

CONSENT CALENDAR

PUD-93, Bruce Myers, Danville School Street Investment

Application for Planned Unit Development (PUD) Development Plan approval to construct a four-lot detached single-family home development on an approximately 2.23-acre site located at 362 Sycamore Road and a vacant lot (APN 948-17-7-4), within the North Sycamore Specific Plan area. Zoning for the properties is PUD-LDR/O (Planned Unit Development – Low Density Residential/Office) District.

Commissioner Pearce moved to find that the proposed PUD Development Plan, Case PUD-93, is consistent with the General Plan, the North Sycamore Specific Plan, and the purposes of the PUD Ordinance; to make the appropriate PUD Development Plan findings for Case PUD-93 as stated in the staff report; and to recommend approval of Case PUD-93, subject to the Conditions of Approval as listed in Exhibit A of the staff reports.

Commissioner Narum seconded the motion.

Commissioner O'Connor noted that in one of the letters received by the Commission for Item 5.b., PUD-93, Bruce Myers, Danville School of Street Investment, reference was made to the North Sycamore Specific Plan (NSSP) as allowing only single-story homes. He stated that he checked the NSSP and did not find anything relating to one-story or two-story homes and asked staff to confirm the reference.

Ms. Stern stated that a map on page 22 of the NSSP shows a setback area along Sycamore Road and on Sycamore Creek Road which was established on the basis of a traffic assumption of 10,000 average daily trips (ADT) at the time the NSSP was adopted because it was estimated then that there would be a lot more potential development, about 400 homes, around the golf course area. She explained that this setback was established to address any noise impacts anticipated from the 10,000 ADT. She noted that a revised traffic study was prepared subsequent to that, in the late 1990's, showing that the ADT would not exceed 5,000, and the setback was substantially reduced and was reflected in the Greenbriar Homes development in the North Sycamore area. She indicated that all these homes have setbacks of around 45-50 feet, the new established setback for that area.

Ms. Stern stated that to ensure that the proposed project is within the current ADT range for the area, she conferred with Mike Tassano, City Traffic Engineer, who indicated that the current ADT is approximately 2,600, and with the anticipated remaining development of possibly another 50 units in the Lund Ranch II area, the ADT would increase to 3,000-3,500 ADT. She stated that with those numbers, staff had determined that proceeding with the same established setbacks as the Greenbriar Homes would be appropriate.

Commissioner O'Connor inquired if the setbacks for the proposed project are the same as those of the Greenbriar Homes.

Ms. Stern replied that the setbacks for the proposed homes are greater than those at the Greenbriar Homes.

Commissioner O'Connor inquired if the Specific Plan addressed one-story versus two-story homes.

Ms. Stern said no. She explained that the Specific Plan established a setback of 45 feet for one-story homes and 55-feet for two-story elements of the home. She noted that Lot 1 of the proposed development has a 45-foot setback to the one-story garage and another 10 feet before the two-story element starts. She added that she was not sure what that had to do with noise and that two-story elements were set back a bit further possibly for aesthetic reasons.

Acting Chair Blank inquired if there are view easements in that area.

Ms. Stern replied that there are none.

ROLL CALL VOTE

AYES: Commissioners Blank, Narum, O'Connor, Olson and Pearce
NOES: None
ABSTAIN: None
RECUSED: None
ABSENT: None

Resolution No. PC-2012-52 recommending approval for Case PUD-93 was approved and entered as motioned.

[Note: Due to the late arrival of neighbors who wanted to speak, the Commission reconsidered Item 6.b. later in the meeting as a Public Hearing item and was continued to the December 12, 2012 meeting. Its recommendation for approval was, therefore, withdrawn, and the Resolution No. for Case P12-1693 was changed to PC-2012-52.]

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Acting Chair Blank advised that a somewhat unusual situation has come up, noting that Ms. Greene, an adjacent neighbor of the project site for Consent Calendar Item 5.b., 362 Sycamore Road, had just arrived and wanted to speak on that item. He indicated that the protocol for reconsideration is for a Commissioner to entertain a motion to reconsider the Commission's approval.

Commissioner Narum moved to reconsider the Commission's approval of PUD-93, Item 5.b. on the Consent Calendar.
Commissioner Pearce seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Blank, Narum, O'Connor, Olson, and Pearce
NOES: None
ABSTAIN: None
RECUSED: None
ABSENT: None

PUBLIC HEARING

PUD-93, Bruce Myers, Danville School Street Investment

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Janice Stern presented the staff report and briefly described the scope, layout, and key elements of the application.

THE PUBLIC HEARING WAS OPENED.

Bruce Myers, Applicant, stated for the record that he is with Pacific Union Holdings (PUH) and works for a local developer based at 675 Hartz Avenue in Danville. He indicated that for this particular project, they are joint venturing with Branagh Development, a custom-home developer/builder also based in Danville with projects in the Danville, Alamo, and Lamorinda areas. He noted that Branagh also developed and owns properties in Pleasanton, including the buildings in Downtown Main Street where Stacey's Café and the Tully's Coffee are located. He stated that this showcases the quality of projects Branagh delivers and that PUH prides itself on delivering good projects as well. He added that PUH left the home-building business as a result of the recession; they are now active again and partnering with Branagh in this development.

Mr. Myers stated that he believes they have come up with a beautiful plan for this site based on the Specific Plan for this area and their interaction with staff. He indicated that they are very proud to have gone out of their way to save some beautiful oak trees on the site. He added that this is a great project and will be a nice addition to the neighborhood and the entire community.

Mr. Myers stated that he is a big believer in the public process and was glad that he stayed around so he could have the opportunity to be heard and the neighbors could speak on this as well. He indicated that he met personally with all the neighbors surrounding the property and, in fact, has been to the Greenes' home, the Dingmans' home across the street, and the Dingmans' neighbors as well. He stated that he talked to them about the process and really tried to make an effort to try and engage them in

the dialogue all along the process so they knew what was proposed to be done and felt like they had some say in the development before the developer filed an application to the City. He added that he is, therefore, interested in hearing what the Greenes' comments are and would be happy to their comments.

Anne Greene, adjacent neighbor, read from a prepared document as follows:

“Good Evening, Members of the Planning Commission.

“My name is Anne Greene, I live at I have lived at this home for 56 years. My family has attended meetings regarding the North Sycamore Specific Plan (NSSP) since it was on the drawing board. We have fought to retain the beauty and rural character of our area which, when finally drafted, the Plan was supposed to maintain.

“We are opposed to the planned development at 362 Sycamore Road for the following reasons:

- “1. The height of the houses nearing 30 feet, set back from the property line only 15 feet, will make our house feel buried. We will not longer be able to see the Pleasanton Ridge from our windows. Our privacy will be affected by the second-story windows on the East side of the development. While the Greenbriar Development, residents of Mission Park were allowed input to ensure only single-story homes on certain lots where views and privacy were an issue. On lots 6035 and 6068 on Sycamore Terrace, the neighbor adjacent to 6035 in Mission Park and the neighbor adjacent of 6068 made the developer do major grading to minimize damage to privacy and views. The existing homes on the west end of Sycamore Road are single story. Building two-story homes on top of each other is not consistent with the NSSP to maintain the character of the existing neighborhood.*
 - **Rural views should be preserved and a spacious transition maintained between existing residences along the northern edge of the Specific Plan area and new development in the Specific Plan area, through the use of large lots, backyard setbacks and single-story construction.***
- “2. Rear yard setback is set at 25 feet in the NSSP. On lots 2 and 3, the fence along our property, in my opinion, is the rear yard, and these are not set back 25 feet. This again is a privacy issue, also an issue for noise and light.*
- “3. With regard to construction hours, our family has lived through the building of the so-called Independence Drive, the major Sunol Boulevard widening, the building out of Greenbriar Development, and the grading and subsequent building of sic more homes along our property line on the east side of our home. The 446 Sycamore property has been built and torn down, rebuilt and torn down, driveways poured and destructed. There has*

been no thought to parking with these new projects. Our driveway has been used for years by the property owners at 446 Sycamore Road even with posted 'No Trespassing' signs. I would like parking issues addressed for this new development. I would like hours of construction limited to 9:00 a.m. to 4:30 p.m. It has been like living in a war zone since the approval of the NSSP. The noise level these past years has become unbearable for our entire neighborhood. The house at 446 Sycamore Road was even used by Police for practicing SWAT actions during demolition. These kinds of incidents lead me to believe the City of Pleasanton does not care about longtime folks that grew up in Pleasanton and care for and love their homes.

"4. Notice of this meeting was mailed very late and within the Thanksgiving Day Holidays. This is a very important issue for my family. This time of year, it was very difficult to get time off work to attend this meeting and especially with such short notice.

"The NSSP is to

"5. **Preserve and enhance the unique character of existing development within the Specific Plan area.**

"6. **Provide for an appropriate transition between existing and proposed newer residential areas and the existing rural residential character along Sycamore Road.**

"7. **Ensure compatibility between land uses within and adjacent to the planning area. Establish a development program which maintains the value of the property within the planning area, and protects the rights of adjacent owners as well.**

"C. VISUAL AND NATURAL RESOURCE GOALS

"1. **Design new development to protect important natural resources and views, give a clear structure to development within the planning area, and avoid natural hazards.**

"2. **Account for significant views from within the planning area to surrounding hillsides when designing new development.**

"3. **Preserve existing heritage trees whenever possible.**

“7. Height/Privacy

“Project applicants may be required to provide view studies at the planned development review stage to demonstrate view impacts. Various techniques including lot layout, judicious grading, setbacks, and window placement should be employed in the site planning to minimize view disruption and maximize privacy.”

Ms. Green indicated that she read directly from the Specific Plan and would really like the Commission to consider any options that could minimize those effects on their property and their home.

Mr. Myers presented an exhibit to show the thought that went into the design of the homes and the setbacks both from Sycamore Road and from the Greene property when they were laying out the property. He noted that on Lot 1, the issue regarding the setback from the road, not only is the single-story element of the garage at just the front corners at 45 feet, but the bulk of the house is at the two-story portion which is set back at least either 70 feet or more. He further noted that the far right corner of the front porch is set back 81 feet, so the two-story element is actually set back about 89 feet. He indicated that he believes this is a significant setback from Sycamore Road.

Mr. Myers continued that along the Greene property line, the first house on Lot 1 is in front of that part of the Greene property that looks like a horse corral area, for lack of a better word, so there is not much impact on existing structures. He added that more attention was paid to Lots 2 and 3 with respect to potential impacts. He noted that on Lot 2, they tried to keep the house close to the driveway, but the driveway unfortunately got pushed away from the property line in order to avoid any impact on the trees along there. He added that there is a 30-foot setback to the structure, and on the second-story portion of the structure, a porch encroaches into that 30 feet. He indicated that Lot 3 has the same situation with a 15-foot setback to the garage component and 29 feet to the second-story element, stair-stepping away from the Greens' property line.

Mr. Myers stated that they could have pushed the envelope and built much bigger houses with smaller setbacks, but they tried to strike a balance between what was permissible in the Specific Plan and what would work for the neighbors, and what would preserve the trees on the site in order to come up with a good balanced project for the City.

Commissioner Olson inquired if it is possible to increase the footprint and build single-story homes on Lots 2 and 3.

Mr. Myers replied that it would be possible to do so, but enlarging the footprint would actually bring the houses closer to the neighbors. He noted that on Lot 3, they had some difficulty with the large oak tree and potential encroachments into the drip line of that tree. He indicated that they are trying to preserve that and minimize impacts to the

tree as best they can. He added that building a single-story home would mean making it as big as possible in order to be a pay-off on the value of the land.

Commissioner Olson inquired if one option would be to take out that tree.

Commissioner Narum inquired if that tree was the one pictured in the arborist's report and called an unbelievable specimen.

Mr. Myers stated that he would not even think of removing the tree. He pointed out that they are preserving the creek area in the rear and are trying to work within the constraints of the site to come up with a project that makes good sense.

Commissioner Olson inquired if the all the trees on the Green property by the property line are in the way of the Greenes' view.

Mr. Myers replied that he has not been to the Greenes' property to be able to say what their views are or are not and that he would not want to speculate. He indicated, however, that there are some nice trees there that provide some natural screening of the proposed development.

Commissioner Olson noted from the plans that the second-floors of all the houses are bedrooms and bathrooms. He inquired if there were living areas upstairs.

Mr. Myers said no.

Acting Chair Blank asked Mr. Myers if he had thought about putting up some story poles and taking some pictures just so he would have a sense of what would be blocked and what would not be blocked. He indicated that this is not the Commission's ideal solution but that it is not all that expensive to do. He stated that that applicant can install them, and the Commission can come out and look at the place. He added that it is a way to quantify, and sometimes, once the neighbors see the story poles, they realize that it is not as bad as they originally thought it would be.

Mr. Myers stated that he was open to that concept if the Commission thinks it is necessary. He reiterated, however, that the project has some substantial setbacks.

Commissioner O'Connor asked Mr. Myers if these issues came up in his earlier conversations with the neighbors or if tonight is the first time he is hearing about them.

Mr. Myers replied that they had conversations about them. He indicated that they had actually staked a corner of the building when they were looking at the orientation of the home and was sharing those plans with the neighbors as we went so he could educate them a little about what was being doing. He stated that he showed them the elevations and the setbacks, and they talked about the building a seven-foot tall fence leaving the existing chain-link fence.

Commissioner O'Connor inquired if they had come to some agreement.

Mr. Myers replied that part of the feedback was that they were concerned about the yards being close to their home, but expanding the footprint would bring the living area and the outdoor living area closer to their homes as well. He reiterated that this was a balancing act to arrive at that right mixture and thoughtfully incorporate everything into the design.

Commissioner O'Connor noted that there were no view easements here but the Specific Plan does reference trying to preserve views and includes a big section on the transition area. He further noted that the homes coming in from Sunol Boulevard are all older single-story homes, and further down onto Sycamore Road and Sycamore Creek Road are the newer two-story developments. He indicated that he is now torn about being consistent in the transition area, there being mostly single-story homes there on both sides of the street. He noted that he can understand the argument in relation to the Specific Plan, but it does not mean that there can be some variances from the Plan if the Commission so desires. He added that he did not know if the Greenes really have a view that the project is obstructing or if it is really less significant because they do not really have a view. He indicated that he liked the idea of installing story poles because they can answer a lot of questions when there are controversial things like this.

Commissioner Olson agreed.

Acting Chair Blank asked Mr. Myer if he is under a specific time constraint to get this done quickly.

Mr. Myers said yes and no. He explained that their agreement with the bank is not specifically connected to this project, but they have a timeline for recording the lot-line adjustment which allows them basically to sell off the front part of the lot. He added that, in fact, they were trying to get some sense of the City approval level for the project before they closed escrow on the back half of the property. He indicated that they already own the three lots on the one side. He added that he filed his application for only four houses in August; it took several months before he came to the Commission; and he still has a long way to go.

Acting Chair Blank stated that the reason he asked the question is because one of the Commission's options is to continue the matter and ask the applicant to install some story poles; the Commissioners can then go out and look at the property and bring the item back for discussion and a decision. He noted that it would be good to send this forward to the Council with the full support of the Commission rather than have it go to the Council with unresolved issues and have the Council send it back to the Commission for further consideration.

Commissioner Olson noticed that Thrivent is a common owner here and inquired if the lot lines on the parcel to be sold are cast in concrete or moveable.

Mr. Myers replied that after the lot-line adjustment is recorded, the property lines will be set and will not be moveable. He noted that they are at the very end of the process and it should be recorded any day soon.

Commissioner Olson inquired if the house on Lot 3 can be rotated to the left toward the creek to move the front door away from the Greenes' property, then move Lot 4 somewhat toward Sycamore Road.

Mr. Myers stated that he does not think Thrivent would support that. He noted that Thrivent is in a contract to sell that home to another party right now, and it is contingent on the approval of the lot-line adjustment.

Acting Chair Blank stated that one possibility with Lot 3 would be to rotate the home clockwise.

Mr. Myers stated that that was the initial layout but it would have a worse impact on the Greenes' rearyard and the oak tree. He noted that the proposed layout is the superior layout.

Commissioner Narum asked Mr. Myers how he feels about changing the construction hours from 8:00 a.m.-5:00 p.m. to 9:00 a.m.-4:30 p.m.

Mr. Myers stated that he does not have any problem with reducing the construction hours if that is going to help. He reiterated that he is a believer in being a good neighbor and that he really has done everything he could to try to reach out to the neighbors and make them feel like they are a part of this process. He noted that what he has here is a little bit of suffering from the previous developments that have occurred in this area, especially with the property on the other side. He indicated that this was unfortunate but that he is more than willing to try and be thoughtful with this in a reasonable way.

Commissioner Narum asked Mr. Myers if he could quickly walk the Commission through the available off-street parking for each of the houses.

Mr. Myers stated that this is something they thought about when we were laying out the site. He noted that because there is no parking allowed along Sycamore Road right now, they created three-car garages and large driveways for a minimum of three-car parking on the driveway aprons, which provides plenty of parking on Lots 3 and 4. He indicated that for Lot 2, because they were trying to keep the house as far away from the Greene property as possible, there is a minimum of the three-car driveway apron spacing, but they included a couple of parking spaces along Lot 1 as well as a space on Lot 4 for extra guest parking.

Commissioner Narum stated that she recalled there were parking issues on the other side of the Greene property and asked staff how the parking for the proposed project compares with that.

Ms. Stern replied that the parking situations are comparable. She noted that the houses on Sycamore Terrace generally just have their driveways because there is no parking on Sycamore Terrace and added that some of the houses have longer driveways.

Commissioner Narum noted that the proposed project seems to have more parking.

Mr. Stern replied that was correct, due to the fact that several of the proposed homes have longer driveways.

Commissioner O'Connor inquired if Saturday construction was allowed for those homes.

Commissioner Narum said no; it was Monday through Friday with the possibility of applying for exemptions.

O'Connor asked Mr. Myers how long it would take him to construct the story poles, assuming he was amenable to doing it.

Mr. Myers replied that he does not know because he has not done it in a long time.

Commissioner O'Connor asked staff if there is a way, if Mr. Myers built them quickly enough and the Commission could see them, to get this item back on calendar in December.

Ms. Stern replied that it could be done. She added that Mr. Myers would not lose any time on Council because the Council's first meeting in January has been canceled, and staff could take this to the next Council meeting in mid- January.

Commissioner Pearce inquired if the Nssp encourages single -story homes.

Ms. Stern replied that she did not see anything specifically about a requirement for a single-story house. She noted that there is a requirement about height and privacy, employing various techniques in site planning, including lot layout, grading, setbacks and window placements, to minimize view disruptions and maximize privacy. She indicated that staff would look into this more thoroughly and address it at the continued meeting.

Commissioner Narum inquired how many story poles the Commission is expecting Mr. Myers to put up.

Acting Chair Blank said two or three would be sufficient, ideally for Lots 1, 2, and 3.

Commissioners Narum and Olson stated that they were not that concerned about Lot 1.

Commissioner O'Connor noted that he would not want that to be an issue later on.

Ms. Stern inquired if the Commission wanted one pole per property and how much of the Ridge they wanted to show.

Acting Chair Blank stated he would do two poles per property so they can see the corners nearest to the Greene property at the height.

Commissioner Pearce stated that she wanted the Commission to see the massing as best they can. She added that once the story poles are up, it would be great if the Commission could come to the Greene property and look at them from that vantage point. She noted that only two Commissioners can come at a time.

The Greenes said yes.

Commissioner Pearce moved to continue PUD-93 to the December 12, 2012 Planning Commission meeting.

Commissioner Olson seconded the motion.

Acting Chair Blank proposed an amendment that this item be considered first on the Agenda.

Commissioners Pearce and Olson accepted the amendment.

ROLL CALL VOTE:

AYES: Commissioners Blank, Narum, O'Connor, Olson, and Pearce

NOES: None

ABSTAIN: None

RECUSED: None

ABSENT: None

The item was continued to the December 12, 2012 meeting as the first item under Section 6., Public Hearing and Other Matters.

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Jenny Soo reported on the items the Commission requested staff to follow up at the last meeting, as presented in the staff memo.

Acting Chair Blank thanked the developer for putting up the story poles and the Greenes for accommodating the Commissioners. He disclosed that he visited the property on Saturday afternoon and was at the Greenes' property for about 45 minutes to an hour, walking back and forth and doing the site lines.

THE PUBLIC HEARING WAS OPENED.

Bruce Myers, Applicant, thanked the Commissioners for visiting the project site. He agreed that the story poles were a good idea after all and stated that despite his protest at the last meeting, he thinks they were very informative.

Mr. Myers stated that the two things that jumped out at him when he went to the site were the spacing between the homes, noting that there was quite a liberal space there for view corridors; and the size of some of the vegetation on the adjacent neighbor's property, including the giant Italian Cypress trees, the one enormous oak tree he mentioned at the last meeting, and a large tree next to Lot 3. He noted that in terms of privacy from the developer's standpoint, he was actually very pleased with what he had to work with out there.

Mr. Myers stated that he found the staff report to be very thorough, and his only comment is on the windows on Lot 2. He indicated that from a marketing standpoint, he prefers to keep the windows as they are and not to install frosted glass or anything like that. He added that he would rather put landscaping in the rear yards because that will actually work as a privacy screen in both directions for both the Greenes and the owners of the new home.

Mr. Myers stated that he is open to the idea of moving homes around as staff has mentioned. He expressed concern that if the house on Lot 3 is moved too far away, it would bump up against the driveway, and he noted that the driveway cannot be modified because that is a Fire Department requirement. He indicated that he would try to find the right balance and see if moving it a couple of feet will work.

With respect to the construction hours, Mr. Myers stated that he was fine with what was discussed at the last meeting. He indicated, however, that the Greenes need to understand that limiting the hours to 9:30 a.m.-4:30 p.m. may extend the construction

on the project. He recalled that the Greenes were concerned about how long it would take to build the homes, and he wanted them to weigh those two issues.

Commissioner Narum inquired how shortening the construction hours by 90 minutes a day would impact the time of construction of the house.

Mr. Myers replied that he had not really factored that in. He added, however, that it would definitely add to the timeframe because they will have contractors in there longer than they ordinarily would, but he cannot say specifically how many days that might add to the construction cycle without sitting down and doing some calculating.

Acting Chair Blank asked Mr. Myers how long he anticipates the construction to take without that shortening of the hours.

Mr. Myers replied that it would depend on the market: if the demand for the homes is strong, all four homes could be built in the first six to eight months; but if the demand is slower and they would have to build the houses one at a time, then it could be as long as a year-and-a-half.

Anne Green, adjacent neighbor, thanked the Commissioners and staff for coming out to their home to look at the story poles and for their input into this meeting tonight. She expressed her appreciation for the efforts being made to mitigate their issues with privacy concerns in terms of the closeness of the development and the fact that the house on Lot 3 could be moved five feet over, the house on Lot 2 about 10 feet closer to Sycamore Road, and the house on Lot 1 closer to make room for the Lot 2 house. She indicated that she believes they could make do with the changes and that they would still be able to see the Pleasanton Ridge.

Commissioner Narum asked Ms. Greene her opinion about reducing the size of the window or changing its location or having frosted glass as opposed to installing landscaping there.

Ms. Greene replied that she thinks landscaping makes sense for the new homeowners and that they would probably prefer that.

Commissioner Narum asked Ms. Greene if her preference would be to have landscaping put in as part of the construction.

Ms. Greene said yes.

Commissioner Narum asked Ms. Greene if she understands that lessening the hours of construction would make a significant impact in the time construction would take in terms of lengthening it.

Ms. Greene replied that it depends on whether one house would be built at a time or all four houses could be done at one time. She indicated that she could see regular

construction hours if all of them are done at once; but if it will start going a couple of years down the road, then they do not want to have construction noise next to their bedroom wall, living room wall, and everywhere else all summer, particularly since they have already been through quite a lot out there with the Greenbriar development and the Sycamore Road construction. She added that they have been putting up with this for a long time, and they really would like to enjoy their own backyard in the summertime again.

Commissioner Narum requested verification from Ms. Greene that if all the houses will be built at the same time, they would prefer to keep the 8:00 a.m. to 5:00 p.m. construction hours.

Ms. Greene replied that based on their experience with construction on the other side of their home, when developers are building that many properties, she understands that the developer would need the length of day to get people in and out of the site; however, if it is one house at a time and this will go on and on, she would prefer the 9:00 a.m. to 4:30 p.m. construction hours.

Mr. Myers stated that after doing some quick calculation, they have determined that the revised construction hours would take out approximately 18 percent from their regular construction time; so 18 percent will need to be added on, which would be approximately an additional month to a month-and-a-half per home.

THE PUBLIC HEARING WAS CLOSED.

Acting Chair Blank stated that he would like to make an opening comment that if there is a litmus test, this one was it. He stated that when he first saw these plans, he was convinced that Lots 2 and 3 were really the big problem, but there is a poster child for presenting properties. He noted that when he walked the lot and spent a lot of time doing so, he did not see a problem with Lot 2 and Lot 3 even as they currently stand; but Lot 1 was the big problem because looking out from the Greens' front yard where their pool area is, there is a very narrow view corridor. He indicated that there are these beautiful tall Cypress trees, and the apex of the building for Lot 1 would be about five feet to the right of the tallest Cypress tree, thus disrupting that view. He stated that if Lot 1 could be moved five or seven feet towards Sycamore Road, getting that apex right behind the Cypress tree, that Cypress tree would be covering up the most disruptive part of the view and the Greens would get a much better view corridor. He added that he thinks the vegetation is a great idea, plus the solid fence that would also be there. He thanked the developer once again for putting up the story poles, stating that he is aware they were expensive but was money well spent. He also thanked the Greens for their hospitality and for keeping the horses under control while they were out there.

Commissioner Narum followed up Acting Chair Blank's idea about moving Lot 1 forward and noted that looking at the streetscape towards Sycamore Road, it appears that the setbacks in that section would be consistent with the other houses up to Sycamore Terrace. She continued that it is a good situation which will open up that view.

Acting Chair Blank agreed. He added that the problem with Lot 2 is that shifting it towards Sycamore Road would narrow the view corridor.

Commissioner Narum stated that she was not exactly sure what the right number was for shifting Lot 2. She suggested that staff go out and work with the applicant regarding what makes the best sense for Lot 2 to maximize the view corridor. She added that she liked the idea of shifting Lot 3 to the west.

Acting Chair Blank stated that when he walked the Greenes' property, he could not see the story poles on Lot 3 at all because of the vegetation.

Commissioner Narum stated that she saw them when she was standing on the porch.

Acting Chair Blank noted that there is no view to the Ridge in that direction, and his concern was to try and free up the view to the Ridge.

Commissioner Narum agreed that is the priority.

Commissioner Pearce stated that she hears what the other Commissioners are saying; however, it feels like staff has made an attempt to mitigate the concerns of the Greenes, and the Greens have indicated that what staff has done has mitigated their concerns. She stated that she is inclined to go with staff's recommendation and leave it alone because it appears that both parties arrived at a place where they are happy with the bit of compromise on each side.

Commissioner Narum stated that was basically what she was saying, noting that five feet is just an arbitrary number, and when staff gets out there and actually site it, it may be four feet to maximize the view corridor towards the Ridge.

Acting Chair Blank agreed that is a great idea.

Commissioner Narum added that with respect to the construction hours, she is inclined to add a condition that if all four houses are constructed at the same time, then the hours would be 8:00 a.m. to 5:00 p. m, but if they are done one or two at a time, the hours would be 9:00 a.m. to 4:30 p.m.

Acting Chair Blank stated that when the developer said they were going to base it on demand, his wish would be that they sell all four in the first 30 days; however, he suspects that given what he guesses would be the price point of these homes, they will be going to be out there one at a time, and therefore, he can certainly understand the Greenes wanting the 9:00 a.m. to 4:30 p.m. hours.

Commissioner Olson stated that what struck him when he was out there is that based on the plan as it exists now, there is a fairly decent view corridor between Lots 2 and 3. He indicated that one of the things the Greenes can do to improve that is to trim the

overhang of that large oak tree. He noted that when he stood at their window that looks out through that corridor, there will be periods during the year when that view will be somewhat blocked, and a seven-foot tall wood fence would block the view even more. He added that he is inclined to leave the lots the way they actually sit right now.

Commissioner O'Connor stated that he was not opposed to moving Lot 1 closer to Sycamore Road if the developer concurs, because it would open up the view corridor a little bit while giving a larger backyard to Lot 1. He also agreed with Commissioner Olson that there is a lot of vegetation on the Greenes' property that blocks a lot of that view. He added that this development will also be taking out some of the trees that are in poor shape that are currently blocking a lot of that view.

Commissioner O'Connor stated that one of his concerns is the balance between privacy and view, and he thought the seven-foot tall fence would hurt the view that the Greenes want to preserve. He indicated that he would consider a six-foot tall fence and use some vegetation to break it up and provide some privacy.

Commissioner O'Connor stated that this is in his backyard and he knows the street well. He indicated that they have had a lot of problems with the four properties that are currently under construction within a stone's throw of the project site in connection with street parking. He stated that there is no parking allowed on the Sycamore Road, and that section of the street is the narrower part of Old Sycamore Road. He noted that trucks and rigs for that construction project park on that street, and people going through have to pass around there. He further noted that the big vehicles do have come with flaggers, and nobody is directing traffic other than an occasional truck driver who motions somebody on the minute someone else comes around the truck. He suggested that if there is any reason for those construction trucks to be on the road, a condition needs to be added that they should have flag people out there to direct traffic since these trucks, especially cement trucks and 18-wheelers, are too big to see around it, particularly on the curve of the road.

Commissioner Pearce moved to find that the proposed PUD Development Plan is consistent with the General Plan, the North Sycamore Specific Plan, and the purposes of the PUD Ordinance; to make the appropriate PUD Development Plan findings as stated in the November 28, 2012 staff report; and to recommend approval of Case PUD-93, subject to the Conditions of Approval listed in Exhibit A of the November 28, 2012 staff report, with the following modifications:

- 1. Allow staff the flexibility to move the houses on Lots 1 and 2 southward to maximize the view corridor between Lots 1 and 2 from the Greenes' property;**
- 2. Modify Condition No. 69 to limit construction hours to 8:00 a.m.–5:00 p.m., Monday through Friday, if the houses are to be constructed at the same time; and to 9:00 a.m.-4:30 p.m., Monday through Friday, if the homes are to be constructed one at a time;**
- 3. Shift the house on Lot 3 westerly or northwesterly to increase the building setback from the common property line with the Greenes;**

4. **Require a flagman to direct traffic if a construction vehicle needs to park or stop on Sycamore Road;**
5. **Install additional landscaping on Lot 2 near the common property line with the Greenes to minimize privacy impacts; and**
6. **Allow flexibility in the height of the fence (either six feet or seven feet) between the Greenes and the project site.**

Mr. Dolan inquired if the flexibility afforded to staff in determining the location starts from the basis of the proposal or from the basis of staff's recommendation.

Commissioner Pearce replied that it starts from the basis of staff's recommendation.

Commissioner O'Connor stated that his only concern with moving the lots is that if Lots 1 or 2 come closer to the driveway, the parking apron may be shortened, and with that, the additional parking for these homes, especially since there is no parking allowed on the street.

Commissioner Narum stated that the flexibility was in the north/south direction.

Acting Chair Blank agreed that the flexibility is not in the east/west direction but towards or away from Sycamore Road.

Commissioner Narum clarified that this is only for Lot 2 because Lot 3 is potentially going west.

Commissioner Pearce added that it should not significantly impact the parking.

Commissioner Narum stated that their flexibility should be more toward the south.

Commissioner O'Connor commented that parking on Lot 3 is not a concern because its drive apron is on the other side.

Commissioner Olson stated that Lot 3 could potentially be moved northwest to improve the setback relative to the Greenes' property.

Commissioner Pearce noted that her assumption is that staff will take into account any kind of parking situation on-site when looking to mitigate the view corridor.

Commissioner Narum agreed, noting that she does not want to cut the driveways down.

Commissioner Olson seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Blank, Narum, O'Connor, Olson, and Pearce
NOES: None
ABSTAIN: None
RECUSED: None
ABSENT: None

Resolution No. PC-2012-54 recommending approval to the City Council of Case PUD-93 was entered and approved as motioned.

Acting Chair Blank thanked the developer once more for installing the story poles, adding that while it was a significant expense, it was certainly an excellent investment in this case.

Commissioner Pearce thanked the Greens for working with staff and allowing the Commissioners to come up to their property.