



PLANNING COMMISSION MEETING MINUTES

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

APPROVED

Wednesday, May 11, 2011

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

CALL TO ORDER

The Planning Commission Regular Meeting of May 11, 2011, was called to order at 7:00 p.m. by Chair Kathy Narum.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was led by Chair Narum.

1. ROLL CALL

Staff Members Present: Brian Dolan, Community Development Director; Janice Stern, Planning Manager; Julie Harryman, Assistant City Attorney; Steve Otto, Senior Planner; and Maria L. Hoey, Recording Secretary

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

Commissioners Absent: Commissioner Jennifer Pearce

2. APPROVAL OF MINUTES

a. March 23, 2011

Commissioner Blank moved to approve the Minutes of the March 23, 2011 meeting, as submitted.

Commissioner Pentin seconded the motion.

ROLL CALL VOTE:

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

The Minutes of the March 23, 2011 meeting were approved, as submitted.

b. April 27, 2011

Commissioner Pentin noted a couple of typographical errors and requested that they be corrected as follows:

- Second sentence of the second full paragraph on page 5: "She indicated that because staff felt a number of these sites ... the Task Force had a set of objectivesu by which it could review, view, and rank each of the sites."
- First sentence under "Site 12: Goodnight Inn": Commissioner Pentin stated that for him, this is a matter of seeing an application and what the developer would actually do....

Commissioner Olson moved to approve the Minutes of April 27, 2011 meeting, as amended.

Commissioner O'Connor seconded the motion.

ROLL CALL VOTE:

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

The Minutes of the April 27, 2011 meeting were approved, as amended.

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 Planning Commission.

4. REVISIONS AND OMISSIONS TO THE AGENDA

There were no revisions or omissions to the agenda.

5. CONSENT CALENDAR

- a. **PCUP-292, Roman Sheyman and Igor Sheyman, Tornado Acro Gymnastics and Martial Arts Sport Club**
Application for a Conditional Use Permit to operate a gymnastics and martial arts studio within an existing building located at 530 Boulder Court, Suite 102. Zoning for the property is I-G-40,000 (General Industrial) District.

Commissioner Pentin recused himself from participating in the matter due to a conflict of interest; his business is within the proximity of the project site.

Commissioner Blank moved to make the required findings as described in the staff report and to approve Case PCUP-292, subject to the Conditions of Approval as listed in Exhibit A of the staff report.

ROLL CALL VOTE:

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

Resolution PC 2011-09 approving Case PCUP-292 was entered and adopted as motioned.

6. PUBLIC HEARINGS AND OTHER MATTERS

- a. **PGPA-17, City of Pleasanton Housing Element Update**
Scoping Session and Notice of Preparation of a Draft EIR for the Housing Element Update

Janice Stern presented the staff report. She introduced the consultants from Environmental Science Associates (ESA), Lloyd Zola, project director, and Leslie Lowe, project manager. She stated that the consultants will be listening tonight, and staff will continue to provide them input on what the Environmental Impact Report (EIR) should address.

Ms. Stern stated that the purpose of the public scoping session is to receive information from the public and any agencies that may be present regarding any issues that should be addressed and discussed in the EIR. She explained that this session is not the forum to necessarily talk about the substance of the Housing Element but rather, what the EIR really needs to address.

Ms. Stern then gave a brief overview of tonight's process, stating that she will start with a brief description of the project; followed by a brief explanation of the California

Environmental Quality Act (CEQA) and why the City is going through this EIR process; the approach for an EIR for a General Plan Housing Element; the CEQA process and the schedule, including dates for the Draft and the Final EIR. She continued that the Commission Chair would then open the public hearing and the Commission will receive public comment, to be followed by the Commission's discussion and feedback.

Ms. Stern emphasized that this scoping session, while dedicated to this subject, is not the only venue for providing information about what the EIR should cover; there is a 30-day review period for the scoping of this project, which runs through May 31st, during which time written comments may be submitted. She added that staff can also take comments at the Housing Element Update Task Force meetings on May 18th and June 1st. She indicated that staff will address any comments made, and depending on timing, staff may address some of those comments in greater depth.

Ms. Stern stated that there will be additional opportunities for public input prior to the submission of the Draft Housing Element at the Housing Commission meeting on June 15th, the Planning Commission meeting on June 22nd, and the City Council meeting on July 19th. She noted that once the Draft Housing Element EIR is completed, there will be a 45-day review period to receive public comments, which will then be addressed in the Final EIR. She added that there will be additional public hearing sessions when the project goes through the formal hearing process for the re-zonings of the sites and the adoption of the Housing Element.

Ms. Stern then proceeded to describe the project, which identifies the 17 potential land use changes to be considered for rezoning, as well as the Goals, Policies, and Programs for housing. She stated that the Housing Element Task Force has had the opportunity to look at the preliminary draft. She indicated that the Housing Element Draft EIR will be based upon those Housing Element Goals, Policies, and Programs and that land use changes that have been identified. She noted that the alternatives to the project are still being refined; however, the work on the EIR needs to be started in order to meet the deadline imposed by the Settlement Agreement.

Ms. Stern stated that this project has been identified as one that could have significant environmental effects. She explained that if this were a simple program and plan with several policies and programs, staff would have approached it through a Negative Declaration; however, since staff would like to include addressing the impacts of making land use changes and General Plan amendments and rezonings, an EIR would be necessary. She then spelled out the objectives of the EIR: disclose any significant environmental effects; reduce any significant effects with mitigation measures or alternatives, which would be included in the EIR; and provide opportunity for public participation.

Ms. Stern indicated that a Program EIR would be prepared and will also address the impacts of making the land use changes. She stated that the process would include a "First Tier," which means that potential subsequent analysis for future proposed development could be required; it will address the environmental impacts of programs

and actions identified in the Housing Element; and it will analyze the impact of all the sites, which will yield approximately 3,000 units, and choose the sites for the approximately 2,000 units needed. She noted that analyzing all the sites will provide enough flexibility for the City Council to make its decisions on the sites later on.

Ms. Stern stated that the EIR will address a full array of topics that are identified as potential areas where there could be some impact, including Aesthetics, Agriculture and Forestry, Air Quality and Green House Gases, Biological Resources, Cultural Resources, Geology and Soils, Hydrology, Hazards and Hazardous Materials, Land Use and Planning, Population and Housing, Public Services and Utilities, Recreation, and Transportation and Traffic. She noted that some of the topics will have more specific impacts, and others will be barely addressed: for example, under "Aesthetics," it is not known at this time what those projects will look like, but the number of stories is known, and some judgments about aesthetic impacts can be identified; on the other hand, no sites have been identified as having active prime agricultural land, so "Agriculture and Forestry," therefore, will be only briefly addressed. She also noted that one site, the Irby-Kaplan-Zia, has some potential cultural resources in the older buildings on-site, and the EIR will address these to the extent of providing some direction in terms of what needs to be done regarding those resources. Ms. Stern advised that any members of the public who think something more specific within those topics should be addressed should say so at this time.

Ms. Stern stated that there are other sections in the EIR: alternatives to the proposed project will be addressed and may include a subset of the sites that is not necessarily all of the sites, and alternatives in terms of a circulation system that does not include El Charro Road because that road may not be built by the time these sites come on line; cumulative effects; and growth inducing effects. She explained that the Housing Element addresses the City's share of regional housing growth, and to that extent, it is growth inducing and accommodates the growth that is part of that regional share. She added that it is also looking at jobs-housing balance, and to that extent, there would not be as many growth inducing effects outside of this area in the larger region. She noted that this aspect will be dealt with in greater detail in the Draft EIR.

In terms of the EIR process, Ms. Stern stated that the first step is the Notice of Preparation (NOP) and the EIR Scoping Meeting: staff wrote and mailed out the NOP to all interested parties, who have 30 days to respond to the NOP; and is now holding this Scoping Meeting at which comment from the public and agencies are received. She indicated that the City will continue to accept public comment on this matter at the Housing Element hearings and in writing or by email to Planning staff. She added that staff anticipates the completion of the Draft EIR in late July, which will be followed by a 45-day public comment period through early September, with the Final EIR completed in October. She noted that the Final EIR will not be ready before the City has to submit the Draft Housing Element to the State Department of Housing and Community Development (HCD), although some traffic information may be available. She indicated that the Draft Housing Element will be subject to the findings of the Final EIR.

Ms. Stern stated that the next step in the EIR process is the Planning Commission review of the documents: once the Final EIR is completed, the Commission will hold public hearings on the Draft Housing Element and the General Plan amendments and rezonings of the sites, consider the adequacy of the Final EIR, and make a recommendation to the City Council regarding the Final EIR and the General Plan amendments and rezonings.

Ms. Stern continued that the final step in the process is the City Council consideration of the documents: the Council will hold public hearings on the Housing Element and the General Plan amendments and rezonings, consider certification of the EIR, followed by approval of the Housing Element and the General Plan amendments and rezonings. She noted that the Housing Element and the General Plan amendments and rezonings will be approved only if significant effects are mitigated to less-than-significant levels or if the City makes findings of overriding social or economic concerns.

Mr. Dolan indicated that he believes the Commission and possibly most of the people in attendance are familiar with the EIR process; however, he emphasized that this scoping session is about the content of the analysis in the EIR and not about the merits of any individual site. He noted that staff is aware that there are people in the community who have strong opinions about some of the sites, and reiterated that tonight is not the time to voice those concerns; the scoping meeting is about what needs to be evaluated so the merits can be considered.

Commissioner Blank thanked Mr. Dolan for his comment. He noted that the presentation slide on areas to be addressed in the EIR did not include "Noise" but was referred to in the staff report. He inquired if this would be the right time for the public, for example, to request that it be included.

Mr. Dolan said yes and explained that it was inadvertently omitted from the slide.

Commissioner Blank inquired if the EIR consultant has previously worked with the City.

Mr. Dolan replied that the consultant is currently working on the City's EIR for the Climate Action Plan.

Commissioner Blank suggested that staff might want to share some better examples of really dynamic EIRs the City has had so the consultant is aware of what works in the City. He commented that some EIRs in the past generated more controversy than less.

Commissioner Blank stated that he wanted to understand the symbology of the attachment regarding the half-mile radius from the BART station.

Ms. Stern replied that this has been used generally in the past to indicate those sites that might be considered Transit Oriented Development (TOD) and is not necessarily useful in this map.

Commissioner Blank inquired if the black line around First Street signifies the Downtown Specific Plan area.

Ms. Stern said yes.

Commissioner Blank noted that Ms. Stern mentioned there were 17 sites but that the staff report mentions that there are 18 sites.

Ms. Stern replied that one of the 18 sites, the “Goodnight Inn” site, had been removed from the list, leaving a total of 17 sites.

THE PUBLIC HEARING WAS OPENED.

Dan Sapone, representing several members of the Danbury Park Neighborhood, stated that he is not here to advocate for units to be built or not be built in any particular site, but to say what they want to see addressed in the EIR. He indicated that they are interested in the traffic impact of the proposal to approve 800 housing units on three sites in the east side area. He noted that since these sites are over three miles from BART, three miles from freeways, over a mile from schools, and nearly a mile from grocery stores, the EIR will need to assess the cross-town traffic impact during both peak hours and weekends.

Mr. Sapone stated that specifically, there are three things they would like to see assessed in the report:

1. Traffic levels that would result if the proposed housing units are built on the east side before Busch Road is connected to El Charro Road with resulting freeway access, as planned for 2014, compared to the traffic that would result if the units were built after Busch Road was connected to El Charro Road;
2. Citywide air-quality impacts that would be the result of this increase in cross-town traffic compared to the air-quality impacts of building these units at other sites that are closer to transportation, schools, and shopping, which would generate much less cross-town traffic; and
3. Potential traffic safety impacts at the intersection of Santa Rita Road and Valley Avenue resulting from an increase in vehicle traffic coupled with additional pedestrians and school children traveling to and from schools and the Safeway shopping center.

Mr. Sapone stated that these are the specific issues that turned out to be pivotal in decisions relating to other development proposals in this part of Pleasanton in recent years, for example, a proposal for a large retail establishment, and they believe that certainly must be at the heart of these Housing Element assessments as well.

Commissioner Blank asked Mr. Sapone if he was referring to the Home Depot that was proposed but was not approved.

Mr. Sapone said yes. He pointed out that traffic on Valley Avenue and Santa Rita Road and traffic safety at that intersection were cited as important impacts that had a bearing on the decision for the Home Depot proposal.

Heather Truro echoed Mr. Sapone's comments on the three issues of traffic, air quality, and traffic safety. She stated that she wanted to make sure that traffic studies are done on both peak hours and weekends, as, opposed to the Home Depot project, this is for residential development and the impact would be different from that of a retail project. She noted that there would also be a difference between building the units after, versus prior to, the construction of El Charro Road proposed for 2014. With respect to air quality concerns, she noted that Sites 8, 11, and 14 would be affected by cross-town traffic due to the distances to BART, the two freeways, schools, and Safeway. She added that residents of these units will most likely have children walking to schools, which would entail going through some very traffic-intense areas.

Chair Narum noted that the site numbers have been changed and clarified with Ms. Truro that the areas she referred to are the former Home Depot site owned by Auf der Maur, which is now Site 7; the Kiewit property, Site 10; and the Legacy Partners, Site 13.

Mr. Dolan clarified that some sites have been removed and staff has renumbered the remaining sites, which has caused a fair amount of confusion. He noted that the Notice of Preparation map has the new numbers, but staff has decided to go back to the original numbering and have gaps in the sequence, as people are having issues with the new system.

Commissioner Blank requested staff to clear the revised "old" map of markings that are not relevant to the Housing EIR.

Ivan Hendren, representing Roem Corporation in Santa Clara stated that they recently acquired control of the Downtown mobilehome site, which is currently not on the Housing Element list but which they would like considered for residential housing. He requested that it be included in the EIR scope at this time instead of being added later on and retroactively having to update the EIR.

Mr. Hendren stated that the site has very strong potential arguments to be added on to list. He indicated that the site was initially on the list and was taken off because a three-story, 30-unit-per-acre development would not fit into the fabric of the Downtown area. He noted that they spoke with several local architects and verified that a two-story building is possible for a 30-unit-per-acre development, especially if subterranean parking is utilized. He noted that the current zoning on the site is Commercial Freeway (C-F) District, which allows for very impactful uses of 40-foot height limits and a 40-percent Floor Area Ratio (FAR), and that hotels, motels, office, medical office, and self-storage facilities can be built there without a Conditional Use Permit. He added that they ran some numbers for medical office buildings, which would incur five to six times more than the number of parking stalls for a 30-unit-per-acre residential development.

He stated that he understood that traffic studies have already been started and that they are willing to work with staff to help mitigate or offset costs if necessary to have the studies updated at this point.

Commissioner O'Connor inquired if the site is the small mobilhome park on Stanley Boulevard.

Mr. Hendren said yes and added that it is an approximately 2.08-acre site located at 4202 Stanley Boulevard, formerly owned by Jerry Wagner.

Chair Narum asked Mr. Dolan to comment on the site.

Mr. Dolan stated that no interest on the site was generated by the Task Force. He indicated that he believes it is a good housing infill site but that it would be a challenge to develop a project in that neighborhood at the densities needed to fulfill the City's housing obligations. He stated that it could be added to the list; however, it has been presented to the Task Force, which is charged with the initial site selection; to the Planning Commission and the City Council with opportunities to add and subtract, and adding the site did not come up in the process.

Commissioner O'Connor inquired if the property was originally on the list and was removed or if it was never on the list.

Ms. Stern replied that at one time it was on the earlier list and was subsequently taken off the list by the Task Force.

Commissioner O'Connor inquired if the Pleasanton Downtown Association (PDA) weighed in on this, since it is looking for this density in the Downtown.

Mr. Dolan replied that staff has not had a Housing Element meeting with the PDA and that staff has not heard from PDA in any of the public hearings.

Commissioner Olson asked Mr. Hendren if they have considered the cost for building a subterranean parking.

Mr. Hendren replied that they have done so and that with the current market for affordable housing, tax credits, and public subsidies needed, this cost can easily be absorbed. He added that even without subterranean parking, they can achieve close to 30 units per acre and can also easily achieve a two-story development with 23 units per acre.

Commissioner O'Connor inquired what the acreage is on the Axis Community Health site.

Ms. Stern replied that it is .6 of an acre.

Commissioner O'Connor noted that this is smaller than the mobilehome park site and inquired why the park site was not feasible.

Mr. Dolan replied that the settings are different. He noted that the Axis site is right in the middle of the Downtown, and something can be envisioned on that site that covers a large percentage of the site's area.

Commissioner Blank inquired who the authoritative body is that can add or remove sites from the list, and noted that if it is the Task Force, and with deference to the speaker, the Commission should not be discussing this issue. He also referred to Mr. Dolan's earlier statement that this meeting is to discuss the content of the EIR and not the sites.

Mr. Dolan replied that he believes it is a collective process. He noted that staff has had a large input into this but has taken its lead from the Task Force. He added that it was brought to the Planning Commission and the City Council for input, and since either made the change to add the site, staff has not included it. He indicated that including the site to the list would not necessarily be a big deal site but would be strange in terms of process.

Commissioner O'Connor commented that it would have been a recommendation one way or another.

Chair Narum explained that at the time the Task Force was adding and subtracting sites, there was no representative in attendance from the mobilehome park site, and because it was a small site, the Task Force removed it. She noted that Mr. Hendren then attended the last Task Force meeting and proposed that it be added, but there was a certain discomfort among the Task Force members regarding not having given the neighbors a chance to participate through a public process, just like the neighbors of other sites had. She indicated that she believes this was generally the reason the Task Force chose not to put it back on the list.

Mr. Hendren noted that Mr. Wagner, the property owner, recently passed away, and they were not able to secure control of the site until about one week ago.

Chair Narum stated that she would not have a problem including the site but reiterated that the opportunity for public comment needs to be provided somewhere along the way. She noted that this property is in the Downtown, and there are some aspects to this that are intriguing, in addition to all the other things the Task Force and staff are trying to accomplish for the Housing Element and the environmental requirements.

Commissioner Blank agreed with the need for public input; he noted, however, that he would hate to eliminate the site just because it came in late in the process, and its representatives could not be here because of circumstances they could not control.

Chair Narum suggested that the Commission discuss this matter after the public comment is closed.

Chandra, representing the residents of Site 7, the Pleasanton Gateway property, stated that they would like the following addressed in the EIR:

1. Traffic. The site was originally planned for Office use, which would have a different traffic pattern and would not impact the neighborhood as much because the direction of traffic would be toward the other side on Bernal Avenue; whereas rezoning the site to residential would direct traffic the opposite direction.
 - Consider Valley Avenue from Bernal Avenue to Case Avenue, single lanes with roundabouts;
 - Also consider Laguna Creek Lane connection to Valley Avenue; and
 - Consider not only current traffic, not only with the proposed housing density, but also traffic with the new Safeway and the Bernal Sports Park, which would bring a lot of traffic to the area when soccer fields, basketball, and other sports are added to the already existing baseball fields.

She requested that the traffic study be done while the school year is still in session, before the summer break which starts on June 10th.

2. Noise and Pollution. Pleasanton Gateway is close to the highway and train tracks. She requested that the study be conducted when trains are passing by and during highway peak hours to have an idea of what the residents will be faced with when more trips are added from increased housing development.
3. Protection of the Pleasanton Ridge, rolling hills, habitat, and rare species. This is considered the crown jewel of Pleasanton. She requested that the study ensure that adding homes to area does not take away from the crown jewel.
4. Nature. Consider how additional houses will affect the birds in the area, the different migration birds, and other rare species.

THE PUBLIC HEARING WAS CLOSED.

Commissioner Blank noted that some of the Commissioners may be living within 500 feet of the sites. He inquired if these Commissioners will need to recuse themselves when the discussion of the sites comes back before the Commission, which may result in not having enough voting members in the Commission.

Ms. Harryman stated that she would come back with a response at a future Commission meeting.

Commissioner Blank stated that because of the proximity of some of the sites to the Livermore Airport, he would like to make sure that the projected growth of the Airport is included in the noise evaluations, given the fact that in good weather, most of the Livermore aircraft traffic will be north of I-680, and in times of inclement weather, most of the aircraft will be circling south of the airport runway and potentially right over some of the sites.

Commissioner Olson stated that he wanted to weigh in on the possible inclusion of another site. He noted that at its last meeting, the Commission was asked to provide input regarding which sites it felt should be included, which it did. He indicated that he

does not see anything wrong with the Commission discussing the matter and making a decision tonight on whether this additional site should be included.

Chair Narum agreed with Commissioner Olson's comment.

Commissioner Pentin disagreed. He noted that while it was unfortunate that the site's representative had the opportunity to present the site only a week ago so late in the game, there have already been so many open hearings. He expressed concern that the whether or not the site should be included was not properly noticed and would come as a really big surprise to the neighborhood.

Commissioner Blank inquired if the Commission could suggest that staff notice it.

Commissioner Pentin stated that the suggestion is fine; however, staff has indicated that the discussion tonight should not be site-specific, and if the Commission cannot discuss taking sites off the list tonight, then it should not have any discussion on adding sites either.

Commissioner O'Connor stated that at the last meeting, the Commission discussed whether to leave sites on or off of the specific list, and this property was not on that list. He indicated that he understands process; however, he feels this is important, and he would hate to leave something off the table just because it missed the discussion by a week. He asked staff if there would be adequate time for public hearings through the CEQA process if the Commission were to recommend to the Task Force that the site be added.

Mr. Dolan replied that the formal legally-required public hearings on the CEQA document will occur much later after the completion of the Draft Housing Element, and there will be hearings and the opportunity to comment on the Draft. He indicated that the neighbors would have another opportunity, but because they have not been notified early enough, their opportunity would be less than what the other neighborhoods have had.

Commissioner O'Connor inquired if those neighbors would have the opportunity before the Draft Housing Element is submitted to the State.

Mr. Dolan replied that there would be hearings on the Draft Housing Element before the Planning Commission and the City Council before the Draft is submitted to the State.

Chair Narum inquired if this would be in June and July.

Mr. Dolan said yes.

Commissioner O'Connor inquired if there would be ample time for the neighborhood to voice opinion where the Commission could remove the site from the list before the Draft Housing Element is submitted.

Mr. Dolan replied that the Commission could recommend that the site be removed.

Commissioner Blank noted that both Commissioners Olson and Pentin are correct. He indicated that he was not sure whether he was in favor of adding or removing a site, or whether the Commission could legally add or remove any sites tonight, because it has not been agendaized. He suggested that the Commission ask staff to come up with a process that would be inclusionary, ensuring that notice is done, and to work this into a process so the Commission is not undoing all the work the Task Force has done.

Commissioner Pentin agreed.

Commissioner O'Connor noted that it would be a recommendation to the Task Force.

Chair Narum stated that she believed the question was whether this should be included in the scope of the EIR in terms, for example, of the traffic impact, because she believed it cannot be added later if it is not in the EIR.

Mr. Dolan stated that was correct. He added that the Commission should recognize the fact that the number of units that can be generated on this site is minimal compared to the big picture. He added that he does not anticipate there would be enormous traffic impacts; it will generate some traffic on the street that would not have been there before and would upset the neighborhood, but it is not very likely to trigger some level-of-service impact. He indicated that it would simply be a noticing and process type of issue.

Commissioner Blank asked Mr. Dolan if he had any suggestions on the best way to proceed in the sense of having the site considered but doing it the right way without undoing a whole process.

Mr. Dolan replied that the first question to consider is whether or not the Commission thinks the site should be added, and if it does, then staff would figure out a way to get everyone noticed and caught up. He noted that if the Commission did this, it will be subject to some criticism from some quarters.

Ms. Harryman clarified that if the Commission is interested in including the site, this would be as something to consider in the scoping for the EIR and not as adding to the list as it has not been agendaized.

Commissioner Pentin agreed. He clarified that he did not necessarily disagree with adding the site but was concerned about the process.

Commissioner Blank inquired if this would require a motion.

Mr. Dolan advised that staff would consider this suggestion like it would every comment made tonight. He cautioned that because someone made a comment does not necessarily mean it will be done.

Commissioner Blank clarified that he wanted to know if staff is interested to hear if all five Commissioners think it should be included in the scope of the EIR.

Mr. Dolan replied that it would be helpful to staff to know if this was the thinking of a majority of the Commission.

Commissioner Blank moved to include the property at 4202 Stanley Boulevard in the scope of the EIR.

Commissioner O'Connor seconded the motion.

Commissioner Olson indicated that he would like the record to reflect that the reason he took his position relative to this property is because the City has a developer that wants to engage, and he thinks this is important to ultimately bring housing units into the City. He added that he also agrees with Commissioner Pentin it should be done within the proper process.

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

Recused: None

ABSENT: Commissioner Pearce

Chair Narum inquired, with respect to the question of massing raised by the speaker on the Pleasanton Gateway site, if the impact of the additional housing will be assessed in comparison to the office use approved for the site.

Mr. Dolan replied that staff has not really had the chance to completely consider this but that he is certain that in some way, the assessment will acknowledge and will be compared to what could be there and what is approved. He added that there will also be some information about what kind of massing would result from this rezoning, independent of the existing approval.

Commissioner O'Connor inquired if it is part of the process to look at all the sites to be rezoned in the same way, i.e., considering the delta between the current zoning and the rezoning.

Mr. Dolan replied that those types of issues will be evaluated; however, staff has not yet determined the precise methodology on how they will be evaluated.

Commissioner Pentin stated that for the Pleasanton Gateway site and any other sites that have the same situation where something has already been planned or approved,

he would like to see the delta between what the sites have been zoned or planned for and what could be.

Mr. Dolan stated that this is useful information for both the Planning Commission and the City Council to consider; however, he was not certain as to whether or not this is within the context of the EIR. He indicated that in some cases, massing on a particular site can create an adverse environmental impact, but sometimes it does not. He thanked the Commission for requesting this kind of analysis and added that if it does not end up in EIR, staff will do some work on it.

Commissioner O'Connor stated that the reason he brought up this issue of comparing current zoning versus residential rezoning, which he thinks is important, is not necessarily how it affects the EIR as that will be covered when how the residential units affects the environment is addressed. He indicated that at the last Planning Commission meeting, there were many residents who were very focused on the site near their neighborhood, especially those on the east side, Sites 8, 11, and 14, who were very concerned about putting so many units in one area. He noted that if these people see and understand that if, based on its current zoning, a business park were built in the area, the impacts might be much worse, then they might be less concerned over having high-density residential in the area. He added that although this does not have a direct impact on the EIR, it would be a nice piece of information to have as it has a lot to do with what the folks feel about.

Chair Narum noted that there would normally be a "No Project" alternative and inquired if this is an option in this case.

Mr. Dolan replied that the "No Project" alternative is required by CEQA.

Chair Narum inquired if this is still the case even if the City is under court order to do this.

Mr. Dolan replied that it is just an analytical tool and not a possible outcome.

Chair Narum inquired if different components of some of the sites will be considered in relation to "Alternative Projects."

Mr. Dolan replied that staff already started considering and will try to extract from public dialogue what would make sense. He indicated that there may be mixes and matches that respond to a stream of comments that can be pulled out and be an alternative. He noted that the issue about "with" and "without" the connection to El Charro Road could also be an alternative and would provide very useful information to decision-makers. He added that there are also some sites where there is at least an ongoing dialogue regarding accommodating a higher number, which could also be an alternative.

Chair Narum inquired if one of these sites is the Auf der Maur property on Stanley Boulevard.

Mr. Dolan replied that there is a request to increase the number of units on that site. He noted that there was a specific request made to the Council to get more units at the mall, which staff is pursuing. He added that he will be attending a meeting tomorrow with BART representatives to discuss their thinking, and their alternatives exceed what has been discussed with staff in terms of residential.

Chair Narum inquired if there were any further discussion about additional units on the CarrAmerica site beyond what the Task Force has.

Mr. Dolan replied that this is another ongoing dialogue.

Chair Narum inquired if this could also be a project alternative like the Auf der Maur property.

Mr. Dolan said yes. He noted that in some cases, people have asked for more acres and in other cases, staff is talking to them about potentially higher density which would increase their number of units, and then the City would need less land.

Chair Narum asked staff if they had sufficient information, to which staff replied that they did. She then thanked everybody for their comments.

7. MATTERS INITIATED BY COMMISSION MEMBERS

No discussion was held or action taken.

8. MATTERS FOR COMMISSION'S REVIEW/ACTION

a. Future Planning Calendar

No discussion was held or action taken.

b. Actions of the City Council

No discussion was held or action taken.

c. Actions of the Zoning Administrator

No discussion was held or action taken.

9. COMMUNICATIONS

Commissioner Pentin stated that as the representative to the Bicycle, Pedestrian, Trails Committee, he participated in a very informative and strenuous hike on the Pleasanton Ridge on Sunday with Jim Townsend of East Bay Regional Parks District. He added that on Saturday, he joined James Van Dyke, local resident and Executive Director of the East Bay Bicycle Coalition, together with another member of the organization, and

took a three-hour bike ride around Pleasanton with Mayor Hosterman and Vice Mayor Cook-Kallio and visited many sites and areas. He noted that it was very good experience for the Mayor and Vice Mayor, and it was very easy to point out to them that this is what happens to some of the City's bicyclists.

10. REFERRALS

No discussion was held or action taken.

11. MATTERS FOR COMMISSION'S INFORMATION

a. Update on the partially constructed house at 6356 Inspiration Terrace within the Serenity at Callippe Preserve development

Mr. Dolan reported that this matter has continued to evolve from the time staff agreed to talk about it at tonight's meeting. He stated that staff had made little progress with the people who staff originally thought might have wanted to take the materials from the partially constructed structure to recycle them. He indicated that the bank owned the property and recently sold it to a Pleasanton resident who plans on building a home there. He added that staff knew the process that was going on, but was not sure what the outcome of the development would be. He stated that Code enforcement proceedings were initiated, and the owners were given a notice and a certain amount of time to respond. He added that there is one concerned resident, very aware of which section of the Pleasanton Municipal Code was being violated by that situation, who has lodged formal complaints and has followed up with staff several times.

Mr. Dolan indicated that staff has been able to make contact with the prospective buyer and informed him of the City's expectation that everything should be removed down to the foundation. He noted that the sale transaction has been completed, and the owner is looking for relief from staff's position. He indicated that staff will meet with the owner and his representative and with the complainant to discuss whether there is some compromise position. Mr. Dolan explained that the buyer is not trying to say that he wants to keep the house the way it is and will get to it in three years, but believes that a small portion of the house, the garage, could be salvaged and incorporated it into his future plan.

12. ADJOURNMENT

Chair Narum adjourned the Planning Commission meeting at 8:08 p.m.

Respectfully,

JANICE STERN
Secretary