
City Council Chamber
200 Old Bernal Ave., Pleasanton, CA 94566

APPROVED

Wednesday, September 13, 2017

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

CALL TO ORDER

The Planning Commission Meeting of September 13, 2017, was called to order at 7 p.m. by Chair Balch.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner O'Connor.

1. ROLL CALL

Staff Members Present: Gerry Beaudin, Director of Community Development; Adam Weinstein, Planning Manager; Julie Harryman, Assistant City Attorney; Jenny Soo, Associate Planner; and Cindy Quintero, Office Assistant

Commissioners Present: Commissioners Nancy Allen, Justin Brown, David Nagler (arrived at 7:10 p.m.) Greg O'Connor, Herb Ritter, and Chair Jack Balch

Commissioners Absent: None

2. APPROVAL OF MINUTES

a. August 9, 2017

Chair Balch deferred the minutes to the end of the meeting in order for Commissioner Nagler to provide his comments.

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 members of the audience wishing to address the Commission.

4. REVISIONS TO THE AGENDA

There were no revisions to the agenda.

5. CONSENT CALENDAR

Consent Calendar items are considered routine and will be enacted, approved, or adopted by one motion unless a request for removal for discussion or explanation is received from the Planning Commission or a member of the public by submitting a speaker card for that item.

There were no items on the Consent Calendar.

6. PUBLIC HEARING AND OTHER MATTERS

a. PUD-117, Jitender Makkar

Work session to review and receive comments on an application for Planned Unit Development Rezoning and Development Plan to construct six single-family homes, a public trail, and related improvements on an approximately 12-acre site at 2188 Foothill Road. Zoning for the property is Agriculture (A), West Foothill Road Corridor Overlay District.

Jenny Soo presented the Staff Report.

Adam Weinstein clarified that staff is recommending the Commission focus on Lots 2 and 6 in terms of the current site design which would have the most impact on the trail, creek, northern side of the site and views from Foothill Road into the site.

Commissioner Ritter asked where the trail would be located based on topography; why the entrance and exit off Foothill Road was changed from the original plan; and if there were similar size developments coming off of Foothill Road.

Ms. Soo replied the trail will be located along the street. She referred to page 10 of the agenda report and stated City policy prohibits additional private access driveways onto major arterials. The existing road is a path and not a street and this led to staff's recommendation.

Mr. Weinstein stated there may be a few existing developments coming off Foothill Road, but there have not been any recent approvals.

Commissioner Allen asked how much of the 12 acres is developable; and why the tree report shows trees to be removed on Foothill Road when the access point is no longer Foothill Road.

Ms. Soo responded approximately 4.2 acres is developable which includes internal roads but not the creek area, the area west of the fault line setback, and Foothill Road setback. She clarified the tree report is old and will be updated.

Chair Balch said the tree report includes six heritage trees for removal but the agenda report identifies 10. He asked if this was based on the redesign of the plan, and Ms. Soo confirmed.

Commissioner Allen asked if any heritage trees were proposed to be removed on Foothill Road.

Mr. Weinstein clarified staff will look for as many trees as possible to be preserved along Foothill Road per the arborist's report and there was no reason any trees should be removed within the first 150 feet to the west of Foothill Road.

Commissioner Allen referred to Figure 2 asking if anything would be built on the hill located on the left side of the property in the first quarter area and if the hill would screen homes or if the homes would be visible from Foothill Road.

Mr. Weinstein pointed the Commission's direction to the grading plan; Sheet C-4.0, he pointed out the hill shown on the south side of the project site and verified there was no development proposed for this location. He stated the applicant submitted project perspectives which helped to show what the project would look like from various viewpoints along Foothill Road and while this does not show the view from trees screening the development most if not all of the homes will be visible.

Commissioner Brown referred to page 6 and road width; he confirmed parking would be proposed for one side only and that 36 feet would be needed for parking on both sides. In reference to statements on page 7 of the staff report relating to significant grading and potential land instability, he asked if this was consistent with the General Plan. Also, if Lots 2 and 6 were eliminated, he asked if this still constituted significant grading.

Ms. Soo stated the applicant proposes a berm along Foothill Road. If Lot 2 is eliminated the berm would not be needed. The applicant also proposes a bioswale along Foothill Road and if Lot 6 were removed and Lot 2 and the bioswale located elsewhere, less grading would be needed overall as home sites would be spread out further.

Mr. Weinstein added that the General Plan does not define "significant grading" and for a site like this staff errs on the side of reduced grading.

Commissioner Brown asked if eliminating Lot 2 would decrease the number of trees being removed, and Ms. Soo confirmed. He said a letter was received from Mrs. Conner regarding intersection concerns and blind corners. He asked if there was anything addressing this at the intersection of Foothill Road and Longview Drive, and Ms. Soo replied not at this time.

Commissioner Allen referred to grading and said if Lots 2 and 6 were eliminated whether this also reduces the need for the 10 to 12 foot retaining wall around Lot 4.

Mr. Soo said there are tall retaining walls for Lot 6 as well, and staff would be reviewing this in the re-design. She was not sure the retaining wall around Lot 4 would be eliminated completely.

Commissioner Nagler asked how much of the grading is related to placement of the home on Lot 5 and given there is significant grading proposed, while there may be a reduction in Lots 2 and 6 he said he wanted to determine where grading occurs so the impact can be reduced.

Ms. Soo deferred this question to the project engineer.

Commissioner Nagler referred to street parking and the trail, which would appeal to the public, and asked why no staging areas are proposed. He asked for the total number of public parking spaces in the development.

Mr. Weinstein said currently the City does not allow parking along the entirety of Longview Drive; it is allowed along the flatter parts. He estimated there were 15 to 20 spaces currently available on Longview Drive for those wishing to access the easement at the top of the hill to enter the park. Staff did not encourage the applicant to include a staging area with parking at this site because they were sensitive to the West Foothill Road Corridor Overlay District (WFRCOD) considerations which prohibit structures in that area immediately adjacent to Foothill Road. A staging area would likely be in this area and be visible depending on its design from Foothill Road. He said the second reason is staff is sensitive to what they believe will be concerns from neighbors about the number of people coming to the staging area. Staff thought it best to design the trailhead with limited parking so as not to attract too many people.

Additionally, there are three existing staging areas; one at The Preserve, one up in Golden Eagle accessed through the gates, and EBRPD regional staging area south on Foothill Road. The City in conjunction with EBRPD is looking to develop three more trail heads; one at the Garms Staging Area across from Foothill High School, another at Castle Ridge near the Adobe, and possibly if the Lester project moves forward a staging area could be accessed off of Dublin Canyon Road. One objective is that visitation to the ridge will be more dispersed across multiple staging areas so there will not be a significant amount of people descending on one staging area. If there is increased parking demand at this trailhead if developed in the future beyond what was anticipated the City could allow for more street parking up Longview Drive. Another benefit of this particular trailhead is that it will be one of the few where many people will be able to bike or walk to it.

Commissioner O'Connor referred to parking on one side of the road which is a narrow street with 4-6 private homes. He asked if staff believes this might impact quality of life for residents.

Mr. Weinstein said staff was trying to balance the desire to get some parking on the street given it is a sensitive hillside area. A wider road on the site might have more visual impact and traffic engineers believe the geometry is acceptable and could be used safely. Given the narrowness of the roadway plus the parking on one side people will be encouraged to drive more slowly. In response to Commissioner O'Connor's statement regarding quality of life for residents, he concurred that different roadway alternatives could be explored.

Commissioner O'Connor said Lot 5 is approximately 7 acres and much of it cannot be disturbed. He asked if this could be left as a private lot, separated out, or asked whether EBRPD might be willing to take additional property, stating it may be more desirable for the homeowner not to maintain the 7 acres.

Mr. Weinstein stated staff has not yet explored this issue. It is not contiguous to the existing park and separated and disconnected from Augustine-Bernal Park by the Golden Eagle open space.

Chair Balch confirmed with Mr. Weinstein that there may be a discrepancy in the visuals. He noticed that the color scheme does not match the color scheme for A or B of Lot 2. For example, on Lot 2 it looks like a terra cotta roof but it is supposed to be a charcoal brown

blend. The color of the filming looks white and it is supposed to be backdrop. It also does not match Color Scheme Alternative #2.

Chair Balch disclosed that he visited the site and there appears to be some work going on.

Ms. Soo stated staff had noticed there were some landscaping materials delivered to the project site and they walked the site with the applicant's representative. She believes the applicant had security on site for a period of time and neighbors contacted staff. Code Enforcement sent a letter a couple of weeks ago to the property owner and notified them of the situation and that the need to correct it. Therefore, she deferred to the property owners who were present to respond.

Chair Balch commented that the photographs in the staff report in Exhibit B are dated June 16, 2017 and it looks like there was mulch on site at that time and is still there, based on his visits to the site recently. He asked if public parking would be developed along the internal on-lot road proposed between the property lines.

Mr. Weinstein replied yes.

Commissioner Nagler referred to the developable size of the site and Commissioner Allen's previous question. On the ratio of one acre per home given the General Plan and zoning, he asked if there was any precedent that this applies to the amount of property buildable as opposed to the entire outline of the property itself.

Mr. Weinstein said there is no strict interpretation of the General Plan that would reduce the allowed density due to environmental constraints, but the Commission is exploring the possibility of rezoning this as a PUD which allows the Commission to determine what density is appropriate based on environmental constraints.

Chair Balch stated the Commission had an application from Golden Eagle during his tenure where there is a developable envelope and he believes there is precedent right next door of a site constrained by developable envelope put on it by its PUD, and staff confirmed.

Commissioner Brown commented that the Site Plan A-06 has a developable area identified which might be useful as a reference for Chair Balch.

Commissioner O'Connor asked why the berm was needed down at Foothill Road, and whether it was strictly for visual screening, or he asked if it related to the retention pond or basin.

Mr. Weinstein stated he did not believe there was a formal berm being built adjacent to Foothill Road, but staff will review this during the applicant's presentation.

Chair Balch commented that it is the bioswale going down there and that there will be grading in the 150 foot area in Lots 1 and 2 associated with the bioswale's installation.

Commissioner Nagler asked where 9,800 cubic yards of dirt was going to be filled.

Mr. Weinstein deferred to the project engineer but said staff's sense is that it is being deposited over the vast majority of the developable part of the project.

Commissioner Brown pointed to a diagram labeled “grading”, “fill”, and “cut” in different places on the map for reference.

THE PUBLIC HEARING WAS OPENED

Yadwinder Singh said he lives in Castlewood. He introduced Thad Triplett with SPG Architects who would be presenting the project.

Thad Triplett, Senior Designer/Project Manager, SPG Architects, said he has worked on the project exclusively over the last year and one half, has met with staff and said there have been three iterations of the project which he briefly described. Regarding internal setbacks and height, these can be easily mitigated for Lots 1 and 2. He drove up and down Foothill Road and to the north on Gloria Court and said the houses cannot be seen from the street. Further south down to Golden Eagle there are tennis courts along the road and heavy foliage and this is a lot where there is a view of the ridgeline which they wanted to maintain. At the same time, they want to make it a viable project and 6 lots is where they need to be, particularly now with the enhancement of the trail. Regarding views from Foothill, many of these issues can be mitigated with landscaping. The separation between the lots shows a good sense of connection with the ridge and valley and he believes the design now enhances that. They are well below the LDR of one per acre. At this time, he emphasized the need to maintain the lot count at 6 lots to keep it a viable project. He said the civil engineer is present to answer questions as well as the applicant, Jitender Makkar.

Chair Balch asked and confirmed with Mr. Triplett that the civil engineer from BKF would be able to answer questions regarding grading and fill.

Commissioner Ritter asked and confirmed that initially the project was proposed for 10 lots, and asked if this was prior to Measure PP.

Mr. Triplett stated he was not sure, but he was involved from the time the project changed to seven lots.

Keith Palmer, BKF Engineers, clarified that the largest amount of fill is on Lot 5. Lots 1 and 2 are somewhat mixed because they have basements. Lot 4 is also mixed. Lot 3 and Lot 6 are more infill. Generally, these were chosen because of constraints with trees or the hillside. In order to use Lot 5, they must get the driveway up there and be able to get a fire truck on it. This site is geared towards being more infill rather than cut. He referred to Lot 6 and said he knows the Commission was worried about the trail going next to this. This lot is perched fairly high on some walls which will give that property some privacy. The trail is set to be located between the wall and the top of the incoming creek so there is reasonably good space for a trail which could be landscaped. Regarding wall heights, these were not individual walls but cumulative. They have terraced the walls so there is less of an impact.

Commissioner O'Connor asked if the walls were 8 and 10 feet total or stepped up.

Mr. Palmer stated there are 8 foot walls which could be adjusted, but one Commissioner mentioned they were 14 feet which he clarified relates to a combination of multiple walls.

Commissioner Nagler said he had the impression that much of the grading for Lot 5 was occurring to create this lot. When staff talks about particular sensitivity to Lots 2 and 6 and the applicant relates this to grading issues, he was trying to get clarification on how all of this fits together.

Mr. Weinstein said they are related. Staff's issues with Lots 2 and 6 were less about grading or deposition of fill which is what is occurring on Lot 5 as with giving the trail adjacent to Lot 6 more breathing room and giving the trail user a better experience by having more open space around it. Regarding Lot 2, staff wanted to reduce the visual impacts from Foothill Road simply because it is one of the closest lots to Foothill Road.

Mr. Palmer cited another option for the trail which is to build a pedestrian bridge at the upper end of Lot 6 that rather than bringing it across the bridge.

Chair Balch asked if the driveway or the road caused more grading than the site pads for the houses.

Mr. Palmer replied grading is more for the house pads. They are constrained at the top of a lot of the pads so they are holding the upper elevation. Reducing the number of houses would have some grading impact but they are still distributing the grading in areas so he was not sure it was a valid reason to decrease the grading impacts, but they could look at a redesign of Lot 6 to possibly bring that lower on the site.

Mr. Palmer stated there was a comment about the trees and clarified there are two trees at the bridge crossing proposed to be removed. The rest of the trees proposed to be removed are recommended by the arborist for removal. Six of them were recommended for removal in order to promote positive growth on a particularly nice tree. One tree was hazardous because it is next to the proposed trail and has nothing to do with the development. One other tree is not close to anything and located along the creek and part of the riparian area. They decided not to show this tree for removal because it does not affect anybody and it is a riparian item. Therefore, he did not believe there were as many trees for removal. Previous plans did show removal of trees along Foothill Road. They are planning to widen Foothill Road based upon City requirements for different configuration of bike lanes; however, it is not clear any of those trees must be removed. One tree may end up needing to be removed, but this will not be known until excavation for road widening occurs.

There is no berm on Foothill Road. They show an excavation for the stormwater treatment and he did not believe this would be a highly visible feature, as it will be grass and they are not showing retaining walls in there. He explained that if this were placed up on the hill where homes are located it causes more trouble because they would have to drain part of the bridge that is lower than the homes into this, and generally it is more effective with one larger basin.

Commissioner O'Connor asked if the relocation of the trail west of Lot 6 or at the corner of Lot 6 was explored with staff.

Mr. Palmer said he reviewed this but did not remember discussing this with staff. It is possible the trail could go along the other side of the creek and cross at some place higher on the site. But, he noted there are a number of possible trail alignments. Since that trail serves the parking on Longview Drive he questioned whether people would want to walk away from the

park in order to get them on the trail in the direction they want to go. He said he sees the point in having it there but also it was not necessarily bad to have it higher on the hill.

Purnima Verma, representing the builder, stated the tasteful design for the project is in accordance with the City's guidelines and is a simple, extremely well-designed project blending with grading of the land and preserving most of the natural resources. She said they have accommodated all concerns from the Planning Commission, have aligned the roads as requested and have clustered the development as best as practically possible. They have almost no impact on any of the natural resources such as trees, bird life, plant species, the creek or the dripline of the trees. Instead, the land will be enhanced once there is a subdivision here. Since the property has been vacant for a long time the trees are not being maintained or cared for which has led to decay. Therefore, the best opportunity for their preservation is to make the land available to users who will have ownership and pride in maintaining the property collectively and independently. Lastly, the most important feature that this subdivision provides is the socially desirable feature which is the trail in perpetuity and will serve bikers, walkers and hikers. She stated the project began with more than 30 homes about 10 years ago and has been reduced to 6 lots, which are most feasibly financially as well as aesthetically, and she thanked the Commission for their consideration.

Michael Ottati said his home will abut the western side of this property and he shares the property line at the creek higher up. He cited concerns regarding the density of the proposal, noting that some of the lot sizes are slightly less than .7 acres and considerably smaller than homes above and erosion caused by grading, although this will be addressed by conditions of staff. He also cited concerns for safety, stating people speed down Longview Drive and noted cars that park above the hill will be eliminated with the development of the project.

Mr. Ottati suggested that the 4 acres of undevelopable land be subtracted out of the total acreage that can be developed to make it consistent. He also stated the trail is a hidden treasure and suggested a sign be posted so the public and not just Pleasanton residents will be able to use the trail. He also cited construction noise and dust concern, but recognized people have a right to build.

Dr. Frederick Johnson echoed comments of Mr. Ottati and said the development is adversely affecting at least one hawk nest and potentially a rare and endangered species which should be considered in environmental review. He said he was nearly killed two days ago at the corner of Longview Drive on his bicycle when he was coming down the hill and the project will add to the existing dangerous conditions at this corner. Dr. Johnson also stated parking is occurring on the hill by his frontage on Longview Drive which is illegal and he has already removed one car from his swimming pool and one car off of the side of the hill because they overran the curve. Therefore, allowing parking on the steep part of the hill is ill-advised. He asked to see one or two homes on the project site and asked the Commission to maintain the natural land and wildlife.

Mr. Triplett said in addressing Dr. Johnson's concerns regarding endangered species, a biologist will be consulted to monitor any impacts during times of the year of nesting. He said the applicant has taken a tremendous amount of interest in protecting as much as possible and they have worked over three years to come to this point and want to be sensitive to neighborhood concerns while making a successful project.

THE PUBLIC HEARING WAS CLOSED

BREAK

Chair Balch called for a 5-minute break at 8:20 p.m. and thereafter reconvened the regular meeting at 8:25 p.m.

Chair Balch announced that the matter is a workshop and that no action will be taken tonight. He suggested the Commission address the discussion points, as follows:

- A. *Are the proposed architecture, building massing, bulk, landscaping and housing size acceptable?*

Commissioner Nagler commented that this is a valuable and gorgeous piece of property. He appreciates the rights of property owners to develop their property but he also believes it is the City's duty to protect open space in a way that may or may not comport with the desires of all land owners. Towards that end, he was not persuaded that this applicant began with 50 homes that is now down to six homes as a way to justify that six homes is the right number. Regarding architecture, building mass and size, he very much appreciates that these are very high-quality homes. The architecture is sophisticated and materials are high quality which he appreciates. He echoed other comments that the renderings are exactly those the Commission has been asking for and the City can use this as a template for the standard. He said he also appreciates that the applicant has attempted to separate the homes as they have. He was sensitive to two issues that speak to the size of the homes in that what is visible from Foothill Road. He supports the idea that from Foothill Road the homes be less visible in mass and in number. Other than what is visible and other than what he and others might say under question B, the sizes of the homes do not particularly bother him other than what is visible from Foothill Road.

Commissioner O'Connor said the way the plan is presented the homes on Lots 3 and 4 need a bit more articulation on the sides and the back. Regarding mass, his only concern was Lots 1 and 2 because of the two-story appearance from Foothill Road. He did not have a problem with the maximum size proposed if the home could be made one story or if the rooflines could be reduced, but as presented, he believes there is too much mass given their height and visibility from Foothill Road. He was not sure if more landscaping would hide those homes between Foothill Road and the homes, resulting in a more forested look.

Commissioner Brown agreed that all four sides of the elevations on Lots 3 and 4 could be improved. He was not necessarily agreeable to staff's recommendation to eliminate Lot 2 as it exists today. Lot 6 might be dependent upon counter proposals around the trail, but exceeding the 30 foot building height for Lot 2 is of concern and the two-story mass, so he recommended a different design on Lot 2 but would not go so far as eliminating it. He thought it was a good observation by staff to get the driveway of Lot 4 out of the hammerhead. In general, he thought all of the homes looked nice and did not necessarily have a problem with the size but did have a problem with the size of Lot 2.

Commissioner Allen said her general comments are that the FRCOD and the General Plan is very clear about protecting the rural nature of this area on Foothill Road. She was sensitive to the fact that it impedes on that and thinks there are too many homes and it feels too massive. Regarding architecture, she believes it is very high quality and she likes the designs. However,

she is most sensitive to Lots 1 and 2 because of the view corridor. The homes are also close to Foothill Road from a bicyclist's perspective and the ridge is not seen with a two-story house. Commissioner Allen drove up and down the street and her example of what she did not like and what concerns her are the first two homes coming down on Bernal and turning left on Foothill Road going south. There are two homes not well screened and she was not sure when these were built, but you don't see trees, only two large, separate houses. She thought this was not what the City needs in the continuation of Foothill Road, and it blocks the view of many bicyclists and many drivers of the hills and they are somewhat close to each other. In contrast, the properties further south of this going toward Golden Eagle do not show much. They have the luxury of having many beautiful oaks and screening from Foothill Road. The builder was lucky because the houses they built were screened and there is a lot of rural nature landscaping and not brand new trees being planted and the top of the ridge can be seen, and this is what she desires. Because there is not a lot of screening with this project, she was especially sensitive to the fact that the rural character needs to be retained. She asked to have no more than 2 to 3 lots and she would eliminate one of the lots on Foothill Road, most likely Lot 2 because at least half of a view corridor should be maintained on that lot. She would have the front facing lots on Foothill Road be one-story as well so people can see the ridge. She would also setback whatever home is there a bit more than 150 feet, as many homes going south are setback quite a bit beyond 150 feet. In terms of landscaping, she suggested planting more mature trees and a lot more screening along the Foothill Road corridor. In terms of the other lots, Commissioner Allen said if they were placed such that they were blocked by the first house on Foothill Road, she would not be so concerned. Architecture on the back of the home is less of a priority to Commissioner Allen than the front of the home, the view from Foothill Road.

Chair Balch asked Commissioner Allen about the size of the homes and their massing.

Commissioner Allen said she didn't get the experience of how the homes massing and setbacks would feel from the visuals provided but she would like to reduce the visual impacts from the Foothill side. She said it feels like too much building for four acres of area in a site that is not screened and one that is sensitive in terms of views and that the City is trying to protect. It is also inconsistent with the homes moving further south on Foothill Road and the feel of what this current design looks like.

Commissioner Ritter said he would challenge Commissioner Allen's comment in that she would like more screening but would like to see the views of the hills. If a lot of screening is put in, then there may as well be two-story houses and the houses and the hills will not be seen. Therefore, he suggested having a little bit of screening and also a single-story house like Lot 1. Lot 2 looked like a two-story house and he would rather have Lots 1 and 2 together versus Lot 1 turn into a 10,000-square-foot single-story house which he thinks would be massive. He said he thinks Lot 6 is a bit close to the stream and was cognizant of erosion, hillside issues and water runoff. This is also in an earthquake zone so he was concerned with too much coverage, but if one lot had to be eliminated, he would eliminate Lot 6. He likes the addition of bike lanes on Foothill Road with setbacks, which adds a community benefit. He was concerned with the number of cars coming up and down Longview Drive and the accident factor, and he suggested hearing neighbors' opinions regarding consideration of a speed bump. He likes the idea of having the entrance to the trail closer to lower down the hill because it means people are actually parking on Longview Drive, they would not miss the curve into someone's pool on the steep part. If Lot 6 were removed, he supported widening the road for parking on both

sides and likes the idea of connecting into Golden Eagle at the top. He would like the least amount of cut but he knows infill needs to be used on the hill to keep things level. Commissioner Ritter would like staff to identify areas for staging. Regarding massing and the layout, he thinks the applicant did a great job with visuals and drone pictures of views from the top would also be helpful. He did not think story poles were necessary but visuals of views from Foothill Road would be important in getting the project through the Planning Commission and City Council approval. Lastly, he likes the 150-foot setback and while it might be a great staging area, when driving down the road the look must be kept rural.

Chair Balch echoed Commissioner Nagler's comments regarding architecture. He thinks the packet of visuals and layouts does help communicate the feel of the project. Lots 4 and 5 are sort of hidden by Lot 6 on the visual, which is nice to see. He was not opposed to the size of the homes but he also would desire a developable envelope similar to what has been done on Golden Eagle to address that. He thinks the Commission has learned that no matter how large a house is built, someone will want to expand it in the future so the Commission should just be aware of that and make an envelope now. Regarding Lots 1 and 2 on Foothill Road and the views, he echoed these comments from a majority of Commissioners as needing work on massing. He thinks the views from Foothill Road need to be well respected and he was not sure if this could be done by setting back the second story or not, but he thinks one story is strongly supported. Regarding architecture on Lots 3 and 4, he also agrees with comments as this should change a bit, but he is a stickler on architecture on all four sides of a building and agreed with the hammerhead comments.

Commissioner Brown said both Lots 1 and 2 are two-story. Lot 1 looks less two-story because of the architecture which is a good thing and this is why he zeroed in on Lot 2. In the staff report it stated one thing the Commission could consider is restricting Lots 1 and 2 to single story, but he wondered if this was practical given the fact that the road behind has to be elevated in order to graduate to the other lots and Lot 5 and 6. He does care about the view from Foothill Road per Commissioner Allen's comments.

Ms. Soo said she believes staff and the applicant can explore this.

Chair Balch stated they could return with a split level or a step-up design. He also asked if the Commission was okay that Lot 2 not be excluded completely; that they were okay with it still being built.

Commissioner Allen stated she was not supportive of Lot 2 remaining, and other Commissioners stated they were supportive of it being built if designed appropriately.

B. Is the proposed site layout, including number of lots, lot dimensions, and location of homes suitable for a hillside area and sufficiently desirable to warrant a PUD rezoning and development plan?

Commissioner Allen said she stated earlier that she did not want Lot 2, she clarified that she would be open to Lot 2 with a smaller footprint and not just single story or a low profile, but smaller in terms of square footage. If there were two, 3,000 square foot homes for example, this would accomplish the same goal she had versus eliminating one large house and keeping one large house. She would like to protect a fair amount of the view corridor. It is the distance

between them so people can see the ridge and not feel like it is a lot of stucco they are looking at.

Chair Balch stated on Landscape Plan #1, he pointed out there were a lot of trees planted on the lot both between Lots 1 and 2. He thinks if they plant more trees to block the homes and they are closer to the street than the 150-foot area, the views will be blocked.

Commissioner Allen recognized this trade-off but she also knows that when the trees are planted now, it will be decades before they are ever tall. Therefore, she personally believes having a fair number of trees enhances the view. She agreed that the compromise is that the houses are lowered and made smaller so the ridgeline can be seen.

Chair Balch referred to Question B and asked Commissioner Allen as to whether the layout is suitable such that it would warrant a PUD rezone and development plan versus retaining the current zone.

Commissioner Allen said she would be comfortable with retaining the Agricultural (Ag) zoning which would allow two homes to be built here.

Mr. Weinstein stated zoning and the General Plan designation are not totally consistent, so if the Commission wanted to keep the Agricultural zoning, there would probably be a General Plan Amendment which would result in less density on the General Plan side.

Commissioner Allen said the General Plan says Low Density Residential which creates a maximum of no more than "x". Ag is not conflicting with that; Ag just says what the "less" is and the less is one house per five acres. So it is not conflicting with Low Density Residential, rather, it creates a subset of what that looks like for this lot and for some of the rural areas on Foothill Road. She did not want to get into technicalities. The Commission should look at that but she did not see the two conflicting and to her this is why Ag zoning is not mutually exclusive of Low Density Residential. With that said she believes that the trail being proposed is a community benefit and the City should make sure Golden Eagle is supportive of that; otherwise, this is all for naught. She was willing for that benefit to go beyond two homes and perhaps three with the community benefit.

Chair Balch asked if Commissioner Allen was comfortable with the trail going down as indicated, or if a trail crossing the creek connecting to Longview Drive further up the hill would be appropriate.

Commissioner Allen said she was okay either way, but from a user perspective the lower it is on Longview Drive the better because it is easier for people to access.

Chair Balch said he was generally okay with the site layout and also supportive of PUD because he was supportive of restricting future growth or development on the rest of the property. He was also happy with the trail. In terms of site layout, he was concerned that the backyards of Lots 1 and 2 will be into the bioswale area, but this is not laid out yet. There is a cut on the plan that shows it is closer to Foothill Road. This 150 feet with no home will be the backyard for two residences and he will be able to see a swing set, outbuilding, a shed and this gets to the rural nature which will be degraded by ancillary structures. He thinks this should to be addressed by the Commission. In terms of the rest of the site layout, he initially

supported the trail up higher on Longview Drive, but he actually supports it now where it is at. He also wants to know if the road location connecting to Longview Drive can change to save the two trees. He was not sure which were heritage trees, but if the two on each side of the driveway are heritage trees being removed, he would prefer an alternate location for the road crossing Longview Drive. He said Commissioner Ritter talked about a 36-foot wide road with parking on both sides, but this would probably create more fill. If more fill is required, he would support the one-sided parking if that was something that came "out in the wash". He was not so against Lot 5 being up and cutting in as much, but he would also encourage it be looked at and possibly its placement slightly off from where the topography is coming in and suggested moving it 5 or 10 feet which might assist in reducing the fill. Regarding comments about Lots 1 and 2 and house sizes, Commissioner Allen suggested these could be made a more rural feel and slightly smaller, but he was not opposed to their size right now but they could be enhanced by a step back. He also thinks the applicant has done a nice job figuring out the meandering nature of the development. Overall, a PUD can be warranted with no more development and along with the trail.

Commissioner O'Connor said he supports the PUD for all stated reasons. He did not think Lot 6 needed to be removed, but he would rather support the trail coming off of Longview Drive up above Lot 6. If people walk on the trail they will need to walk up the hill anyway, so he thinks it would be better to move the trail to a pedestrian bridge and not have people on the auto bridge and have them above Lot 6 so they can experience more of a rural effect. There is a lot of talk about eliminating the house on Lot 2. Before he would do this, he would eliminate the house on Lot 3 and give room to bring Lot 4 further east and away from the hammerhead and to take Lot 2 further up to keep the larger home. They can create some space between Lots 1 and 2 which provides the view corridor and he was still supportive of putting more trees below on Foothill Road. He suggested merging Lots 2, 3 and 4 to get two lots so there can be two nicer homes situated nicer and provide the view corridor. But, he would not eliminate the house on Lot 2. He said the other lot placements are fine the way they are. By moving the pedestrian bridge further up from Lot 6, Lot 6 is fine.

Chair Balch said he supported Commissioners Allen and Ritter earlier because he was thinking of getting bicyclists, walkers, and traffic off of Foothill Road. He thinks this is a dangerous section of Foothill Road. His point was for bikers to be able to connect lower down and if parking is on one side of this road, they will have to walk down and then up unless there is a "Y" at the top and connect from the hammerhead up so the trail went two ways.

Commissioner O'Connor said bicyclists will travel up the ridge and he noted the further getting up on Longview Drive there is no parking allowed. Chair Balch said if this is done, he is worried that people from the hammerhead on the road will be walking across the street to get to the trail.

Commissioner O'Connor said he did not think many people would park on this meandering road if they have to walk all the way back down the hill. He thinks they will park on Longview Drive. Also by the time there is more access to the ridge with the other staging areas, this disperses the number of people coming up there.

Commissioner Nagler said it strikes him that as far as number of homes and home placement he starts with a couple of goals; (1) to reduce the presence on Foothill Road as much as practical; (2) to have as little dirt moved as is practical; (3) to separate a home from the trail as

much as practical; and (4) to maintain the rural nature and open feel to this piece of property. He said all of this is built upon a mission in this regard of advocating for the property to be as protected it can be given what it is today, but recognizing that he supports a PUD and also supports homes being built on the property. With that criteria in mind he was going to suggest that there is nothing magical about 2, 4, 6 houses or 50 houses, the fact is that as he looks at the placement of these homes in the context of that criteria he viewed this project through, he thinks 6 homes is one too many so he would support 5 homes. Not all, but some of the location of the homes could substantially shift to meet his criteria. Instead of eliminating 6 because they are close to the trail or eliminating 2 because it is another home to be viewed from Foothill, instead seeing the layout holistically, probably the right thing to do is to eliminate either Lot 4 or 3, move Lot 5 down more to the flatter part of the property which would take less fill to put in the driveway, move Lot 6 closer into the center of the piece of property and move Lot 2 westward so it is not so visible from Foothill Road. They could end up with a project that does not have the mass, requires less fill, still accomplishes a PUD that gives the applicant a substantial amount of construction, and provides a walking experience for those on the trail which is improved over what is being proposed now. As far as placement of the trail, he is fine with where it is but he would re-arrange the placement of the homes by eliminating one of them.

Commissioner O'Connor said he thinks the Commission is a little all over the map with this and they need to see where consensus can be achieved so the Commission can provide better direction.

Commissioner Brown stated Commissioners Nagler and O'Connor are swaying him towards their proposals. One thing mentioned in the staff report is the visualization that shows the see-through wrought iron fence where the hills can be seen. He said this is proposed to be wood with iron and this will give a different feel. He asked if it will give a different feel as well as to the backyards. Theoretically, the homeowners could put a fence between Lots 1 and 2 and he was not sure the Commission wanted to go as far as defining or restricting that because it will affect the feel and look as well with regard to fencing. Regarding moving the trail higher up, one of the members of the public stated people ignore the signs and park. If the entrance is moved to the trail further up, more of this behavior may be encouraged because they want to be closer to the head trail access point. He said he really liked the point about PUD, rezoning, restricting further development and he would agree with these as well.

Commissioner O'Connor noted there could be fence design.

Chair Balch said there is precedent down by the Oak Tree Farm where they restrict height, general rural character, etc.

Commissioner Ritter said he thinks there are four Commissioners in agreement with eliminating Lot 6, which basically meant moving Lot 3 and 4 up into the area. He likes what Commissioner Nagler stated regarding the swing sets in the back which would be front yards. He thinks removing one of those and sliding it up will help with this. If they could not approve the plan with 6 lots, 5 might work, but he was not sure it pencils out for the applicant.

Chair Balch said after hearing the comment about eliminating Lot 3, he would lend support to this, stating he thinks it actually does help. He thinks if Lot 4 were eliminated topography would allow Lot 3 to slide up easier than Lot 4 because it lets the dripline of that major area not be

affected. It would move Lots 2 and 3 up a bit, eliminate Lot 4, Lot 6 could come around a little bit and Lot 5 could move a bit more into the center of the lot to reduce its driveway feel.

Chair Balch referred to Question C and asked for comments.

C. What other information would assist the Planning Commission in its decision on the proposal?

Commissioner Allen said in thinking about her responses, she questioned whether the side yard setbacks between Lots 1 and 2 meet the standards for 25 feet. The staff report states, as proposed, for the home on Lot 1 the side yard setback is 25 feet and it does not meet the 45-foot side yard setback as required by the Foothill Corridor Plan. She asked if this was accurate; that between Lots 1 and 2 the setbacks are not meeting the standards.

Ms. Soo stated yes because the house width is 80 feet for Lot 1.

Chair Balch said the Commission would definitely want to have visualizations for height and ensure this is complied with. Lot 5 and 6 visuals would be helpful as well as visuals for the color palette. In light of the PUD, he would like to retain the rural character and as a result would like the fence material between neighbors, buildable area and ancillary structures be taken into consideration and restricted to a degree. He did not want a 6 foot fence between the house and Foothill Road and asked staff to address this in the PUD.

Commissioner O'Connor confirmed with Mr. Weinstein that at Lemoine Ranch Estates across from Foothill High School the fencing was designed in a way that was appropriate for the area.

Chair Balch continued and said the architecture should look good on all four sides and he was sure the updated tree report would come back and he asked for an indication of trees that were heritage size that will be removed. He said any that could be saved is a benefit. He personally asked that if a 100 year heritage tree was removed applicants should plant 100 years' equivalent and he would require this if possible.

Commissioner Allen referred to single versus two-story homes for Lots 1 and 2. Chair Balch said he believes this was discussed and Commissioner O'Connor stated if Lot 2 moved up the hill this could be addressed.

Commissioner Ritter asked about the staging area item and the biological assessment done in 2015 and concern for the drainage, given the last wet winter.

Commissioner Allen said she was supportive of the trail through Golden Eagle but may not have Commission support for story poles. She requests this because right now, for her to feel she could support 5 homes she would also need to be able to substantiate what the view corridor is. She did not think this could be done without story poles, especially for Lots 1 and 2. Absent story poles, she did not believe it meets the goal of the rural character of protecting views as much as she believes it should.

Commissioner Ritter asked her if a technical visual analysis would be sufficient, and Commissioner Allen said no and asked for story poles.

Chair Balch asked if there was a majority of support for story poles on at least the front corners of Lots 1 and 2. Commissioner Allen said they should be done professionally and to meet the standards which should show the peak and the mass of the house.

Mr. Weinstein agreed with the sensitivity of Foothill Road and what the project will look like from the road. The complicating factor with story poles is that it is very hard to build good story poles when there is a lot of change in topography due to grading. He said it would be easier to show the maximum elevation of the peak of a roof in an area that is going to be heavily graded as opposed to the entire structure.

Commissioner Allen said the front two home areas are fairly flat, and she said she was comfortable with a one foot variation. Chair Balch said they will be higher by fill but not by much. She wanted to show the mass by putting poles on each side and for the peak with some sort of ribbon.

Chair Balch echoed Mr. Weinstein's comments that the house will lend itself to look larger than it would if the grading occurred already. For the opposite, it will lend itself to looking smaller, given the grade. He confirmed there were four Commissioners that would support request for story poles on Lots 1 and 2.

Commissioner O'Connor said in some letters received there was concern about flooding on Foothill Road. He asked if anything would be done during improvements to address stormwater runoff.

Mr. Weinstein noted that the City has stringent stormwater regulations and all new runoff generated should be captured by stormwater retention features. He confirmed the creek was at the property at the corner of Foothill Road and Longview Drive and he believed it is the City's culvert and the City will continue to maintain it.

Commissioner Nagler said the Commission should impose conditions on this approval that can be specific on what may or may not be done on the property. Regarding visualizations, he asked if the Commission could ask for specific points of view for visualization and questioned how difficult this would be for the applicant.

Mr. Weinstein said it is doable, but could end up being several thousand dollars for five visualization renderings. He suggested if the Commission is looking for more viewpoints to focus on the four to five most important ones that can be added to the ones already prepared.

Chair Balch said the views chosen for the visualizations are very well presented. The only point not done would be further down Foothill Road looking more southerly and looking more northerly at the property, and possibly looking down Longview Drive but he was not sure this was necessary.

Commissioner Brown said he would like to see what the fence detailing looks like per the staff report of wood and welded wire fencing.

Mr. Weinstein stated the fencing is similar to the fencing along Vineyard by Ruby Hill, but some photographs and details can be provided.

Chair Balch summarized that staff has what they need and he concluded the item.

2. APPROVAL OF MINUTES

a. August 9, 2017

Chair Balch stated the Commission deferred approval of the minutes in order to allow Commissioner Nagler to make comments and/or corrections.

Commissioner Nagler requested the following changes:

- Page 7, second paragraph; "Commissioner Nagler supports..." He asked to include a comment regarding prior decisions that were made on Augustine for similar kinds of applications that are across the street and requested a sentence be added to state that, "he believed the Commission made a mistake in allowing for structures that are too large for the street".

Commissioner Allen moved to approve the Minutes of the August 9, 2017 meeting as amended.

Commissioner Nagler seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Allen, Balch, Nagler and Ritter

NOES: None

ABSTAIN: Commissioners O'Connor and Brown

RECUSED: None

ABSENT: None

The Minutes of the August 9, 2017 meeting were approved, as amended.

7. MATTERS INITIATED BY COMMISSION MEMBERS

Commissioner Nagler questioned the status regarding a joint meeting of the Planning Commission and Housing Commission to review the variety of ways to encourage affordable housing development.

Mr. Weinstein said staff is scheduling a joint workshop for November 8 with the Planning Commission and Housing Commission to focus on the inclusionary zoning ordinance in a way that could possibly encourage a mandatory provision of smaller units as part of larger development projects and a mandatory number of ADU's.

Commissioner Nagler asked that the discussion not be limited to the two items, and that the discussion will not be limited in addressing objectives of creating more affordable housing, including the variety of ways which the commissions might choose to address the task. Commissioner Brown said the Commission had also tabled the in-lieu fee discussion and he suggested this be agendized, as well.

8. MATTERS FOR COMMISSION'S REVIEW/ACTION/INFORMATION

a. Reports from Meetings Attended (e.g., Committee, Task Force, etc.)

Commissioner Allen reported out on the Bicycle Pedestrian Advisory Committee meeting.

b. Future Planning Calendar

Mr. Weinstein reported out on the upcoming agenda items and tentative special hearings.

Commissioners Allen and O'Connor indicated their absences for October 4th, and Chair Balch indicated he would be recused from the JDEDZ hearings.

c. Actions of the City Council

No items were discussed or actions taken.

d. Actions of the Zoning Administrator

Chair Balch asked and confirmed with Mr. Weinstein that P17-0372, 3552 Yellowstone Court applicant appealed the matter and will be heard by the City Council on October 3.


e. Matters for Commission's Information

Mr. Weinstein encouraged the Commission's attendance at a Downtown Specific Plan Task Force meeting to be held September 26.

9. ADJOURNMENT

Chair Balch adjourned the meeting at 10:00 p.m.

Respectfully submitted,


Kendall Granucci
Recording Secretary