

PUD-115, Guy Houston

Application for Planned Unit Development (PUD) Development Plan to retain the existing single-family residence and construct two new single-family residences and related improvements on separate lots located at 11249 Dublin Canyon Road. Zoning for the property is PUD-LDR (Planned Unit Development – Low Density Residential) District.

Jenny Soo presented the staff report and described the scope, layout, and key elements of the proposal.

THE PUBLIC HEARING WAS OPENED.

Guy Houston, applicant, gave a presentation regarding the PUD Development Plan.

Commissioner Nagler: To clarify, you said Lot 1 is a one-story house?

Mr. Houston: Yes.

Commissioner Nagler: Okay, so has that recently changed or did I just misunderstand it?

Commissioner Balch: There's an older set of plans in the back. So if you're looking at that, the folded pages, that's the....

Mr. Houston: The previous project in 2006 proposed two, two-story homes. Our project is slightly different so we have a one-story and then a two-story on the frontage.

Commissioner Nagler: Just a couple of quick questions; as I understand the staff report, staff is suggesting a different FAR calculation than you're proposing? Right? You proposed 30% and they're proposing 25%? Is that correct?

Mr. Houston: Yes.

Commissioner Nagler: How do you feel about that?

Mr. Houston: That is completely fine for us. We just went with what was the standard for the R-2, 20,000 and that's 30%. We didn't pick it. We just thought that the 20,000 was the most appropriate designation and so that's what it came with. It was pointed out that if we had 30%, you're talking about a 7,500-square-foot home. It wouldn't happen anyway, but I think it's a safeguard; and if you tandem that with making sure you can't go above a certain elevation, it ensures you're not going to be needing or designed to go any further. It does give a little room for a little bit of expansion for the current footprint. Maybe someone might want to do that years from now, but it's completely fine for us.

Commissioner Nagler: Then the final question. The staff recommendation on the changes in the development limit the envelope that could be developed. Are you fine with that change, as well?

Mr. Houston: Yes, that's what I referred to. Yes, that's completely fine. There's no desire to be growing up into the trees, and it really ramps up quite dramatically once you get there so as a practical matter you wouldn't do it, but it's good to have that protection in there.

Commissioner Nagler: Okay, thank you.

Chair Ritter: Great, thank you Mr. Houston. Now questions for staff? Who wants to start?

Commissioner O'Connor: Maybe staff can expand on the sidewalk

Mr. Weinstein: Yes, it's a really good comment. We're balancing two things here with the sidewalk. One is our adopted Complete Streets policy which was adopted back in 2012 which seeks to make sure the transportation network for all of our City actually, but especially new development, takes into account modes of transport that don't include just the private automobile. So it would include pedestrian and bicycle transportation as well. That's something we're obliged to adhere to when we're looking at new developments. So that's one consideration. The other consideration of course is the one that Mr. Houston talked about which is the need to preserve the rural character along Dublin Canyon Road.

So, we're balancing these two things to make sure that pedestrian transportation is incorporated into the design of roadway features around new projects, but we also want to make sure that the rural character of the area is protected. What we have right now is a standard condition of approval that requires the sidewalk to be provided on the site. There is a compromise option that we were strategizing on earlier today which would be to refine Condition of Approval No. 38 to convert the sidewalk to more of a trail and more of a pedestrian walkway that would use decomposed granite or some similar substance instead of concrete and that would secure our objectives of providing some sort of pedestrian access along the site with the desire to protect the aesthetic character of the stretch of Dublin Canyon Road. There are other options out there as well. If you decide to get rid of that condition completely, we would not suggest doing so because of our Complete Streets Policy, and we do think that this compromise of having some sort of pedestrian walkway that's not paved would be adequate and satisfy our Complete Streets objectives and protect the look of the place.

Commissioner O'Connor: But do you concur that this sidewalk or path would not connect anything else? Is there no plan for the properties to the north or south?

Mr. Weinstein: Yes, that's a good question. We look well into the future when thinking about this and as you know, there are development proposals for sites that are further west along Dublin Canyon Road. Ponderosa is proposing an approximately 40-unit residential subdivision that is west of this site along Dublin Canyon Road. That project is very early in the review process. You haven't seen it yet. It's still being reviewed by staff internally. The long-term intention is that if and when properties along Dublin Canyon Road develop that individual property owners will be responsible for providing pedestrian access on Dublin Canyon Road such that when all of the properties are developed, there will be a contiguous stretch of sidewalk or pedestrian walkway and the

City won't have to pay for it. It will be paid for by private property owners. We do not want to say this is a sidewalk to nowhere because it does connect to the sidewalk in the Preserve. There's a sidewalk along Laurel Creek and the utility of that sidewalk is probably pretty limited so again we're looking at long-term pedestrian access in this area.

Commissioner O'Connor: Who would maintain this walkway after the development is completed? The sidewalk in front of your house is maintained now by the homeowner. Would the same thing be with the decomposed granite path? Or, would it all be maintained by the property owners and not by the City?

Mr. Weinstein: That's right.

Chair Ritter: I have one more speaker card. I apologize. I have one speaker card and then we'll bring it back to questions. Diane Kolb? Is Diane here?

Diane Kolb: Hi, I'm Diane Lester Kolb, neighbor. I'm for this project, but I'm interested in the open space, the issue about the animals. I've known Barbara and her family for 55 years. You brought that up. I'm very interested in that. If it was sidewalk and cement, the City of Pleasanton would maintain it? Right? The property owner would maintain it? Okay. They want to put in three houses in, so the three houses would be charged yearly for that kind of situation to upkeep that? Or, how would it be if it's a walkway that you're going to extend, extend, extend. How does that work financially for the land owners or the property owners of that area? My main concern is what the cost would be because we plan on coming to you people with a project ourselves, so I'm interested in that kind of situation versus the cement sidewalk, but I really like this project. Thank you.

Chair Ritter: Thank you, we'll bring it back to staff and the Commission.

Ms. Harryman: I'll just back up what Adam was saying. So people don't necessarily realize it but state law requires the adjacent property owner, whether it's residential or commercial, to maintain the sidewalk adjacent to their property. The same thing would be the case whether this is a concrete sidewalk or whether it's some sort of path.

Commissioner O'Connor: And the maintenance is as needed. So if tree roots are lifting it up or other trip hazards, or if the path is worn down by horses running down it or whatever....

Ms. Harryman: That's exactly right. State law actually talks about keeping it maintained so it is safe for users. So that's the standard—basically no tripping hazards, no divots, anything that would create a safety hazard to a pedestrian or possibly a bicyclist.

Commissioner O'Connor: And it doesn't matter what it's made of?

Ms. Harryman: No.

Commissioner Allen: I was comparing the square footage of Lot 3 from the plan 10 years ago versus now and it looks like it's about 20% larger in terms of square footage.

The house was 4,100 square feet, Lot 3, plus a 700-square-foot garage, so roughly in counting the two it was around 4,800. I'm doing a little bit of rounding. Now the house is around 4,500 square feet and it has a 1,289-square-foot garage so it's about 5,800 square feet, so it's larger. And the reason I'm asking is that when I look at this diagram that David mentioned earlier and drove the property, it seemed like that was a pretty large house and so I'm now thinking it's going to be 20% larger. And so I'm wondering what the thinking was. And I know the Council approved the old plan and that could have been put in. This is significantly larger so I'm wondering what the thinking was on why the change.

Chair Ritter: Would you like to wait for all of our questions? Let's do that. There might be more and then you can answer them all. Any other questions?

Commissioner Allen: The other one was more of a technical question on the FAR. I'm looking at page 5 versus page 7; the two tables. On page 5, Table 1 for Lot 3 said the FAR was 20% and in fact if you work the math it's actually 23% because you have to include the garage space over 600 square feet. But then the next page has different numbers and I know the next page adds square footage for future additions, but even the base numbers are different. So I don't want to get us hung up necessarily, but I think the numbers are different, especially for Lot 3 and I didn't double-check all of them.

Chair Ritter: What page are you looking at?

Commissioner Allen: I'm looking at Lot 3; the FAR on page 5 which should be 20%. If you just work the math on the square footage, it would be 22.9%. And then I'm looking at page 7 of 15, Lot 3, and again, you might want to double-check it. But the bottom line is that we're really here to talk about perception and keeping a rural character more than some technical FAR number. So I won't get hung up with FAR as long as we've got consistency.

I want to thank Guy for preparing the streetscape images. That was a question I had asked earlier and found that to be very helpful. I know that was done quickly and I really appreciate it. Thank you. In terms of the old plan that was approved versus this plan and the trees that were being taken out, do we have a similar strategy on which trees were being taken out 10 years ago versus now? Or, are we taking out more trees or less trees?

Ms. Soo: As I recall, we're not taking more trees because the 2006 plan for Lot 3 sits further south. If you look at the topo map, the more southern portion you go, the more steeper the slopes and trees. So that would require more grading and removal of trees. For the current plan, it is question 4 which is more toward Dublin Canyon Road so there is less grading and it would not touch any of the trees in the back.

Commissioner Allen: Okay, thanks. And then I have one final question which is regarding the entrance driveway which I guess has space on one side for cars to park. Where I'm going is whether there is a way to preserve that oak tree. I don't know if there is. The big oak tree in front, but part of my thinking is whether there is a different way to design a driveway or a narrower kind of driveway such that we might be able to preserve that oak? The oak really adds a lot of character and it also screens the center

house, and I think creates a very different environment than we're seeing in an open lot especially given that Lot 1 is so close to the road and now Lot 2 which is very big will really not be protected and people will see that more predominantly. So that's the question I have.

Chair Ritter: Great question. We'll bring that back to the applicant. Do you have any other questions?

Commissioner O'Connor: I too was a little concerned about the rural character...I was hoping that the two-story on Lot 3 could be better screened from the road. It looked like it was pretty open to the road, or at least I envisioned it to be pretty open to the road to see this two story structure. So if I'm wrong, correct me, but it's fairly close to the property line so I don't know how much landscaping or tree work could go in there, but it would be nice if we could do something to screen that two-story from visibility from the road if possible.

Mr. Weinstein: We can talk about trees maybe and driveway to begin with.

Chair Ritter: Sure.

Commissioner Balch: Can I ask a quick question? This is a little odd. I just realized when Commissioner Allen was commenting. There was no workshop on this, right? Is that normal?

Mr. Weinstein: Our policy to date has been if a project involves rezoning or a General Plan re-designation that we take it to a workshop and if it's a major project in downtown we generally take it to you for a workshop. With this project there's no General Plan change, no zoning change, it's just a Planned Unit Development with a development plan so that's why.

Commissioner Balch: Okay, it just feels like we missed a step. I apologize, go ahead.

Mr. Weinstein: So we can tackle the tree issue first. I just wanted to point out that there are four trees being removed but the applicant is also proposing to plant 19 new trees on this site and there is also a condition of approval that asks for more trees. We do feel like there's going to be a good amount of substitute trees planted on the site to address some visual concerns. One option if you're still concerned about screening views of the proposed homes is that we could increase the size of the existing trees that are being planted as part of the landscape plan. They are currently 15 gallons each so we could increase those each to 24-inch box trees which would be slightly bigger than what's currently being proposed.

Commissioner O'Connor: Do you specify where those trees are going to go?

Mr. Weinstein: Yes, they're in a landscape plan which is in Exhibit B, Sheet L-1 in your attachment.

Chair Ritter: Can we put it up on the screen?

Mr. Beaudin: The date on Sheet L-1 is January 3, 2016, so it should say 01-03-16 just to make sure we're all looking at the same plan. The container size is listed in the chart and you can see where the trees are proposed in the front yard. There's a generous amount of planting. There are four new street trees and those are London Plane trees all shown as 15 gallon. The 15 gallon is fairly small size when you come out of a nursery. 24-inch box is the next size up and a 48-inch box is probably the largest you'd want to put down in a situation like this. The problem is when they get too big they don't do as well initially, so we want to make sure we pick something in the middle of the road if we're going to upsize the trees. We want to make sure we give those trees the best chance to succeed in the long run so that's probably a 24-inch box sized planting. If you all have L-1 open you can see that the majority of the new planting is in the area of the tree to be removed and along the frontage, so the tree to be removed is in the center of the driveway. That's the oak that Commissioner Allen mentioned. So, yes, four new street trees as well as some new Southern Live Oak as on the entry drive. All of those we would recommend be increased in size from 15 gallon to 24-inch box to give you that pop initially on the landscape.

Commissioner Balch: All four you're saying?

Mr. Beaudin: I'm saying all four of the London Plane and the three oaks that are proposed. There's one actually farther up the driveway on Lot 3 as well.

Commissioner O'Connor: So they won't let us plant any on the Preserve community association?

Unfortunately that's part of the two-story structure that's going to be the most visible, but not much side yard space to the west.

Commissioner Balch: Back to the sidewalks, I'm looking at L-1 and see this proposed sidewalk and it does appear that it is drawn in here. Is that approximately where staff believes the sidewalk would go under their current Condition No. 38?

Mr. Weinstein: Yes.

Commissioner Balch: Is a 6-foot width sidewalk per Condition No. 38 the standard width?

Mr. Weinstein: Yes. We occasionally see slightly smaller sidewalks, but 6 feet is a good wide sidewalk for a few people walking side by side.

Mr. Beaudin: Commissioner Balch, could I just jump in with the Complete Streets Policy again? The target around town is 6 feet and it doesn't necessarily have to be right up against the road like it is shown in this plan. So if you're going to modify Condition No. 38 if you decide to keep that condition, then what I would recommend is that you give the flexibility for it to be designed in a way that's more consistent with the rural character of the street, so it could be off the edge of the street, it could be meandering, and it could be definitely of a different material.

Commissioner O'Connor: Similar to the one we discussed at the church property?

Mr. Beaudin: Exactly—meandering, pushed away from the road edge.

Commissioner Balch: And to continue on that question about Condition No. 38, obviously they've drawn it further on the property they don't own so that's a little bit of an issue. Laurel Creek has a sidewalk. Is that on this side or is that on the other side?
Beaudin: Commissioner Balch, just to clarify the ownership, it's actually public right-of-way where the sidewalk is shown. That would be constructed outside of the private property.

Commissioner Balch: So you're telling me that as a developer, I could build a sidewalk on someone else's property because it's right-of-way?

Mr. Beaudin: I'm saying it's the City's land and what we're saying is that you need to complete our street and so we're not on other people's private property. We'd be developing a sidewalk on public property.

Commissioner Balch: So the Preserve Community Association.... the City's not the title holder, but what I hear you saying is that they deeded it as public open space?

Mr. Beaudin: Once you get off of the site plan, we're actually not looking at a civil drawing, so what I would suggest is taking a look at L-1. You can see there's a very light dotted line just to the left of the line of trees and that light dotted line that moves east/west on Dublin Canyon, as you move down Dublin Canyon there's a light dotted line. It's to the left of the tree trunks—those three trees that I was calling street trees. That line actually continues, it doesn't just end and that's the public right-of-way to the left of that line. So we're suggesting that that new pedestrian walkway would be between the edge of the road and essentially the tree trunks. That could continue, and what I'm suggesting is that the Preserve Community Association—I don't know where the lot line is there. If we had to bend it at that point and have people get right along the curb edge we would if the sidewalk had to meander closer to the curb there to stay out of Preserve land. We'd want to know exactly where the right-of-way is and we'd have, just like at any other intersection, a cut in the curb where you could cross the street and get to the next sidewalk. In this case, it is across Laurel Creek Drive where the sidewalk exists.

Commissioner Balch: Now for a point of clarification because I'm following it a lot better and I appreciate the clarity. So, on the Preserve Community Association's land, let's call it to the east which is on the top of our map here; L-1, the sidewalk is shown as continuing, right?

Mr. Beaudin: Correct.

Commissioner Balch: Can this developer build that sliver right there?

Mr. Beaudin: What you're not looking at is a civil drawing. So the Preserve Community Association does have a corner monument but there's also public right-of-way and it would surprise me greatly if the public right-of-way disappeared at that corner. I would suggest that if we looked at a true civil drawing, the public right-of-way continues right on through there and that monument is on private property and to the left if you're going

up Dublin Canyon would be public right-of-way and we would have the ability to finish that sidewalk.

Commissioner Balch: That's very good knowledge. Okay, let's go to this private drive if I may ask. I noticed the condition requires ADA compliant sidewalks. Is a decomposed granite sidewalk ADA compliant?

Beaudin: Yes, it can be and it's a maintenance issue. We suggested DG tonight, but it could be something else. If maintenance is a long-term concern for these property owners, we would look at a different material that's a little more durable in grain and heavy use.

Commissioner Balch: How then does that inter-sector cross that private road? Does it then have a truncated dome and a concrete...?

Mr. Beaudin: It would be an ADA compliant curb.

Commissioner Balch: With bright yellow concrete?

Mr. Beaudin: It doesn't have to be bright yellow. It has to be a different color than the....

Commissioner Balch:there's bright yellow, there's a grey one and then there's something else, right?

Mr. Beaudin: There are options. The code actually says it has to be a different color than the material it is next to.

Commissioner Balch: And texture, right? So despite calling it a DG path or something, we're going to come to a concrete intersection to go down and cross the private drive and then pick it back up on the other side.

Mr. Beaudin: Correct. It will be finished curb at that area.

Commissioner Balch: This has been a very informative conversation. Thank you by the way Gerry. Okay, so that's my sidewalk question. To the trees question or comment going on, I'm okay with upsizing. I don't think all seven need upsizing. I was only going to say possibly the one on the western side which is the lower portion in front of Lot 3 only, but I could float with this.

Commissioner Nagler: I'm still hung up on the sidewalk. As you go west through the Preserve property, the question I'm trying to get to is the continuity of the sidewalk, whatever material it may be and whether or not there is a chance, and it may be a realistic chance, that the sidewalk that is begun as part of the applicant's development would to the west end up connecting to a future development or not and whether or not there is a possibility that it would be one contiguous sidewalk. Or, in fact, given the Preserve property and the location of the applicant that we'll see at some point to the west, that in fact there is not much chance of it being one continuous sidewalk.

Mr. Beaudin: I'll kind of carry on where Adam left off. We do have an application in with Ponderosa and if they move forward we would connect. And there is public right-of-way

in front of the Preserve. Obviously we didn't require a sidewalk when that development was approved, but we do have another application of 40 housing units, and there would be an expectation that they would connect their project to this location. And we haven't had that conversation with the developer but it's certainly part of the Complete Streets mandate and from a future resident amenity, to be able to walk in the area in your neighborhood and be off the street is going to be an important piece of infrastructure for those future residents. So we would pursue that with the developer pretty directly.

Chair Ritter: I want to bring the applicant back up here and then we'll go to comments.

Guy Houston, applicant: First off, regarding the sidewalk having the DG is something we would love to have. We think this white gleaming sidewalk is way out of place and inappropriate. Having that DG type of surface, as one of our conditions... we're going to have a little maintenance agreement among the three property owners anyway so over time, those types of things would have to be maintained as was said, sidewalks, whatever they're made of, is the responsibility of the property owner that it is adjacent to. That's a big success there as long as you have this condition here that says Americans with Disabilities Act, and make sure this is compliant. I don't want to come back later and say we couldn't make it comply so we've got to go back with your white gleaming sidewalks. I don't think that's fair. So if that's the case, yes, we want to support that change to my application.

First off, to answer your question Nancy we've been working on this for almost 2 years now and I didn't even look at what was approved 12 years ago as far as what the size of the houses are. That rendering you have from 12 years ago, those houses weren't going to look like that and it wasn't going to look that way from the street. So technology has made it a little bit better now. But the difference between that approval and this one, the biggest one is that lot; the house here was all the way back to where we were showing here. So the back of the house was right here kind of almost level or parallel with Ms. Young's home. In that case there were more trees being destroyed and also in that case those are the good looking trees, the beautiful ones. So our emphasis was to try and stay away from the beautiful part and bring this home down closer to the road. That's really the biggest change that we have between the two projects. We've spent a lot of time, and how this comes down to this point here, we think we've done a lot of landscaping and it's going to do a good job. The one thing to understand, and this photo isn't really great but you can see here Dublin Canyon Road, from here all the way to the project being proposed by Ponderosa, there is a wall of trees--and that's a tree right there—and it's just a wall all the way down towards the Lester's property. So as far as seeing that Lot 3, you're not going to see Lot 3 until it's right there. Going east, you will never see that house. And those aren't trees I paid for. Those trees have been there forever. And so as you're driving this way you will never see that home until you're right there and if you want to spin your head to the right you'll see Lot 3 and that home. It's going to have a lot of landscaping in front there.

Lot 1 obviously is a different story and we tried to lessen that impact by going one-story instead of having a two-story. So we think we've lessened the impacts and it was really important to us that the trees up here are really the beautiful ones and if you kind of get in the middle of this tree, this is actually—it's got like four trunks hanging out. It's not the majestic oak we'd like, but the ones up here are beautiful and this is why we designed

the project so the house is closer down here to protect that, and additionally less grading. We don't have big retaining walls which was proposed before. No one likes retaining walls, so that is how we designed it. It was really more of looking at the site, but as far as numerical and how big the house was, I couldn't even tell you what those houses were approved for.

So we're for the sidewalk modification as long as it complies with ADA. We think it'll make it much more attractive for everybody and as far as doing more to shade the house on Lot 3, I think we've done a pretty good job and Mother Nature's probably done most of the work; you just can't see it.

Chair Ritter: Great, thank you. Any more questions for staff? Comments?

THE PUBLIC HEARING WAS CLOSED.

Chair Ritter: So I'll just start with comments. Personally, I like the DG sidewalk. As long as Lot 3 continues and there is still the potential that that could be a right-of-way walkway and it sounds like it will be, if the next developer comes in then I would be in favor of it. The sidewalk DG on Lot 1, I think that would be fine if it was DG. It fits in with the rural surroundings as long as it's ADA compliant.

As far as tree size, my big concern is when you pull out of the driveway, I don't want trees getting big enough so you can't see the left and right so I don't want to put too big of trees right out on the corner.

Commissioner O'Connor: They're going to grow big.

Chair Ritter: And that's why I don't know if we really want to upsize from 15 gallons to 24-inch box. Maybe some that are right on the street on that intersection, but those are my two comments. In general, I like that they made Lot 1 a single story. I also like that they brought Lot 3 down so there's less grading and leaving the big trees in the back, and of course, the only neighbor that has to complain is Lot 2 and they're in favor of this. I kind of like that too. Those are my comments.

Commissioner Nagler: I think this is a well-crafted application. I very much appreciate the fact that the applicant has worked with staff and is amenable to the various suggestions that have been made. Coming into this conversation I had questions about the sidewalk and concerns about the sidewalk. I will express those as well when we get to the project across the street, and the resolution that it be more integrated into the aesthetic of the topography makes a lot of sense to me. I would also ask that you do consider moving the sidewalk away from the pavement of the road as best you can as well. So not only the material of the sidewalk itself but the location relative to the street I think is also important. And, again, if it had some bend to it, it would probably make it more of a path than a sidewalk. So I think that's important.

The trees—I hadn't really focused on them until this conversation so I appreciate Commissioner Allen bringing it up the way you did. I would support starting with larger trees just because it will advance the cause as it were to get adequate sized trees. I'm fine with the removal as is proposed of the oak because when I went out to look at it...when I was out looking at the property across the street I actually walked this

property as well and the tree didn't stick with me as a thing of beauty. If it were to be removed, as long as the replanting and the conditions, and I realize the conditions require even more trees than the applicant is proposing, that that's sort of aggressive planting is totally satisfactory to me. So given these changes, I'm supportive of the project.

Commissioner Balch: I learned a lot about sidewalks and probably more about public right-of-way easements. Thank you very much again. I'm very supportive of the project. I think it's well designed and I think the Craftsman style fits in nicely with it. I did ask staff earlier in the day about variances and differences between this lot and the one directly across the street. Primarily my initial heartburn with it is that apparently on some map somewhere, General Plan map of course, the zoning stops at the centerline and this is now low density residential and the other side is agricultural. And so it's interesting to me, and I'll just save it for that conversation, is that we're boxing in the agricultural with the uses around here and what I mean by that is obviously further west we have the higher density stuff that's been in there for a long time and to that note, I appreciate staff's comparison. I thought it was really nice and put together so thank you Jenny. That was very helpful to get my head around this. So I support this and as Commissioner Nagler pointed out and the Chair, that a meandering DG type of path or sidewalk—I would support that. I think staff's comment that this is a street standard, I think that's important and they've defended it well. While I pushed back initially, I appreciate that because there's things that staff points out that really do benefit our City long-term and that's really commendable and I appreciate it. With that, I support the project.

In terms of the trees upsizing, I'm probably not as supportive of all seven going to a 24-inch box. I probably would support the four in the front and would allow the other three to come in naturally to give them a better chance. I've planted both sizes and as staff has said, you do lose larger trees just because you can't get the root structure established to keep them going and in light of drought conditions, I could support trying to give them a better chance. So I'm probably actually supportive of staying as proposed but would be able to move to the four upsized.

Commissioner O'Connor: I think Commissioner Nagler stole my notes. So I think I've heard at least from three of you so far and maybe a fourth that we should modify Condition No. 38 so that we meander the DG path as best we can away from the road. As far as the trees go, I actually think we should upsize the five that are down in front by the roadway, especially with the not-so-great oak that's coming out. I would support having those five trees upsized to a 24-inch box. I think it will acclimate well. We've done a lot of 24-inch box here in town. Larger than that I don't think we should risk the downside to the acclimation of a smaller box, so I would go to a 24-inch box on those five trees, and that's it because everything else has been said.

Commissioner Allen: Okay, so I agree with all comments regarding the DG meandering sidewalk, and ideally off the street and also upsizing the trees at least to 24-inch box for at least five of the trees; the ones near Dublin Canyon Road you mentioned. I struggled with the mass of Lot 3 coming from the west, driving toward the west, and I appreciate the viewscapes helps me to understand this. I was coming into the meeting thinking we need to downscale that a little bit especially thinking what Commissioner Balch brought

up, thinking back to our workshop that we had about the church property and how those will be smaller homes, and thinking about the compatibility. This is compatible with the Preserve but you can't see the Preserve from Dublin Canyon Road, or the Laurel Drive homes. You can't see them from Dublin Canyon Road. When you drive Dublin Canyon Road you're looking at small ranch houses. So I think it's important as we think about compatibility and not just think about the Preserve that you can't see but the small ranch houses that exist and what's going to be across the street.

I would like to see Lot 3's garage be closer to 700 square feet and the square footage of the home being closer to about 4,000 square feet and the height being 30 feet which is code and not over code at 32 feet. At a minimum, it ought to be 30 feet and not 32 feet in thinking about compatibility. That's how I feel about that.

Aside from that I think the architecture's beautiful and I can support the project. That's the part that I'm just not 100% comfortable with, and I don't know if anyone can help me through that.

Commissioner Balch: I was going to mention that, I think Commissioner Allen misunderstood. The comment I believe we're referring to is the 5 unit project across the street going to the 3 unit project, I think the overall comment was that we said it could be larger homes and not smaller homes because of the way they were going to reduce their size because we're going from 2 to 1 and there were a lot of factors there.

Commissioner Nagler: So if they do what we're asking them to do across the street which they haven't committed to doing, we don't know yet.

Commissioner Allen: You know, that's a really good point. So I do want to mention one other thing as I think about those to that point, the project across the street, and staff help me here, but I think we had about 3 to 3 ½ acres of flat land that essentially was going to be developed. Was that about right? So each home would have had about one acre?

Mr. Weinstein: A little over four acres.

Commissioner Allen: A little over four, so each home would have had about one acre, I mean spread out over this flat land are, right? Versus this project, we really only have 1.4 or 1.5 acres of flat land within this three acre property so in fact these homes are actually only going to be on half of an acre each.

Commissioner O'Connor: This means the houses theoretically could be bigger.

Commissioner Balch: But if I may, this is where I was going earlier with my comment to staff about zoning, right? Across the street is zoned Agricultural, so I was actually trying to say why are we getting to build three here for example versus five versus three on the other side? The zoning is what it is, which we all know where we stood from the last application, but....

Commissioner Allen: Okay, well thank you for helping me think through that.

Mr. Weinstein: Commissioner Allen I just want to clarify the FAR calculations because we're just getting out of the FAR discussion. We did miscalculate it. The FAR for Lot 3 in Table 1 should actually not be 20 percent but 23 percent. We inadvertently left out the amount of garage space beyond 600 feet when we were making the calculations. Apologies for that.

Commissioner Nagler: Just to be clear for future reference, if the garage is 600 feet or smaller it is not part of the FAR calculation, right?

Mr. Weinstein: Right.

Commissioner Allen: And to clarify, if it's 700 square feet, only 100 square feet and not the full 700 counts.

Commissioner Nagler: Correct, it's everything over 600.

Commissioner Allen: Okay, so I'm good with the plan then as we see it. The only piece that I'd like to just ask you all on is the additional amount that's shown. I mean we've got a plan for the homes that are being built but we also...if we approve this as is, we're also approving the right to build another 500 square feet for each of the homes as shown on page 7 of 15. So in addition to the plan we have, it could go larger and we wouldn't have purview of having a discussion about screening and trees and other things that might happen.

Commissioner Balch: Well you don't know if they're going to build above ground. With Lot 3, you could easily build a wine cellar in that hill underneath the second story.

Commissioner Allen: Would you be open to having some condition related to that?

Commissioner Balch: Well, they're going to have to come get a permit.

Chair Ritter: But that would need to be per the code.

Mr. Weinstein: Any additions to these properties would have to go through the staff level design review process.

Commissioner Allen: So if there's a view impact if it was being put in a different place and there's a view impact, that's something that would be pushed up most likely?

Mr. Weinstein: Yes, that's right. That's what we look for when we look for applications that go through the design review process. We look at compatibility with the surrounding neighborhood. We look at views. We look at overall aesthetic character.

Commissioner Allen: Okay, thank you.

Mr. Weinstein: Just to be clear too, so with our revised FAR calculations there would be a little bit less square footage that you could add to Lot 3 because we're already at 23%. You can only go up to 25% so that somewhat addresses the massing issue of additional building square footage being added onto Lot 3.

Chair Ritter: So just with a nod, did you all say upsize the five front trees?

Commissioner Allen: Yes.

Commissioner Balch: Yes

Chair Ritter: That's a London Plane tree? That will end up obstructing the driveway access onto the road?

Mr. Beaudin: They look a lot like Maple trees so that canopy will be tall but also they are setback quite a bit from the street because of that right-of-way issue. They'll be on the private property.

Commissioner O'Connor: So that's four of those five trees?

Mr. Beaudin: There are four London Plane and one Oak tree closest to the street on Lot 3.

Chair Ritter: Okay, so it sounds like we're getting ready to make a motion.

Mr. Beaudin: Commissioner Balch? Could I just ask for a little flexibility on the design of the sidewalk? Prior to the issuance of a building permit....

Commissioner Balch: We allow the Director of Community Development to approve final design and confirm compliance with ADA requirements.

**Commissioner Balch moved to approve PUD-115 per staff recommendation, with the modifications of Condition No. 38 that the sidewalk be a decomposed granite, meandering pathway offset from the street, and that specific design is subject to review and approval by the Director of Community Development; and Condition No. 43 that the four Columbia London Plane trees proposed along Dublin Canyon Road and the one Southern Live Oak in the northern corner of Lot 3 be upsized from 15 gallon size to 24-inch box size.
Commissioner Nagler seconded the motion.**

ROLL CALL VOTE:

**AYES: Commissioners Allen, Balch, Nagler, O'Connor, and Ritter
NOES: None
ABSENT: None**

Resolution No. PC-2016-04 recommending approval of PUD-115 was entered and adopted as motioned.