location is shown in [Figure 2-1: Regional Location](#).

## 2.3 Project Site

The project site is comprised of an irregularly shaped 12.72-acre parcel (Assessor's Parcel Number: 525-0312-050) located at 10 East Las Palmas Avenue in the northeastern portion of the City, as shown in [Figure 2-2: Project Vicinity](#). The project site is bound on the southwest and southeast by East Las Palmas Avenue; to the northwest by Almeria Avenue and to the northeast by Canyon Heights Drive. Mission Boulevard (State Route 238) is located approximately 310 feet southwest of the southern edge of the project site.

The project site includes the Fremont Mission Hills Tennis and Swim Club (hereinafter "tennis and swim club"). The existing tennis and swim club includes the following physical improvements: 13 hard surface tennis courts, a swimming pool and spa, a one-story clubhouse, and a restroom building for a total square footage of 6,030 square feet of physical improvements. The existing tennis and swim club also includes a large fenced lawn area in the central portion of the project site that is used for informal sports games. A 12-foot public pedestrian and bicycle path located on the western edge of the project site adjacent to Almeria Avenue was recorded as an easement to the City in 1976.

The site slopes up from the west toward the east, with slopes ranging from two to ten percent on the majority of the site. However, as shown in [Figure 2-3: Slope Map](#), the eastern portion of the project site has more rolling topography with slopes ranging from 10 to 20 percent and isolated mounds with steeper slopes ranging from 20 to 35 percent slopes.

Approximately 612 trees are present on the project site ranging in height from 25 to 90 feet. However, most of the trees are between 40 and 60 feet tall. Many of the trees are planted redwoods (*Sequoia sempervirens*), which make up 65 percent of the trees on the project site. Other native species such as planted Monterey pine (*Pinus radiata*), coast live oak (*Quercus agrifolia*), planted California bay (*Umbellularia californica*), and planted Douglas fir (*Pseudotsuga menziesii*) also occur. Non-native trees are present in the habitat interspersed with the native species. Non-natives include ironbark eucalyptus (*Eucalyptus sideroxylon*), other gum species (*Eucalyptus sp.*), Mexican fan palm (*Washingtonia robusta*), date palm (*Phoenix canariensis*), English walnut (*Juglans regia*), Peruvian pepper tree (*Schinus molle*), and plum (*Prunus sp.*).

Approximately 6.3 acres of undeveloped land is located in the eastern portion of the project site bordering Canyon Heights Drive. Trees and existing site improvements are shown in [Figure 2-4: Existing Site Conditions](#). [Figure 2-5A](#) and [Figure 2-5B](#) Photographs of the Project Site shows photographs of existing site conditions within the project site and [Figure 2-5C: Photographs of the Perimeter of the Project Site](#) shows photographs of the perimeter of the project site from surrounding streets.

### **Surrounding Land Uses**

Surrounding land uses include residential uses located to the southwest and west along Almeria Avenue and to the east and northeast along East Las Palmas Avenue; open space to the north and northeast; and commercial uses, a church and private school located to

the west of the project site. [Figure 2-6: Surrounding Land Uses](#) presents an aerial photograph that shows land uses that surround the project site.

## **2.4 Existing General Plan Land Use and Zoning Designations**

### **General Plan Designation**

The *City of Fremont General Plan* establishes the policy for change and growth within the City. The *City of Fremont General Plan* identifies the general locations, density and extent of land available for housing, business, industry, natural resource protection, recreation, and other uses.

The project site is located within the Mission San Jose Community Plan Area of the *City of Fremont General Plan*. The underlying land use designation for the project site prior to the City's most recent General Plan Update was Low-Density Residential. However, as described previously, the project site was re-designated as "Kimber Study Area" as part of the General Plan Update to allow time for the applicant to process a development application. [Figure 2-7: General Plan Land Use Designation](#) shows the land use designation of the project site and surrounding uses. The Kimber Study Area designation is effective until December 14, 2012. It allows the property owner to apply for approval of a project incorporating residential development with a density no greater than two dwelling units per acre. If an application is approved during this timeframe, the City would conform the General Plan to reflect the approved designation. If the application is not approved within the 12-month period, the project site will be designated Private Open Space without further action.<sup>1</sup>

According to the *City of Fremont General Plan*, the project site is located in the lands included in the "Below the Toe-of-the-Hill (TOH)" area established by voter-approved Measure A, the Hillside Protection Initiative of 1981.

### **Zoning Designation**

The City's Zoning Code is the principal means through which the land use policy recommendations of the General Plan are implemented.

The project site is zoned P-73-1 and is located within the area affected by Measure A. The project site was originally proposed as a private community park with limited public access as part of the Planned District that was approved in 1973 for the Kimber Park Planned Development. The Planned District is defined as follows: "To encourage and provide a means for effectuating desirable development, redevelopment, rehabilitation and

---

<sup>1</sup> On July 17, 2012, the City Council adopted an initiative ordinance entitled "The Protect Private Open Space Initiative of 2012," which places restrictions on development of property designated "Private Open Space." In the event the project site is designated "Private Open Space," it will be subject to the ordinance.

conservation in the city, which features variations in siting, mixed land uses, and/or varied dwelling types.”

## 2.5 Purpose and Objectives

Consistent with CEQA Guidelines Section 15124(b), a clear statement of objectives and the underlying purpose of the proposed project shall be discussed in the Environmental Impact Report. The project objectives include the following:

- Create a unique and model sustainable residential development that includes modern architectural style and green building features that conserve water, materials, and energy while establishing an aesthetic connection to the surrounding environment.
- Create a land use plan that supports retention and economic viability of recreational facilities.
- Incorporate new development in a manner that is sensitive to the existing neighborhood and natural features of the site, including retention of trees and open space.

## 2.6 Proposed Land Uses and Development Plan

The proposed Preliminary Planned District is comprised of 18 single-family homes, which would be oriented in the eastern portion of the project site around a common open space area. The proposed project also includes renovation of an existing private tennis and swim club, which would include retaining three of the existing 13 tennis courts; renovation of the existing clubhouse, swimming pool and spa, and the construction of 3,540-square-foot child care center and 2,100-square-foot café for a total square footage of 11,670 square feet. A pond would be constructed in the southwestern portion of the project site that would serve as a retention basin for stormwater runoff within the project site. The conceptual site plan for the proposed project is shown in [Figure 2-8: Site Plan](#).

### Residential Uses and Common Open Space

The residential component of the proposed project is approximately 10 acres in size and comprised of 18 single-family homes be oriented around a 7.85 acre open space area that would include landscaping, walking trails, picnic areas, and pockets of informal recreational fields.

The single-family homes would be sited to minimize disturbance to existing vegetation and trees on the project site and would include seven one-story single-family homes ranging in size from approximately 3,100 to 3,250 square feet and 11 two-story single-family homes ranging in size from approximately 3,340 to 3,770 square feet. The one-story single-family homes would be located in the northeastern portion of the project site and would include low-profile roofs to minimize their impact on the visual character of the project site vicinity. The two-story homes would be placed on the southern side of the site, where they would be screened by the existing berm and mature trees. The single family homes would be oriented around a 7.85- acre common open space area that would be located in the

central portion of the site and include landscaping, walking trails, picnic areas, and pockets of informal recreational fields.

### **Tennis and Swim Club**

The proposed project includes modifications to the tennis and swim club, which is located on approximately 2.6 acres of the western portion of the project site. The renovated tennis and swim club would include:

- Preservation of three of the existing 13 tennis courts with demolition of the remaining ten tennis courts;
- Renovation of the existing swimming pool, spa and clubhouse;
- Construction of a new 3,540-square-foot child care center with outdoor play spaces and 2,100-square-foot café;
- Construction of a retention basin with adjacent walking paths; and
- Installation of an open space area for informal sports and construction of picnic and BBQ areas.

The renovated tennis and swim club would add approximately 5,640 square feet of building space to the existing 6,030-square-foot facility for a total of 11,670 square feet.

## **2.7 Green Building Measures**

The proposed project would conform to the City's green building requirements and feature the following green building measures to reduce energy and water use:

- Buildings would be oriented and configured to optimize natural solar and wind benefits. The primary living spaces would be oriented south with an insulated concrete floor slab providing thermal mass. Operable external shades would provide solar control during hot summer months and would allow passive solar heating in the cool winter months;
- Roof and wall cavities would receive sprayed insulation that would be beyond the current code requirements and would include high performance glass with a modified specification at south-facing windows to enhance passive solar benefit;
- Energy-efficient lighting, such as LED lighting and low energy appliances would be installed;
- Rooftop solar collectors would supply domestic hot water and space heating. The intent is that the photovoltaic array would provide 100 percent of each home's requirements dependent on tree shading of a home, with expansion space provided for future electric vehicle charging capacity;
- Efficient plumbing fixtures would be installed, as well as native landscaping and irrigation with a gray water system to reduce possible water consumption by more than 50 percent below baseline; and

- Building materials would include durable low maintenance and fire resistant materials.

## **2.8 Site Access, Circulation and Parking**

### **Site Access and Circulation**

Access to the project site would be provided from East Las Palmas Avenue, Almeria Avenue, and Canyon Heights Drive. Three driveways would be located along East Las Palmas Avenue; four driveways would be located Almeria Avenue; and one driveway would be located along Canyon Heights Drive. The southwestern driveway on East Las Palmas Avenue would be realigned slightly from its existing alignment to the southwest and would be a one-way driveway that provides entry into the tennis and swim club with an outbound driveway located on Almeria Avenue just west of Benavente Avenue.

### **Parking**

Approximately 49 parking spaces would be provided for the tennis and swim club, including 34 spaces along the existing access driveway and 15 spaces within a new parking lot located in the northwesterly portion of the project site. The proposed residential uses would include four parking spaces per residential unit including two spaces within each garage and two driveway parking spaces.

## **2.9 Alternative Transportation**

### **Pedestrian and Bicycle Circulation**

The proposed project would include a network of pedestrian trails that would meander through the common open space area and connect with the surrounding roadway network and the proposed pond. The proposed project would replace the current pedestrian path with sidewalks along the frontage of the project site on East Las Palmas Avenue, Almeria Avenue, and Canyon Heights Drive.

### **Public Transportation**

Primary access to public transportation would be from Alameda Contra Costa County (AC) Transit and Valley Transportation Authority (VTA) bus lines that travel along Mission Boulevard, which provide connections to the Fremont BART Station and destinations in Santa Clara County and south Fremont. VTA and AC Transit bus stops are located on the northeast and northwest corner of the intersection of Mission Boulevard/Las Palmas Avenue with the VTA servicing bus lines #120, #140 and #180 from Fremont BART station with destinations to Milpitas, San Jose and Mountain View. AC Transit services bus lines #215 and #217 with routes that include destinations to the Bayside Industrial areas and Ohlone College.

## **2.10 Infrastructure Improvements**

The proposed project would be served by the City of Fremont, Union Sanitary District, Alameda County Water District, and Pacific Gas and Electric. The proposed project includes restoration of an existing on-site well in the western portion of the project site

that would be required to comply with Alameda County Water District Ordinance No. 2010-01.

The proposed project would connect to the existing storm drain, sewer and water lines located within the streets adjacent to the project site, including storm drain lines located within Canyon Heights Drive, Almeria Avenue, and East Las Palmas Avenue; sanitary sewer lines located within Almeria Avenue and East Las Palmas Avenue; and water lines are located along Almeria Avenue and East Las Palmas Avenue.

## **2.11 Stormwater**

Existing impervious surfaces at the project site are approximately 171,370 square feet (3.9 acres). The proposed project would result in a decrease of 45,170 square feet of impervious surfaces for a total of 126,200 square feet (2.8 acres) with the demolition of the existing impervious surfaces (e.g., tennis courts) and construction of the proposed project. Stormwater runoff from impervious surfaces would be directed to a drainage swale located within the common open space area, which would terminate in a new retention pond that would be located in the western portion of the project site. The proposed retention pond would include a large cistern for site water harvesting in order to reuse rainfall for irrigation purposes.

## **2.12 Construction Activities**

### **Grading and Excavation**

Approximately a third of the project site, or 184,000 square feet (4.2 acres), would be disturbed due to grading and excavation activities. The majority of the grading would be for the proposed single-family homes and renovation of the tennis and swim club, including construction of the child care facility with outdoor play spaces, café, and the retention pond. Additional grading may also be required for the construction of the common open space, trails and driveways and would include cut and fill in the eastern portion of the project site to create a more gradual slope in some areas.

### **Tree Removal**

As noted previously, it is an objective of the proposed project to minimize tree removal. Although development of the project site would require the removal of trees, at the time that this Draft EIR was written, the exact number is unknown. However, based on the Preliminary Planned District application that is the subject of this EIR, the project description assumes that one-third of the 612 trees on the project site may be affected or removed during project activities based on a review of the inventory of the existing trees and review of the conceptual site plan for location of improvements. For purposes of the EIR, it is assumed that the majority of the trees to be removed would be located in the eastern portion of the project site where the majority of the grading is likely to occur. Some additional trees would likely be removed elsewhere throughout the project site (i.e., stressed or damaged trees, or trees inhibiting construction access), but the applicant's intent is for the general character, density and species mix within the majority of the stands of trees throughout the remainder of the project site, outside of the grading limits for the proposed project would be preserved. The proposed project is committed to avoiding and

minimizing tree removal to the extent feasible and as such, the actual tree removal numbers may be even lower than what is assumed herein.

## **Demolition**

The proposed project would demolish ten of the existing 13 tennis courts at the former Mission Hills Tennis and Swim Club. All of the remaining structures associated with the tennis and swim club would be renovated.

### **2.13 Intended Use of EIR**

The analysis in this EIR has been prepared for the proposed Preliminary Planned District. Future discretionary actions, including Precise Planned District and Tentative Tract Map approvals, will be examined in light of this EIR to determine if any additional environmental documentation is required, pursuant to CEQA Guidelines Section 15168(c).

This EIR is intended to cover the approvals that have been requested. The City is the Lead Agency and has discretionary authority over review of the project applications and consideration of project approvals. As described below, this includes:

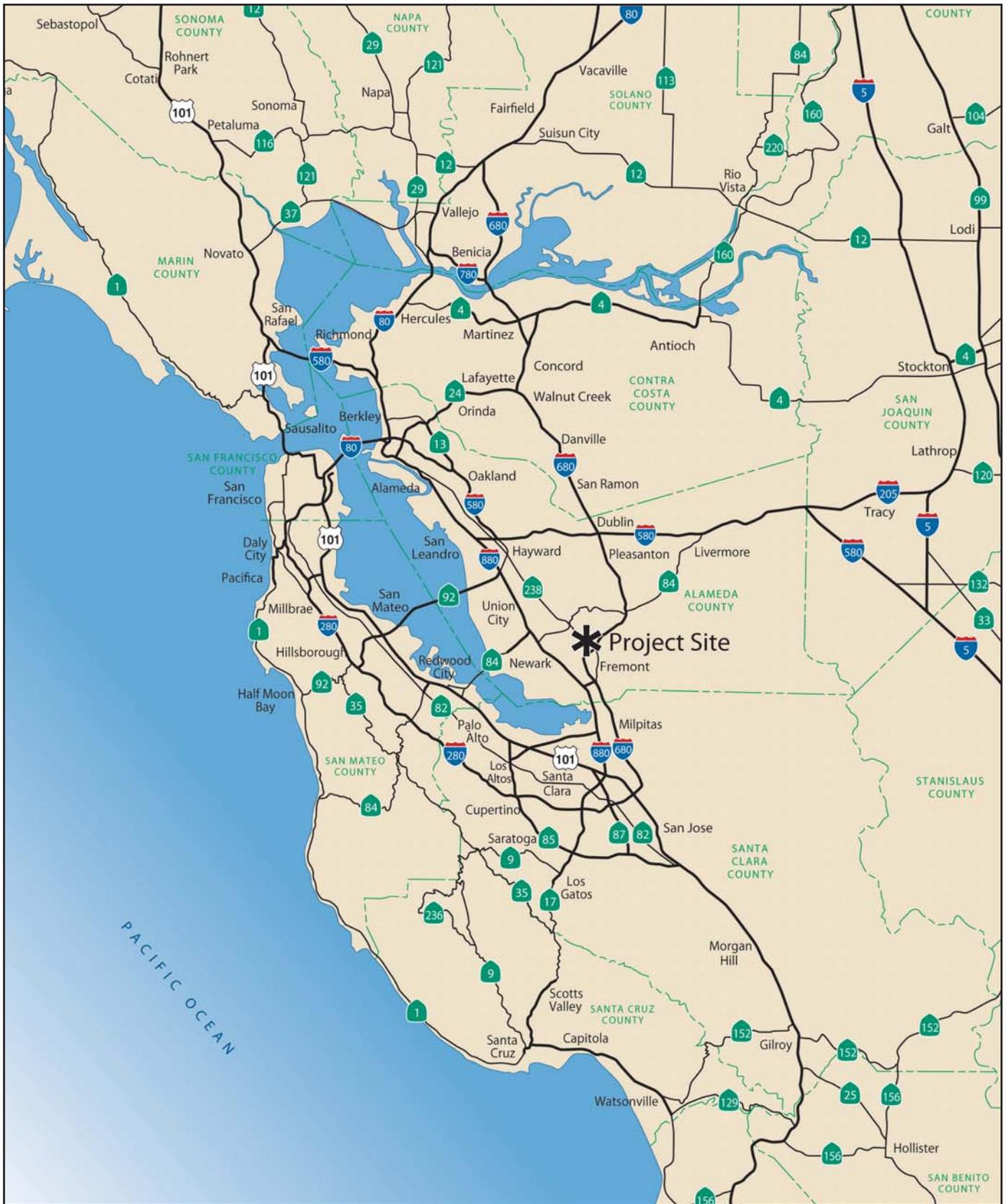
- Preliminary Planned District to allow development of 18 single-family homes, a common open space area, renovation of an existing swim and tennis club and parking area, and construction of a 3,540-square-foot childcare facility and 2,100-square-foot café.

Future approvals include, but are not limited to:

- Precise Planned District
- Vesting Tentative Tract Map – The proposed project would require approval of a Tentative Subdivision Map, Easement Vacation and recording of a Final Subdivision Map, in accordance with Title VIII, Chapter 1, Article 3 of the City of Fremont Municipal Code;
- Building Permit with Site Plan and Architectural Approval – Pursuant to Section 8-22702 of the City of Fremont Zoning Code, site plan and architectural approval would be required prior to issuance of building permits; and
- Preliminary Grading Plan – The proposed project would require approval of a Preliminary Grading Plan in accordance with Title VIII, Chapter 4, Section 8-4108 of the City of Fremont Municipal Code.

This EIR is also available for use by Responsible and Trustee Agencies or other agencies that may have jurisdiction or approval authority for the project. These agencies may include:

- California Department of Fish and Game
- San Francisco Bay Area Regional Water Quality Control Board
- Alameda County Water District
- Union Sanitary District
- Other



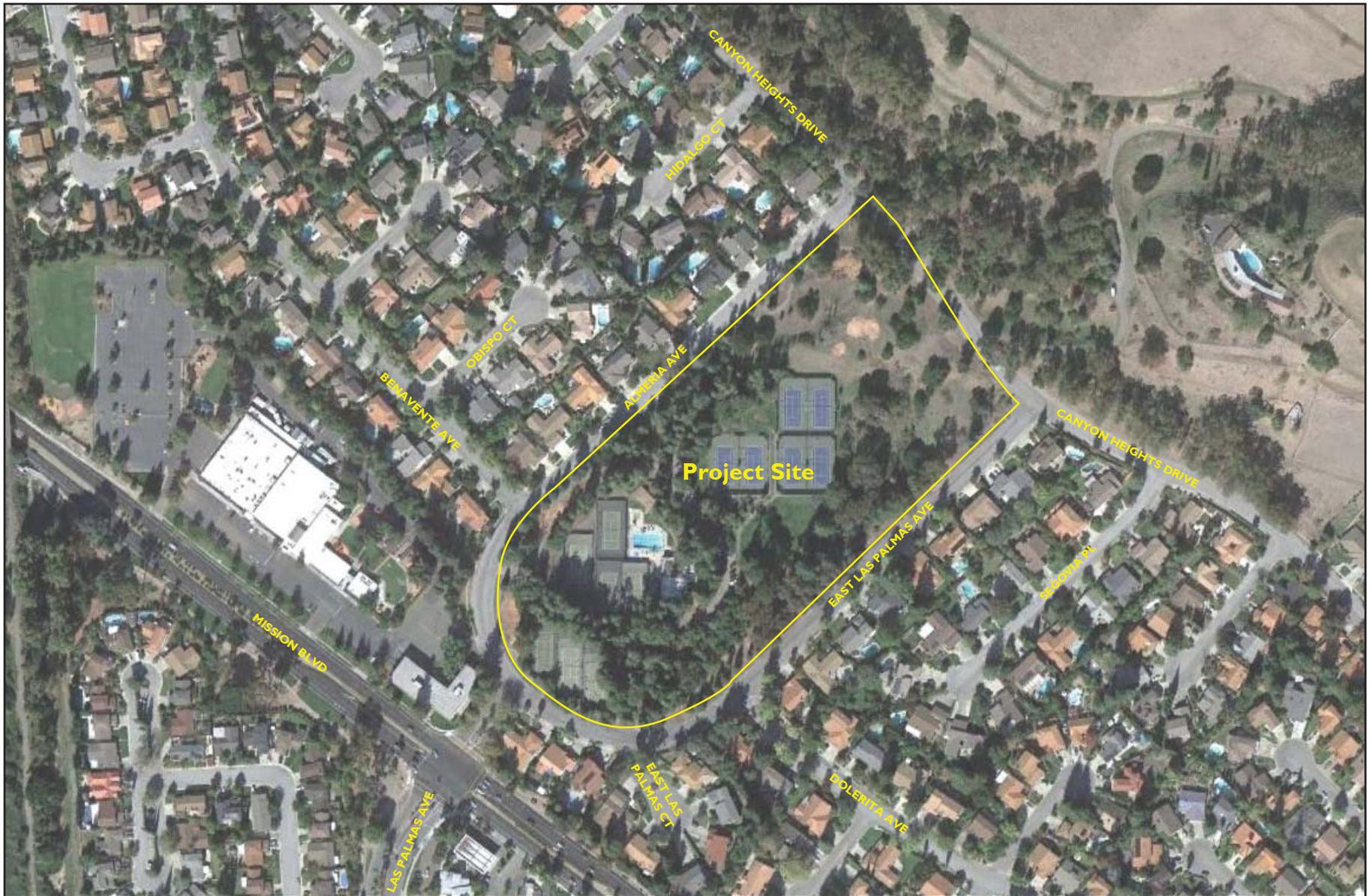
Source: RBF Consulting (2012)



**REGIONAL LOCATION**  
KIMBER PARK COMMONS DRAFT EIR

**FIGURE 2-1**

*This page intentionally left blank.*



Source: Google Earth, RBF Consulting (2012)



08/2012 JN 70-100439

## PROJECT VICINITY

KIMBER PARK COMMONS DRAFT EIR

FIGURE 2-2