



PLANNING COMMISSION MINUTES

City Council Chamber
200 Old Bernal Avenue, Pleasanton, CA 94566

APPROVED

Wednesday, July 8, 2009

*(Staff has reviewed the proposed changes against the recorded proceedings
and confirms that these Minutes are accurate.)*

CALL TO ORDER

The Planning Commission Regular Meeting of July 8, 2009, was called to order at 7:00 p.m. by Chair Pearce.

1. ROLL CALL

Staff Members Present: Brian Dolan, Director of Community Development; Julie Harryman, Assistant City Attorney; Donna Decker, Principal Planner, Janice Stern, Principal Planner, and Maria L. Hoey, Recording Secretary

Commissioners Present: Chair Jennifer Pearce, Commissioners Phil Blank, Kathy Narum, Greg O'Connor, Arne Olson, and Jerry Pentin

Commissioners Absent: None.

2. APPROVAL OF MINUTES

3. MEETING OPEN FOR ANY MEMBER OF THE AUDIENCE TO ADDRESS THE PLANNING COMMISSION ON ANY ITEM WHICH IS NOT ALREADY ON THE AGENDA

There were no public comments.

4. REVISIONS AND OMISSIONS TO THE AGENDA

5. **CONSENT CALENDAR**

a. **PRZ-27, City of Pleasanton**

Review and consideration of amendments to Sections 18.20.010 and 18.84.090, and various related sections of the Pleasanton Municipal Code regarding fencing.

b. **PRZ-43, City of Pleasanton**

Review and consideration of amendments to Section 18.44 and various related sections of the Pleasanton Municipal Code regarding massage establishments.

c. **PRZ-41, City of Pleasanton**

Review and consideration of amendments to Section 18.68 and various related sections of the Pleasanton Municipal Code regarding the PUD Planned Unit Development District.

This item is continued to the July 22, 2009 meeting.

d. **PTR-9687, Clancy Dutra, Dutra Trust**

Application for Vesting Tentative Map approval to subdivide an existing lot located at 1053 Happy Valley Road into five residential lots and one open space lot. Zoning for the property is PUD-SRDR/OS (Planned Unit Development – Semi-Rural Density Residential/Open Space) District.

Commissioners Blank moved to recommend approval to the City Council of PRZ-27 and PRZ-43, subject to Exhibit A of the staff reports; and to find that there are no new or changed circumstances which require additional CEQA review of PTR-9687, to make the tentative map findings regarding the acceptability/suitability of the project, and to approve PTR-9687, subject to the Conditions of Approval shown in Exhibit A of the staff report. Commissioner Olson seconded the motion.

Commissioner Narum requested staff to schedule a brief presentation regarding fencing as time allows at a future Commission meeting.

ROLL CALL VOTE:

AYES: Commissioners Blank, Narum, Olson, Pearce, and Pentin.

NOES: None.

ABSTAIN: None.

RECUSED: None.

ABSENT: None.

Resolutions Nos. PC-2009-20 recommending approval to the City Council of Case PRZ-27, PC-2009-21 recommending approval to the City Council of Case PRZ-43, and PC-2009-22 approving PTR-9687 were entered and adopted as motioned.

6. PUBLIC HEARINGS AND OTHER MATTERS

- a. PUD-87-19-03M, Marty Inderbitzen/Dr. William and Lydia Yee
Application for a major modification to an approved Planned Unit Development (PUD) development plan to allow six custom lots on an approximately 29.8-acre site located at 4100 Foothill Road, custom lot design guidelines, and off-site construction on Foothill Road in the general vicinity between Puri Court and Muirwood Drive. Zoning for the property is PUD-LDR/RDR/OS (Planned Unit Development – Low Density Residential/Rural Density Residential/Open Space) District.**

Also consider the Negative Declaration prepared for the project.

This item was continued to a future meeting.

- b. PPOL-1, City of Pleasanton
Review and consideration of a Planning Policy regarding the definition and licensing of child care uses.**

Janice Stern presented the staff report and gave a brief overview of the background, definition, and licensing of child care uses.

Commissioner Blank referred to page 4 of the staff report regarding insurance for transportation services offered and inquired if there is an implication there would be requirements for liability or health insurance for facilities, as opposed to simply automobile insurance.

Ms. Stern replied that she believed they would need such insurance in addition to automobile insurance.

Commissioner Blank referred to appropriate restroom facilities and asked if this implies separate facilities for men/women and/or boys/girls.

Ms. Stern replied that she was not sure whether the State requires separate facilities but that they do require them to be within the facilities.

Commissioner Blank stated that he did not see a sign-in/sign-out procedure in place and noted that in reviewing the list of recent approvals, he could not think of a single approval where the Commission has not required facilities to have this in place. He added that he appreciated comments about tutoring because there may be children who

have been held back. He expressed concern about day soccer camps that run eight hours a day and inquired whether these would be considered day care facilities.

Ms. Stern replied that she believed soccer camps fall under the exemption because they are not a year-round facility; however, there may be some argument that they should be regulated.

Commissioner Blank stated that he did not believe they should be regulated.

Commissioner Blank brought up a situation that has occurred in the past where the City states a facility is considered child care but the State disagrees and expressed concern about a "Catch 22" situation.

Ms. Stern stated that to some extent, businesses have asked for exemptions because they do not believe they are child care facilities. She added that in cases such as this, staff will ask them to go to the State and get a license as a condition of City approval.

Commissioner Blank stated that if businesses that have been exempted by the State go and apply for a license as required by the City, the State can tell them that they are exempted and do not need a license. He suggested that there be something in writing regarding this.

Commissioner O'Connor inquired if this has been a problem in the past because the City has not had a policy.

Commissioner Blank stated that the issue is that people have indicated they want to be exempt and the State has allowed it; but the City is now saying it wants the business to obtain the license. He expressed concern that the State, on its own, may indicate to the businesses that they do not need a license and opine they are exempt, which causes a problem for the City.

Mr. Dolan stated that the City has experienced such a situation with the Pfund application, and the State accommodated his application.

Ms. Stern stated that staff pursued this matter with Mr. Fred Gill, Regional Manager of Child Care Licensing for the Bay Area. She noted that although Mr. Gill indicated that the State would issue a license, he did not put that in writing.

Commissioner Blank suggested writing a letter to this effect to confirm this understanding.

Commissioner O'Connor stated that the sign-in/sign-out procedure includes an age restriction for 12 years and under.

Commissioner Pentin noted that private schools are exempted but that he believed most, if not all, of the facilities were private.

Ms. Stern stated that in this case, there is a specific State exemption for child care associated with (K-8) private schools where child care is provided by credentialed teachers, which staff believes is a valid exemption.

Commissioner O'Connor noted that a lot of private schools do not require credentialed teachers and inquired if the exemption would apply to a private school teacher who is not credentialed.

Ms. Stern replied that she would look into this matter.

Commissioner O'Connor inquired if businesses could be approved by the Zoning Administrator and not come before the Planning Commission if they fall under less than 10 hours per week during school time and 15 hours per week when school is out.

Ms. Stern replied that they would not be classified as a child care facility and would be processed according to existing regulations in the Zoning Ordinance.

Commissioner O'Connor inquired if they would not need a Conditional Use Permit (CUP) unless they fell outside proper zoning.

Ms. Stern stated if they fell outside a child care use, they may or may not require a CUP, depending on what the use is. She added, as an example, that martial arts for over 20 children would require a CUP.

Commissioner Narum inquired if a business located in the Valley Business Park, even if they were under 20 children, would still need a CUP because they would be subject to zoning regulations for a PUD.

Ms. Stern replied that was correct because a CUP is required under that PUD zoning designation.

Commissioner Narum requested Ms. Stern to comment on the difference between the age listed in Exhibit A and the age listed in Exhibit B.

Ms. Stern confirmed they should both be listed as "15 years and under."

Commissioner Narum inquired why "15 years and under" was chosen as opposed to 17 or 12 years, or something else.

Ms. Stern replied that staff initially considered all children who are minors, i.e., under 18 years, but generally the uses will all fall at 15 years and under. She added that it would seem superfluous to regulate 17-year-olds.

Julie Harryman stated that the Planning Commission has been imposing the sign-in/sign-out requirement on businesses that provide child care. She explained that

if the Commission chooses Option A and requires State licensing, the State also has in its regulations provisions for sign-in/sign-out policies, which means that the City would not have to require this on top of the State requirement. She noted that the State's requirement is not age-specific.

Commissioner Olson requested a definition of a heritage school.

Ms. Stern stated that a heritage school is generally a school where a different language other than English is taught. She elaborated that the school teaches language classes as well as the culture of that particular heritage. She indicated that she did not know that any particular heritage would be necessarily included or excluded, and legislation would require some sort of association which would develop standards for background checks and other requirements.

Chair Pearce said there was a concern raised about managing complaints if the Commission chose Option B. She asked how complaints are managed now for exempt child care. Mr. Dolan said he believes complaints are generally limited to traffic and noise and not child safety issues.

Chair Pearce stated that she was aware there were concerns raised about increased City liability and asked Ms. Harryman if she sees this as a concern.

Ms. Harryman replied that if a child is injured in a program and thinks that the City was responsible in certifying the operation, the injured would look to blame parties and the City will undoubtedly be named. She agreed there is exposure but believed the City also has governmental immunities and would prevail.

Chair Pearce stated that she did not believe this was much different from the exempt child care that the City now authorizes.

Ms. Harryman agreed.

Chair Pearce inquired if a child care facility would be considered in situations where some children are there over 10 hours during the school year and 15 hours in the summer. She provided an example of a gymnastics facility where the majority of children attend for an hour or so, but a minority of children who are on a competitive team are there for 10-12 hours a week. She inquired if this would then be categorized as a child care facility.

Ms. Stern said yes. She added that she was not sure there was a way around not categorizing it as a child care facility.

THE PUBLIC HEARING WAS OPENED.

Jack Balch stated that as a result of his having gone through a long process as a landlord, he is very familiar with the State licensing process. He indicated that he was

glad the Commission was considering this matter but expressed concern that the City is opening itself to liability beyond what the State is requiring. He referred to the Catch 22 situation, recalling that his applicant came to the City and was told he needed to apply for a license, was told by the State that he was exempt, obtained letters from the State to that effect, and when he was again told that he had to obtain the license, the State moved at a much slower pace than it would have in the normal approval process.

With respect to the sign-in/sign-out provision, Mr. Balch suggested ensuring that an adult sign the children in and out. He referred to the "E" building occupancy which generally worked well, but also involves additional aspects of operations. He voiced concern that the City use the same definitions as the State because he could see tutoring used in a variety of ways. He also expressed concern about exempting everything on the School District's property.

Brad Hirst stated that he hoped the Commission does not create more problems than it would create solutions regarding the matter. He echoed some points raised regarding hours and gymnastics as well as training and athletic camps, stating that his grandson spent 17-30 hours a week in a training camp, and encouraged the Commission to include the athletic programs.

Mr. Hirst stated that he felt issues at heart are only being partially addressed, such as the moral character of the applicant, and whether or not the applicant exceeds the services for which they say they are going to provide. He stated that as a property owner, he was offended that the School District is allowed to lease out facilities and not have the policy apply to them, whereas others must go through the process.

Mr. Hirst stated that an issue not included in the staff report but affects applicants is that when they are given the amount of information needed to apply for a facility, they get scared and often walk away. He also pointed out that there could be language difficulties for applicants for cultural programs. He added that potential applicants have been told that there is a moratorium and staff is not processing applications, so they end up in another community or not operating at all. He stated that various constituents profit from these facilities: the applicant and the property owner, the parents get services they want for their children, the students learn, and the City received taxes.

Mr. Hirst stated that he supports 10 hours a week and noted that tutoring schools exceed 10 hours a week. He added that regulations should be applicable to anyone under the age of 18. He referred to Exhibit A and recommended that uses be defined by the Zoning Administrator rather than by the City Manager due to political ramifications. Finally, with respect to State licensing, he cited situations where people apply for licenses and the State indicates one is not needed; however, the City requires it and refers to a different definition, but the State indicates it cannot issue such a license. He recommended instructing staff to accept applications where appropriate and process them now so that the policy can be refined and ultimately approved.

THE PUBLIC HEARING WAS CLOSED.

Commissioner Pentin stated that State licensing versus City requirements is an issue and that the City would be defeating its purpose with this Catch 22. He added, however, that he believes that criminal backgrounds, health screenings, and sign-in/sign-out procedures are appropriate for any organization with children in their care. He indicated that he was in favor of the disclosure clause of checking whether facilities like sports camps are or are not licensed should the City get to a point where it does not require facilities be licensed.

Commissioner Blank agreed with Commissioner Pentin and Chair Pearce. He stated that he did not believe the liability issue was something to worry about, given the list, the sign-in/sign-out, and refinement for athletic or training schools. He did express concern, however, about the State's reliance issue. He stated that they have demonstrated what appeared to be a lack of responsiveness and has also demonstrated what appeared to a significant amount of contradictory information. He noted that when written confirmation was requested, the City was told to read the previous letter, which was not helpful. He indicated that he believes there should be at least a minimum set of standards in place and that requirements exceeding what the State requires is part of the safety mandate of the Planning Commission to ensure public safety.

Commissioner Olson expressed concern that the City not increase its liability with the policy and be able to provide additional resources to parents. He added that beyond that, any additional City policy should clearly state that it is the parent's responsibility to check out the facility. He believes that the items on page 4 are reasonable, with the inclusion of the sign-in/sign-out procedure.

Commissioner Narum suggested that the Commission also exempt organizations that are co-sponsored with the City because there is an entire ordinance on what they must follow. She noted that this would take care of the athletics, soccer club, baseball, aquatics, tennis, and golf programs.

Commissioner Blank questioned whether or not to include aquatics.

Commissioner Narum said she did because an argument can be made that it is the one sport that has a permanent facility--the pool. She noted that once children reach a certain age, they are there more than 10 hours a week. She questioned where the line should be drawn and referred to martial arts schools. She pointed out that some are used as a guise for child care, and it would seem that those groups that are co-sponsored by the City meet a list of criteria, including insurance and residency, and they must be non-profit and governed by a Board of Directors. She added that Narum said they are also required to have a representative at sports council meetings.

Commissioner Narum noted that when she left the Parks and Recreation Commission, background checks on the coaches was going to be required. She stated that she knows swim coaches must have background checks through organizations in order to

get insurance. She added that she believes this would be a way to address whether or not certain facilities are child care facilities and suggested Parks and Recreation staff might attend a future meeting and talk about co-sponsorship details.

Commissioner Narum then cited the Little Ivy League and Tri-Valley Martial Arts applications in reference to building occupancy and inquired what the unintended consequences might be that the City may not want to have. She noted that if most buildings are completely built and not necessarily for a day care license, she questioned if the City was unconsciously going in a direction it would not necessarily want to go.

Commissioner Blank asked if it was possible for staff to identify which businesses do not currently have licenses that would have to obtain a license, and then determine how many would be affected by an "E" occupancy and would need to relocate to a different building.

Commissioner Narum stated that she thinks there would have been issues for Little Ivy League and the martial arts facilities for Mr. Balch. She expressed absolute support for a posted disclosure of a licensed or non-licensed facility. She indicated that she recalled the Commission modifying a policy that allowed facilities with 20 or less students to obtain their zoning permits over the counter. She noted that the City had granted some by error because of where the business was going to locate and suggested incorporating a 24-hour "cooling-off period" prior to granting over-the-counter approvals to avoid any potential problems.

Commissioner O'Connor agreed with most of what has been discussed and emphasized the need for the Commission to understand the unintended consequences before moving forward. He added that once this is known, he believes the Commission would guide the process by how it defines child care in terms of number of children, hours, etc.

Commissioner O'Connor then referred to City liability and requested Ms. Harryman to address this issue should the City impose a higher standard than the State.

Ms. Harryman stated that she sees this as two separate issues: (1) The City can have higher standards. An applicant; however, may make the opposite argument and feel they are pre-empted, as the State has occupied the field on when licensing is and is not required. She stated that she was not certain if there was case law on this, but the City's position is that it can impose the requirement for health and safety reasons as has been done in the past. (2) Liability is a separate issue. She stated that once the City takes on a more active role in criminal background checks or those items listed in Exhibit B, from an exposure standpoint, the City may get sued if a child is injured; but when the case is litigated, the City has certain governmental immunities that would protect it.

Commissioner O'Connor inquired if the exposure was due to the City processing background checks as opposed to the State processing.

Ms. Harryman replied that in Option A, staff is suggesting that the State process background checks, as they are trained to investigate complaints. She noted that if the City takes a more active role in this, it would increase its exposure.

Commissioner Blank noted that background checks are done frequently in private industry. He stated that there are five levels of background checks from having a driver's license to higher security levels but that he did not envision the City doing the background checks.

Ms. Harryman explained that what staff is proposing is that the applicant self-certify, which can have shortcomings. She added that any crimes or convictions of a sexual nature will obviously be an immediate disqualification for someone to obtain a permit, whereas other crimes may or may not be disqualifiers, depending on the nature of the crime and when it occurred. She noted that these areas will raise many more questions for staff to figure out.

Commissioner O'Connor inquired, if the Commission will have the State certify under Option A, if the City would want to be involved in any child-related services that would be for 20 students or less, under 10 or 15 hours; or, would the City have them self-certify if they do not meet child care definitions.

Ms. Stern replied that it would be up to the Commission to refine that policy; however, in general, if they do not meet the City's criteria for child care, they would default to whatever regulation is relevant to that use currently in the Code.

With reference to liability, Chair Pearce stated that the City would obviously have a third party do the background checks, which would limit the City's liability. She added that she assumes the State would have standards for doing background checks such as it would matter if someone had a DUI in the last five years but not if it was ten years ago. She requested staff to look at what the State does with regard to this should the Commission opt for Option B.

Ms. Stern stated that she believes the State would have some standard to determine which crimes would matter and their corresponding time limits.

Chair Pearce portrayed a situation where a child needed CPR, and the City relied on an organization that conducts first aid training, which would limit the City's exposure in the end.

Commissioner Blank stated that if they were trained by an appropriate agency like the Red Cross, were certified and card-carrying, they would be exempt under the Good Samaritan Rule and would not be exposed to any liability.

Chair Pearce stated that she thought this only applied to general citizens and not to City employees. She indicated that she would like to see what applies for the State regulations, such as TB screening.

Chair Pearce inquired if the City was saying that the exemption issue does not arise unless someone asks to be exempt.

Ms. Stern replied that the State will license businesses that characterize themselves as child care, and if businesses believe they are a private recreation, the State will typically provide exemptions.

Chair Pearce inquired if the City will still require the State to license a business that the State deemed exempt, which in the past, they have been extremely reluctant to do.

Ms. Stern replied that staff's argument is that they should not be exempt because they do not meet exemption categories. She added that staff believes there are categories that some businesses would fall into.

Chair Pearce inquired what the rationale is for the School District requesting to be considered exempt for facilities that use their premises.

Ms. Stern replied that this is based upon a conversation with a School District representative who went through most of these facilities and determined they were licensed. She added that there was one facility that the District actually ran, for which it has its own standards for background checks and other requirements.

Chair Pearce stated that she is loath to get the State involved in licensing entities they feel are exempt. She added that she believes some of the State's exemptions are murky and that the City has had trouble with this in the past. She indicated that she would like to see the City utilize its authority with regard to health and safety for minors in the City and try to provide an additional level of protection.

Chair Pearce stated that she was not sure she agrees with the liability argument, but if the City is not doing the background checks and CPR training, then it should have some degree of protection in the end, and governmental immunity is a good argument. She added that she is loath to exempting all athletic facilities unless she sees that the co-sponsorship with the City includes things that would impact the health and safety such as background checks and other things. She noted that the pool is a permanent facility and is used all the time; however, she would be opposed to additional exemptions just because they have co-sponsorship if it does not tie into the health and safety issues the Commission is concerned about.

Chair Pearce stated that she agrees with what Mr. Hirst said with respect to the ages of 15 or under. She indicated that she was more inclined to say "under 18" because children are either minors or adults.

Chair Pearce indicated that she was leaning toward not having the State involved in licensing entities that are exempt and that she felt the City can work things out and control it at the City level.

Chair Pearce inquired if applications are currently on hold because of review.

Mr. Dolan replied this is a complex issue and that he had hoped to have the matter to the Commission sooner. With respect to the question of unintended consequences, he stated that he believes there are some and are in limited areas. He noted that if the City calls an entity a child care and forces it to get a license, the entity is automatically in the "E" occupancy classification, which has some separation requirements which can result in cost of additional construction or can be solved with sprinklers.

Mr. Dolan stated that there is not a lot more information he could provide and that each building will have a different circumstance. He noted that in Jack Balch's building, the "E" occupancy was not an issue because the entire building was categorized as "E". He pointed out that it is not about what is going on in the building but about what is next to each other, and in this case, the separation of uses was resolved by calling the entire building "E". He stated that this would exist in some circumstances and have an added expense, such as increased restrooms, and recreation areas, which can be expensive. He noted that If the City sends the entity to the State, the State's regulations require 75 square feet outdoors per student, and historically the State has not granted many exceptions, although exemptions have been granted in some instances. He added that the State was prepared to do that for John Pfund's application because he had an area devoted to physical activity within the space. He noted that there were some who did not believe this was adequate because it would eliminate some building spaces as they could not provide physical activity space inside or outside.

Mr. Dolan stated that another major unintended consequence is that there are not many zones that allow child care uses, which would, therefore, significantly limit opportunities for applications, regardless of the building. He noted that this has been presented in the form of a policy that the City would use to interpret terms, and the City could start changing the zoning code to allow more uses to accommodate child care.

Mr. Dolan noted that if the Commission chose Option A and relies on the State, the only concern would be the limitation on opportunities, and staff could expand those opportunities through zoning amendments.

Commissioner Narum questioned education requirements to get a day care license. She inquired how specific the State is in terms of would two years of college be enough or would there be specific classes to meet the licensing requirements.

Mr. Dolan replied that staff got into detail regarding this with the Tri-Valley Martial Arts project. He stated that there were three paths: a Bachelor of Arts degree in anything gets the person a long way there; less than a Bachelor's degree may require additional

classes; and there are ways to get a license without having a Bachelor's degree, as well.

Ms. Stern stated that there are separate requirements for the Director and for personnel, who are required to have health and safety training and some other requirements.

Mr. Dolan added that there are two or three specialized very specific courses that everyone must have regardless of what educational background they might have. He stated that during the self-regulation for Little Ivy League, there were no educational requirements imposed by the City, although as the project was described, all instructors were highly qualified teachers.

Commissioner O'Connor inquired whether the Commission could eliminate some of the unintended consequences if the policy was altered to say something like, if the facility is exempt from the State but is still a child care per the City's definition, the City requires certain items such as background checks.

Commissioner Blank inquired if this was the same as just requiring them to do it.

Commissioner O'Connor said no; it just would not go to the State at all so they do not deal with the occupancy and some other things. He continued that if the State says a business is exempt, then the City would require no license but would require certain other items that could be listed out, such as a background check, CPR certification, etc., which would avoid unintended consequences and time delays.

Chair Pearce noted that this was Option B.

Chair Pearce inquired why the City is excluding summer programs as accessory uses.

Ms. Stern replied that those uses, such as the health club where they simply run a summer program, are not a year-round program and would not fit the definition. She stated that children are there several hours a week, and an argument could be made that it should be regulated; however, staff wants to allow some of the programs to continue as they have been.

Chair Pearce stated that it is not presumed that parents are on-site.

Ms. Stern stated that there are two exemptions: when parents are on-site and for summer programs. She added that potentially martial arts could be included if they just run as a summer program.

Commissioner Narum inquired under what a church or bible camp would fall.

Ms. Stern replied that an argument could be made that it was accessory to the main use, but she noted that many places have child care and preschools associated with them.

Commissioner O'Connor agreed and inquired if this was considered accessory because it operates only two or three months out of the year.

Commissioner Blank stated that he is assuming this would not be imposed on existing operations.

Ms. Stern stated that it would if an owner expanded.

Mr. Dolan noted that the list of exclusions is different depending upon which option the Commission is looking at. He stated that staff excluded far less for Option B where the City is doing the regulating, as opposed to Option A which pushes everything back to the State, which is more generous in the exemptions.

Ms. Stern stated that it sounds like there is more consensus among the Commissioners for Option B than Option A.

Chair Pearce confirmed that Option B is her preference and asked for comments from the other Commissioners.

Commissioner Pentin stated that he still had concerns with the State exempting or not exempting and puts the City back in Catch 22. He indicated that he likes the idea about the City being able to raise the standards and stated that he supported Option B.

Commissioners Blank, Olson, Narum, and O'Connor stated that they were also in favor of Option B.

No action was taken.

7. MATTERS INITIATED BY COMMISSION MEMBERS

No discussion was held or action taken.

8. MATTERS FOR COMMISSION'S REVIEW/ACTION

a. Future Planning Calendar

Commissioner O'Connor inquired if PUD 52, Spotorno Property, was a Greenbriar project.

Mr. Dolan replied that it was but that they no longer have the property. He noted that it should be removed from the Calendar.

Commissioner O'Connor noted that there are several items on Code amendments but that it did not include the ordinances for sports courts and RV parking, which the Commission has prioritized.

Mr. Dolan agreed and added that the Council has also prioritized these two Code amendments. He explained that some of the listed Code amendment projects are clean-up items and presumably would not require a lot of Commission time. He stated that staff wanted to have a few of these ready for whenever there was a slot in a meeting. He indicated that the two noted matters would require a lot of discussion both at the Planning Commission and Council levels, and there are no current slots available at the Council level. He noted that staff can add them to the list but that the Commission would most likely not see them until next year.

Commissioner O'Connor suggested that they be documented somewhere in the record.

b. Actions of the City Council

No discussion was held or action taken.

c. Actions of the Zoning Administrator

No discussion was held or action taken.

9. COMMUNICATIONS

No discussion was held or action taken.

10. REFERRALS

No discussion was held or action taken.

11. MATTERS FOR COMMISSION'S INFORMATION

- a. Brief report on conferences, seminars, and meetings attended by Commission Members

12. ADJOURNMENT

Chair Pearce adjourned the Planning Commission meeting at 8:23 p.m.

Respectfully,

DONNA DECKER
Secretary