



PLANNING COMMISSION MINUTES

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

APPROVED

Wednesday, July 9, 2008

(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 July 9, 2008, was called to order at 7:00 p.m. by Chair Blank.

1. ROLL CALL

Staff Members Present: Brian Dolan, Director of Planning and Community Development; Donna Decker, Principal Planner; Julie Harryman, Assistant City Attorney; Mike Tassano, Deputy Director of Public Works-Transportation; Steve Otto, Associate Planner; Jenny Soo, Associate Planner, Marion Pavan, Associate Planner, and Maria L. Hoey, Recording Secretary.

Commissioners Present: Commissioners Phil Blank, Anne Fox, Kathy Narum, Greg O'Connor and Arne Olson.

Commissioners Absent: Commissioner Pearce.

2. APPROVAL OF MINUTES

a. May 28, 2008

Commissioner Fox requested that the first sentence of the first paragraph after Question No. 1 on page 9 be modified to read as follows: "Commissioner Fox noted that she did not believe the gas station conformed to the Bernal Property Specific Plan and liked the project but did not like the fuel station and wanted it removed from the project."

Commissioner Olson noted a typographical error on the second sentence of the last paragraph on page 6 and requested that the word “to” be deleted as follows: “He believed that was a key part of their retail equation in order for ~~to~~ the project to be economically viable.”

Commissioner Olson referred to the first sentence of the first paragraph under Question No. 4 on page 10 and suggested that Commissioner O’Connor consider the following amendment for clarification purposes: “...and believed it would be an integral part of ~~their~~ Safeway’s business plan.”

Chair Blank requested that the sixth sentence of the first paragraph on page 10 be modified for clarification purposes as follows: “He noted the visuals *recently* presented ~~in a recent~~ *for the Staples Ranch project* Environmental Impact Report (EIR) discussion were excellent and recommended that the applicant model their visuals after those visuals.”

Chair Blank requested that the sentence of the last paragraph under Question No. 3 on page 12 be modified to read as follows: “Chair Blank agreed with the previous comments and would like drivers coming off the freeway to see this project as a park-like environment with more screening *from the freeway perspective.*”

Commissioner Fox moved to approve the minutes of May 28, 2008, as amended. Commissioner Narum seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Blank, Fox, Narum, O’Connor, and Olson.
NOES: None.
ABSTAIN: None.
RECUSED: None.
ABSENT: Commissioner Pearce.

The motion passed.

b. June 25, 2008.

Commissioner Fox noted that she did not have a copy of the minutes and inquired if they were sent via email. Ms. Decker confirmed that they were.

Chair Blank inquired if there were any considerations that would affect the continuation of the minutes to the next meeting. Ms. Decker replied that there were none and that the minutes could be continued.

Commissioner Fox moved to continue approval of the minutes of June 25, 2008 to the next meeting.

Commissioner Narum seconded the motion.

ROLL CALL VOTE:

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

The motion passed.

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 speakers.

4. REVISIONS AND OMISSIONS TO THE AGENDA

Ms. Decker advised that Item 5.a., PUD-72, Jerome and Laura Raney, was being continued to July 23, 2008 and that AT&T has withdrawn its project, and, therefore, Item 6.b., PAP-122, Jeffrey and Louise Green/Green Living Trust, Appellants (PDR-761, AT&T, Applicant), was not going to be considered. She added that staff had received a request to pull Item 5.b., PDR-717, Tarlochan Sidhu, off of the Consent Calendar and be considered under Public Hearings and Other Matters. She noted that there were individuals present in the audience for the Sidhu item and recommended that the Commission take public testimony for this item first before considering the other public hearing items.

Chair Blank suggested opening the public hearing for Item 5.b., take public testimony, close the public hearing, then consider Item 6.c., PUD-74, Ponderosa Homes, followed by Item 6.a., PCUP-222, Sherman Balch/SuperFranks, and finally have the formal report on Item 6.b.

5. CONSENT CALENDAR

a. PUD-72, Jerome and Laura Raney

Application for Planned Unit Development rezoning of two parcels totaling approximately .51 acres from the RM-1,500 (Multiple-Family Residential) District to the PUD-HDR (Planned Unit Development – High Density Residential) District and development plan approval to construct three new residences at 4715 and 4693 Augustine Street.

This item was continued to the July 23, 2008 meeting.

c. PDR-780/PCUP-228, Ben Stoller/Centro Properties Group

Application for design review approval for modifications to an existing building and for site design changes and for a conditional use permit to operate a grocery store at 3903 Santa Rita Road in the Rose Pavilion. Zoning for the property is C-C (Central-Commercial) District.

Ms. Decker referred to two staff memos earlier distributed to the Commission and requested that Conditions Nos. 9 and 10 be deleted from Exhibit B.

Commissioner Fox enquired why Condition No. 10 was being deleted. Ms. Decker replied that this was a recommendation made by Traffic Engineering; however, it is a duplicate of the review process and requirement of the traffic study through the site development review process. She added that there is a sidewalk from the bus stop area to the site.

Commissioner Fox referred to page 8 of the staff report and noted that the second finding indicate that the Traffic Study prepared by Fehr and Peers would bring significant impacts to either the City roadways or existing shopping center, and she questioned if this should read, "would not bring significant impacts."

Ms. Decker confirmed that the word "not" should be added to the statement.

Commissioner Fox moved to make the conditional use permit findings and to approve PCUP-228 and PDR-780, subject to the Conditions of Approval as listed in Exhibit B of the staff report and with the deletion of Conditions Nos. 9 and 10 as stated in the staff memos dated July 9, 2008. Commissioner Olson seconded the motion.

ROLL CALL VOTE:

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

Resolution No. PC-2008-30 approving PDR-780/PCUP-228 was entered and adopted as motioned.

b. PDR-717, Tarlochan Sidhu

Application for design review approval to construct an approximately 4,716-square-foot two-story single-family home on an approximately 18,285-square-foot site located at 6047 Sycamore Terrace. Zoning for the property is PUD-LDR (Planned Unit Development – Low Density Residential) District.

THE PUBLIC HEARING WAS OPENED.

Greg Munn, Project Architect, Design Tech Associates, Pleasanton, noted that he had designed similar homes in the City and was aware of the City's design philosophies. He stated that the site was challenging due to its limited footprint as a result of the bioswale around the perimeter of the upper pad where the house would be placed. He indicated that he took into account that there are two residences that looked down upon the site and that in his design, he oriented the house to place the least used rooms such as an office, a guest room, and the living room in the rear facing northwest, looking towards the graveyards, so as not to impact the neighbors below, and the master bedroom and bath upstairs. He noted that there are secondary bedrooms along the back only a volume ceiling above the living room to achieve light and architectural impact. He added that he had moved all high-traffic living areas in the back facing northwest which overlooks the graveyard.

Mr. Munn noted that the lot had so many restrictions as far as a 27-foot height limit and that they went through six or seven design scenarios in order to have the house fit on the lot with the client's criteria. He indicated that he had met on-site once with the Greene's who had problems with them not planting on the slope bank along their side. He noted that trees do not grow well on a slope bank when planted and that if the Greene's wanted screening from the property, it would be better to locate it on their property where they could grow it as mature as they wanted. In summary, Mr. Munn said they tried to take into account the best design with the least impact on the neighbors.

Commissioner Olson inquired if there was a view easement from this property to the west, and Mr. Munn said there was none; the actual views to the west were very limited because there were eucalyptus trees blocking the views. He stated that they mainly went to the southwest corridor if they could, noting there was no real backyard to the home because of the bioswale. He stated that it was very difficult to get the house design to work, given height limits, and added that there was concern with sun reflecting off of the windows. He noted that he had designed two other nearby homes and that there is no way of controlling windows and reflections from the sun.

Commissioner Olson confirmed with Mr. Munn that it looks like there were two additional lots that could be built on. Mr. Munn said the lot orients toward the uphill side more than anywhere.

Commissioner O'Connor referred to the architect not planning on planting trees on the west side slope; however, he confirmed with Mr. Munn that there is a condition of approval in this regard. Mr. Munn said they will work with staff and the landscape architect and are amenable to doing whatever is needed.

Commissioner O'Connor noted that there are some windows that are not so reflective and he confirmed with Mr. Munn that they would not have a mirror finish.

Commissioner Fox inquired what the exact maximum height of the structure was, and Mr. Munn replied that the staff report indicates 27 feet but in reality, the height is 26 feet, 6 inches to the top of the roof deck, with a six-inch buffer for the roof material.

Commissioner Fox confirmed with Ms. Decker that Mr. Munn's statement on height was correct. Ms. Decker confirmed that it was correct.

Mary Greene stated that she lives at the west side of the proposed building. She noted that she had received notice of the meeting rather late and with the holiday, she was not sure other neighbors would be present at the meeting. She voiced concern that the house had the same square footage and that even though it met the standards, she still felt it was too large; therefore, she believed everything would need to be reduced. She stated that they were contacted last year by Mr. Ed Lamb saying that the fence on their property and the Bach's property had been put in the wrong place in 1970 and that the fence had to be moved or she would have to pay for the compensation of land. She stated that she contacted staff and indicated to the City that they could put the new fence where it belonged, but it seemed that with all of the surveys done and recorded which they paid for, it made more sense than simply putting sticks into the ground. She referred to the ten-foot easement on page 5 of the staff report relating to accessory structures, noting that that no structures can ever be placed ten feet on either side of the property easement, and questioned whether this related to all four properties. She said the house was huge on a pad that is a good 20 feet above their home and recommended the house be lowered. She also questioned the actual house size per each lot. She stated that she had worked in the Escrow Department of Wells Fargo and has typed many legal descriptions. She noted that these documents always had to be very accurate and requested that things be clarified on the actual square footages and sizes of the houses.

Brad Walker said he and his wife, Ann, own Lot 2 on Sycamore Terrace and have no objection to the design of the property. He requested that the buffer on the south property line be changed to evergreen trees so privacy is constant throughout the year. He said they put a lot of thought in the location of the bedroom for Parcel 3 where there will not be windows looking down at them at all

times, but the trees chosen were not evergreens; he hoped the landscape plan could be changed.

Chair Blank confirmed Mr. Walker discussed this request with the applicants who indicated that an amended Condition No. 16 would be presented, which he confirmed was on the dais.

Commissioner Fox questioned why Parcel 3 for PUD 42's minimum lot area is 17,896 square feet and the information before the Commission states 18,285 square feet. Ms. Decker said the Commission has a memo on the dais regarding this question and that there is a typographic error. She noted that the actual size is 17,896 square feet, and it should not vary.

Commissioner Fox referred to the setback for the accessory structure; five feet versus ten feet, and Ms. Decker said it would be the same. She explained that there are development standards that have requirements for accessory structures which this lot would need to satisfy.

Commissioner Narum confirmed with Ms. Decker that each lot is limited to a total of 5,000 square feet, including any accessory structures, and, therefore, the size of the house is close to that and would not be able to have a second unit. Ms. Decker said they are under the actual square footage limit, with only 120 square feet remaining for an accessory structure.

THE PUBLIC HEARING WAS CLOSED.

Chair Blank closed the public hearing and said they would return with this item later in the evening for the actual staff report.

6. PUBLIC HEARINGS AND OTHER MATTERS

c. PUD-74, Ponderosa Homes

Application for Planned Unit Development (PUD) development plan to construct 110 detached single-family homes for residents aged 55 years and older at the public school option/Medium Density Residential-senior housing site located at 1 Reimers Drive in the Ironwood Development. Zoning for the property is PUD-LDR/MDR/HDR/ P&I & Mixed P&I/MDR (Planned Unit Development – Low Density Residential/Medium Density Residential/ High Density Residential/Public & Institutional and Mixed Public & Institutional/Medium Density Residential) District.

Also consider the Negative Declaration prepared for the project.

Chair Blank indicated that he had the staff report from the previous hearing and confirmed with staff that the staff report from the last hearing and this one were identical.

Steve Otto replied that they were identical. He noted that the item was continued from the last meeting by Commissioner Fox in order to have the public noticed area expanded, which staff has done for the present hearing. He then summarized the staff report and described the background, scope, and layout of the proposed project.

Mr. Otto noted that staff has received several emails both in opposition and support of the project which have been forwarded to the Commission for consideration. He added that staff has also provided responses to the email submitted by Nancy Allen in a memo distributed to the Commission, and the applicant has met with resident Jereen Gilbert to discuss the project, as well.

Mr. Otto noted the City's Traffic Engineer was present to answer any questions.

Commissioner Narum referred to page 13 of the staff report and asked Mr. Otto to clarify whether Lots 10-13 and 16-17 have a retaining wall built at the back of the lots. She assumed that the slope of the grade would go from the back to the front.

Mr. Otto replied that there is a retaining wall proposed near the property line. He noted that the lots of the existing development are higher than the proposed lots, so there would be a retaining wall on two of the lots. He added that on the other lots mentioned in the section of the staff report, the applicant is proposing a 2:1 slope versus having a retaining wall. He stated that staff felt that in order to maximize a flat area of the rear yard, retaining walls could be put on those lots that have the 2:1 slope bank versus expanding the rear yard areas. He indicated that if they were not put in, residents would most likely want to install them and staff believed having the developer do this at one time would improve their overall structural soundness, as homeowners may not pull permits for the work.

Commissioner Narum inquired which way the drainage would go on the lots, and Mr. Otto said if a retaining wall is installed, they would typically have a French drain to catch water, but otherwise, there are area drains in the backyard that convey the drainage to the front of the property. He noted that the slope bank is maybe five feet deep on the rear of the lot.

Commissioner Narum questioned if this was the same for Lots 32-40 and 44-51. Mr. Otto replied that along the northern and eastern portion, there would be retaining walls up to 3.5 feet in height, and on top of this would be a seven-foot tall masonry wall. He noted that having up to a 10.5-foot tall wall would be somewhat overbearing to those lots. He stated that since the wall was not required for noise mitigation, staff felt it would be nice to open it up or lower it to minimize its height.

Commissioner Narum referred to the changes to the Mediterranean style house on page 14 and confirmed they were included in Condition of Approval No. 18.b.

Commissioner Fox stated that square footage for the homes at 1,900 to 3,000 seemed large for seniors with a one- or two-person household. Mr. Otto said there are various types of senior houses; some are small and some are larger, single family homes. He added that the developer typically will conduct market analysis, and staff looks at the lots, floor area ration (FAR), and setbacks for the homes and found their sizes to be acceptable and similar to other home sizes approved in the City.

Commissioner Fox questioned if they compared to any other senior housing the City has approved in the past, and Ms. Decker said the actual sizing of the homes was not related to any particular standard that has been established as far as minimums or maximums for senior housing. She noted that the idea behind this development is that it is more age-restricted and not necessarily size-restricted. She stated that a senior may have a desire to have a larger home just as in any other market place. She added that the State has not provided any standard for size maximums, nor has the City adopted any size maximums or minimums for this particular use.

Commissioner Fox inquired if a caretaker who is a relative of the senior who happens to have a child would be allowed to live in the residence. Mr. Otto replied that the applicant is proposing to follow the State Civil Code with respect to the age limitations of the project, which is included in the staff report; however, a health care provider could live with the senior without a restriction on age. He added that if that provider has a child or children, they could also stay.

Commissioner Fox referred to the mitigated Negative Declaration and noted that under Land Use Planning, Items A and B are checked as having no impact. She questioned why, given this is a gated community and the General Plan discourages gated communities, staff did not check this as an impact. Mr. Otto replied that the project is at the edge of the City, and staff felt a gated community at that location would not physically divide the City. He noted that the road into the site, if not gated, would dead-end inside the project.

Commissioner Fox questioned if seniors living in the Ironwood Apartments would be allowed to use the facilities in the complex. Mr. Otto replied that the facility is proposed for only those within the development and that the seniors in the apartments have use of the cabana and pool facilities in their existing development.

Commissioner Fox referred to pedestrian access and noted that there are no sidewalks planned for the roads that end in cul-de-sacs. She inquired why staff supported this. Mr. Otto replied that the sidewalks are not located throughout the development and that they extend for only a portion in the cul-de-sac areas and

disappear at the. He noted that if residents wanted to walk, the thought was that there would be some portion of sidewalk, but given it was at an end of a cul-de-sac, staff did not believe this would put them at risk.

Commissioner Fox noted that the original project had 300 homes when it was referended, and with the 110 units, it would go up to 301 homes. Mr. Otto said the original project had 363 approved units. This development would add 110 more to it. He stated that the PUD approval for the original Ironwood development indicated the density for the site as Medium Density Residential, which could be between two to eight units per acre; the proposed project would be at 4.8 units per acre.

Chair Blank referred to the Emergency Vehicle Access (EVA), stating the main access is through Reimers Drive. He noted that there is an EVA on Sandstone Court and requested confirmation that the EVA on Court F is for internal use only. He questioned the purpose of the EVA off of the Operations Service Center (OSC). Mr. Otto replied that before the Ironwood project was developed, the OSC originally had an EVA connection along its western side. He explained that as part of its approval, Ponderosa Homes was required to provide a different connection along the north to the future Reimers Drive extension. He noted that even if Reimers Drive is not extended, the developer is still obligated to provide an EVA connection for the City along the northern part of the OSC.

Chair Blank referred to the Negative Declaration and Land Use Planning item and staff's determination that gating the project would not divide it from the community. He referred to Item B, the conflict with the applicable land use plan including but not limited to the General Plan, and noted that it appears to be in conflict and did not understand how this would have no impact if the General Plan discourages gated communities. Mr. Otto clarified that the language used in the General Plan is "discourages" and does not actually prohibit gated communities. He added that there is some flexibility for a gated community to be approved.

Commissioner Narum questioned the requirement by the City for the streets to be 36 feet wide, as the streets in the development next door are only 28 feet wide. She also questioned why there were not sidewalks throughout the development, as the community would be active and felt there would be some sort of trade-off for adding sidewalks and reducing street widths. She stated that she felt this also tied to storm water runoff and being green.

Traffic Engineer Mike Tassano stated that when the City designs a roadway; the Fire Department requires 20 feet of clear space on any roadway. He indicated that he needs to provide eight feet of parking, so in the 28-foot example, there is an eight-foot parking on one side two 10-foot travel lanes, which gives the 20 feet of clear space for the Fire Department. He added that similarly, with 36-foot roadways, there are two eight feet of parking on either side and ten feet of travel

way in either direction, giving the 36 feet. He agrees that there should be sidewalks on both sides.

Commissioner Narum inquired if the streets could be reduced allowing for more sidewalks. Mr. Tassano replied that one consideration staff makes when building low-volume roadways is that, in the past, roadway width has been reduced to 32 feet in many developments. He noted that in reference to the 36 feet, it would be unlikely that there would be multiple vehicles parked and added that seniors could walk along the edge of the roadway, although he did not believe this was the ideal situation. He stated that he would prefer a 32-foot width and have sidewalks on both sides. He added that he could work with the developer on this at the Tentative Map stage.

Commissioner Narum referred to the Table on page 8 of the Traffic Study and mitigation of a third left-turn lane to the southbound approach on Santa Rita Road onto Valley Avenue and asked if there was a timeline planned for its installation. Mr. Tassano replied that it was included in the traffic study developed in 1998 with a scheduled implementation for the year 2000. He noted that currently, there is no a timeline in place and that staff is looking at alternatives to that triple southbound left-turn lane in conjunction with the City's new General Plan.

Commissioner Narum stated that in Table 2, there are two intersections at Level of Service (LOS) E and that it was reduced and looks a lot better with mitigation. She questioned when these would drop down to something acceptable. Mr. Tassano replied that the City is working on a plan to fix the intersection and that in the short term, the triple southbound left-turn lane is required in order to make it run acceptably. He noted that there are some small changes to make it work additionally better, but that ultimately at build-out, it is not truly needed.

Chair Blank confirmed with Mr. Tassano that the cost of the triple southbound left-turn lane would cost about \$350,000 which has doubled from the 1998 estimate.

Commissioner Fox referred to Appendix A of the Traffic Study and some of the existing PM peaks and noted that the LOS for Stanley Boulevard and Valley Avenue is F and D and LOS D and E for Valley Avenue and Santa Rita Road. She asked what the difference was between HCM and ICU and if the LOS is already at F, why nothing is checked under land use planning when it appears to conflict with other applicable land use plans including the General Plan. She noted that she thought the General Plan states that, with the exception of the Downtown, LOS D should be the worst level of service anywhere else in the City. Mr. Tassano replied that Traffic Engineering uses both the Highway Capacity Manual (HCM) and the older version Intersection Capacity Utilization (ICU) which does not take into account as many factors. He noted that the table uses HCM average-controlled delay information and that the ICU is more on how well each

lane is being utilized and not as much of a clear function of how an intersection operates.

Commissioner Fox noted that Santa Rita Road and Valley Avenue now have HCM LOS E on page 1 of the Existing Plus Approved Plus Project PM peak. She questioned why the boxes in the Mitigated Negative Declaration are not checked when it conflicts with the General Plan, since HCM LOS D is accepted in the Downtown. Mr. Tassano replies that the mitigation has been established and the fees pay for the mitigation. He added that staff would not require this project to construct this mitigation as it is a very small-scale improvement; staff holds larger-scale projects to doing full construction.

Commissioner Fox questioned what the difference was between small- and large-scale construction. Mr. Tassano replied that small-scale adds 25 trips or one-second of delay to an intersection. He noted that the City Council has in the past moved forward with approving projects of this nature as there is future mitigation planned for this intersection.

Commissioner Fox questioned the status of the Valley Avenue and Stanley Boulevard intersection, which had ICM LOS F. Mr. Tassano replied that this will not be improved as a result of what the ICM looks at, but the City does have improvements to be constructed by Ponderosa with a free westbound right-turn lane. He added that there will also be a third eastbound through lane at that intersection.

Commissioner Narum referred to Table 2 on page 8, ID No. 5, Busch Road/Ironwood Drive, and noted that it looks like as with Currently Approved Projects plus this new project, traffic gets better, which she did not believe was obvious. Mr. Tassano replied that the entire table of existing conditions is not an optimized intersection. He noted that staff put the numbers in, and it could actually be a C if the lengths of time for a left turn are wrong. He stated that when considering traffic volumes, staff looks at the delay per vehicle. He explained that if a large volume of traffic is going to turn right and it is a free right-turn movement and there is no delay, once that right turn is made and the vehicle goes through the intersection, there would be zero delay for that vehicle. He added that if there are only 100 vehicles that have already gone through that intersection, and staff adds another 100 right-turn vehicles and they all get to turn for free, there would now be 200 vehicles and no delay has been added. He noted that in this sense, the overall average delay per vehicle has actually dropped. He stated that this is usually pretty minor and that A and B intersections usually operate so well that minor variations do not affect them.

Commissioner Narum referred to page 9 of the report, stating the traffic engineering consultant recommends that stops signs as well as a warning sign be installed leading into Reimers Drive. She stated that she did not see this in

the conditions. Mr. Tassano noted that this is done through the design review process when the developer submits the signing and striping plan.

Commissioner Olson referred to sidewalks and questioned the percentage of sidewalks in the development. Mr. Tassano said there would be access to a sidewalk by crossing any street everywhere except at two courts. Commissioner Olson noted that vehicle volume is not going to be that great in the development, and Mr. Tassano commented that pedestrians are not going to cross to the far side to walk on a sidewalk to then cross back; they will simply walk along the edge of the roadway.

Commissioner Olson referred to the mitigation at Valley Avenue and Santa Rita Road and inquired whether it was fair to say that the condition which is to be mitigated existed long before this project came forward. Mr. Tassano said yes.

Commissioner Olson stated when he read the traffic report which was part of the original packet, the conclusion on page 9 led him to believe that traffic is not a big issue here, particularly when compared with what the alternative high school use of the site. He questioned if the project would generate as much traffic in the way of parents driving children to school in the morning and picking them up in the afternoon. Mr. Tassano replied that a lower traffic volume would be generated with the proposed use than if it were a high school use. He noted that the streets had been designed and could accommodate the school use.

Commissioner Olson noted that having lived in the City for a while, he sensed that much of the morning and afternoon traffic involve local people taking children to and from school and that this would continue regardless of whether this project goes forward or not. Mr. Tassano agreed.

Commissioner Fox noted that the Iron Horse Trail is nearby and asked what pedestrian path someone living on the south or north sides of the development would take to get to the Iron Horse Trail. She stated that the development is so near to the Trail but gated and that access to the Iron Horse Trail seems to be convoluted. Mr. Tassano replied that someone on the north side would have to get down to the right side and walk along the east side of the roadway until the sidewalk ended just prior to the gate, cross the street, walk down and around Reimers Drive, cross the street again, and continue south out to Busch Road to meet the Iron Horse Trail. He confirmed there was no way to get to the Martin Avenue bike path or the Iron Horse Trail except through the gate of the facility.

Commissioner Fox inquired if this was an ideal situation in conforming to the Community Trails Master Plan. Mr. Tassano replied that he was not involved with the design of access and was not sure where this process ended. He noted, however, that he was aware there were some access issues with some adjacent residents for access to the Zone 7 area along the north side, which would then have direct access to Mohr via a more direct route to Iron Horse Trail.

Commissioner Fox referred to the original plan for the school where access was to be from Busch Road. She was not sure at the time the second Ponderosa project was approved what the timing for building the school would be if the School District took the option. She questioned whether the Busch Road connection to El Charro Road was supposed to have happened before the theoretical school was to be built, or whether the school was going to be built with no other traffic mitigations. Mr. Tassano replied that he would not know if they would have linked Busch Road extension to El Charro Road with the construction of a high school; however, without El Charro Road extending all the way to Stoneridge Drive and then Stoneridge Drive extending to provide more of a high school service, extending to the east would not be something that would alleviate a lot of trips as far as getting to the high school.

With reference to the EVA, Commissioner Fox noted that there have been a couple of fires in the Mohr-Martin area, and one home actually burned to the ground. She questioned what Traffic Engineering's emergency response was, given a gated community and the two fires in the area. Mr. Tassano replied that Traffic did not evaluate the project in relation to gating but believed that it would be required to have Opticom, which can be used on the gates as well as on traffic signals. He added that for gated access, Opticom is much better than a Firefighter getting out of his truck and unlocking the gate, with the possibility of the key not working or the presence of sand or grit problems.

Mr. Otto stated that the project was reviewed by the Fire Marshal who worked with the applicant as far as the EVA locations, and the proposed plan was acceptable to the Fire Marshal.

Commissioner O'Connor requested an explanation of the number of trips for seniors and whether those trip numbers reduced as seniors aged. Mr. Tassano replied that there appears to be a greater need for this type of senior housing as evidenced in its expansion within the past 10 to 15 years. He stated that only a limited number of studies have been done by ITE in the last 20 years, and there was a more recent study in 1996 that reviewed this and determined that the numbers in the current ITE trip generation manual were accurate. He added that there was another study done in 2007 on a small scale of four to five sites to see if the ITE rate was representative of 55-year-olds and older. He noted that no study has been done for 62 years, 65 years, or older and that the only break available is for 55 years and older for attached homes and detached homes, and continuing care for a much more elevated rate with an average age of 75 years. He stated that the study looked at what is the highest senior housing rate, using .53 per household, and that the maximum numbers do not yield a significant impact as they disperse.

Commissioner O'Connor inquired whether this was a worst-case scenario that would most likely not reflect this number of trips. Mr. Tassano replied that this would be the most active senior numbers but not the worst-case scenario.

Ms. Harryman referred to a question posed by Commissioner Fox regarding children living on-site. She clarified that the restrictions on who can and cannot live in a senior housing development are set forth in the California Civil Code Section 51.3. She noted that there are only two situations where children or grandchildren can live in a senior facility: (1) when the children or adult children are disabled and need the parent to take care of them; or (2) if the child or adult child is the senior's health care provider and is taking care of the parent(s). She added that the statute states that the care must be substantial in nature, must provide assistance with necessary daily activities or medical treatment, or both. She concluded that these two situations would be the only time that children would be seen living in this community and that children of caregivers are not included.

Commissioner Fox inquired if the Homeowners Association, through its CC&R's, would monitor any complaints involving a caregiver who is related to a resident and has children living with the caregiver in the resident's home. Ms. Harryman confirmed that it would be done by the Homeowners Association, possibly on a private level.

Chair Blank suggested taking a break before opening the public hearing.

Chair Blank called for a 10-minute break at 8:27 p.m.

Chair Blank reconvened the regular meeting at 8:37 p.m.

THE PUBLIC HEARING WAS OPENED.

Pamela Hardy, Ponderosa Homes, stated that this project is the last remaining portion of the master plan for the Busch Ironwood Project which was approved in 2002. She noted that based on Ponderosa's marketing studies, there is a tremendous demand for this type of senior housing, as evidenced by many seniors desirous of having a senior single-story detached home at the square-foot ranges being proposed, with a patio or a patio-size yard and a low-maintenance front yard to be maintained by the Homeowners Association. She noted that they are proposing a very green project which exceeds the minimum requirements. She noted that Jeff Schroeder of Ponderosa Homes and Mark Sweeney, one of the owners of the Gardens at Ironwood Senior Apartments located within the Ironwood development, are in the audience. She thanked staff for their excellent overview and stated that Ponderosa is in agreement with staff's analysis and recommendations. She provided a background of when Ponderosa first began its work on the project with the City, noting that they jointly hosted a series of community meetings which were very

well-attended, and that based on the feedback, they looked at a variety of different land uses and input from the community and established the project.

Ms. Hardy described key elements of the community meetings as follows:

- No street connections between Mohr Avenue, Kamp Drive, and Valley Avenue;
- Mohr Avenue be terminated at the entrance to the Ironwood development at Irongate Drive;
- The City vacate the Old County Road, the Mohr Avenue right-of-way, which was originally planned to extend east out to Isabel Avenue; this has been changed to a cul-de-sac as part of this development site;
- Traffic be dispersed among Kamp Drive, Mohr Avenue, and Valley Avenue//Bush Road;
- No road connection or access to the 23 acres from any other point other than the Valley Avenue/Busch Road location, and no pedestrian access should this be a school site due to concern about drop off/pick up at that location, much of what is seen at Martin Avenue;
- Ponderosa to mitigate traffic impacts in anticipation of a potential high school or 1,000-student school facility site. Ponderosa has over-mitigated for traffic impacts, done substantial alignments, improvements, and widenings to Valley Avenue between Boulder Street and Quarry Lane, to Busch Avenue, in Hacienda Business Park, one in the Downtown area which has not yet been planned. Ponderosa is also currently in the design stage for the free right-hand turn lane at Stanley Boulevard/Valley Avenue/Bernal Avenue intersection. This was in anticipation of the 1,000-student middle school. Alternatively, should the School District not exercise its option, which terminated in May of 2008, the site be designated for medium density senior housing. This project is at four units to the acre, under the midpoint of the density range. Six of the seven study intersections will operate at acceptable LOS A-D with the one exception of Valley Avenue/Santa Rita, which will continue to operate at the existing LOS E, with the Existing-Plus-Approved Projects scenario. The project adds 1.6 seconds to the Valley Avenue/Santa Rita Road intersection in the PM peak, which is a result of 53 cars in the afternoon and 30 cars in the morning, in contrast to the school facility site which would have generated 1,160 trips in the morning and 100 trips during the PM peak. This project, therefore, would produce 97 percent less morning traffic impact than what the school facility would have created, and 47 percent less than what would have been created in the afternoon.
- The possible extension of an EVA out to the north property boundary toward Zone 7 or the quarry lake with the possibility of access off of Mohr Avenue for emergency purposes; this was not supported by the Fire Marshall and instead expressed a strong preference for the current Sandstone Court location, which would be a solid gate, painted to match the existing masonry wall to make it visually blend with the existing wall, and to be used only for emergency purposes.

In summary, Ms. Hardy stated that the project is consistent with the existing General Plan's land use of medium density senior housing and with the requirements of the Ironwood PUD. She noted that it is below the mid-point and that under the current General Plan update process, the site has been allocated 113 units. She added that the project's Mitigated Negative Declaration has evaluated the project and has determined that the project will not have a significant effect on the environment. She indicated that Ponderosa is in agreement with staff's findings and the conditions of approval, except for three minor changes:

1. Condition 1: This is a preliminary GreenPoint checklist, and Ponderosa would like to work with staff to have flexibility on it. It has not begun to do estimating, bidding and work with subcontractors and has high expectations it will be close to the point spread.
2. Condition 18.c.: Rather than require walls at this particular stage of the PUD process, Ponderosa would like to work with staff during the Tentative Map stage, when grading and drainage will also be addressed.
3. Condition 69: The new storm water quality requirements are fairly arduous and new to staff. Ponderosa would like the flexibility to work with staff on the media filtration system, whether it be a media filtration system, non-mechanical, or a combination of other systems.

In response to Commissioner Fox's inquiry regarding Floor Area Ratio (FAR), Ms. Hardy stated that the FAR is 58 percent and the approved Classics in Ironwood is 56 percent. She noted that this FAR is very consistent in terms of compatibility and continuity of the surrounding development pattern within Ironwood. With respect to the size of the housing, Ms. Hardy stated that Ponderosa's marketing analysis shows that people want to sell their much larger 4,000-square-foot home and move down to a smaller, single-story approximately 2,000-square-foot home. She added that there is also the market component for 2,700-square-foot homes with the ability for a pop-up suite for visiting adult children and grandchildren.

Regarding the sprinkler question, Ms. Hardy stated that Ponderosa is agreeable to installing automatic fire sprinklers even if it is not required by the Code and the homes are well within the three-to-five-minute emergency response timeframe.

With respect to the gate, Ms. Hardy indicated that Ponderosa had long discussions with the Fire and Police Departments, who are supportive of the gate and have provided specific mechanical requirements. She added that Ponderosa would gladly work with staff on the street width in order to accommodate sidewalks while still reducing the amount of impervious surface. She added that the trail system was part of the plan for the original Busch PUD

process and is predominantly an eight-foot wide sidewalk system that ribbons through the heart of the community at the private park, running down Ironwood Drive to Busch Road and connecting to the Iron Horse Trail as well as with the Martin Avenue buffer street to the north. She noted that she lives in the Ironwood development and she uses and sees other people utilizing the trail system on a regular basis. She added that Ponderosa believes it is appropriate to have the limited access to the project in that it would not pose a problem for seniors to be able to walk through their own community and connect to the trail system through Reimers Drive.

Commissioner O'Connor disclosed he had a conversation with Ms. Hardy and did not have any questions. Commissioners Fox and Olson stated that they also did not have questions.

Commissioner Narum referred to Ms. Hardy's discussion regarding traffic mitigations and inquired if these were underway or planned. Ms. Hardy replied that the majority of the traffic mitigations have already been constructed by Ponderosa over the last several years, with the exception of only two – the free right-turn lane at Valley Avenue/ Stanley Boulevard/Bernal Avenue described earlier and the intersection improvement at the First Street/Sunol Boulevard/ Bernal Avenue intersection near the Downtown area. She added that Ponderosa is currently working diligently with staff on the free right-turn lane, which has taken a little longer than expected due to an interface process with Union Pacific Railroad. With respect to the Downtown area mitigation, she noted that Ponderosa is still waiting for the City's direction as to when it would like Ponderosa to begin that process.

Chair Blank indicated that he understood Ms. Hardy's comments on the Conditions of Approval Nos. 18.c. and 69 but did not understand that on Condition No. 1. He asked Ms. Hardy if she believed Ponderosa could not be in substantial conformance to what has been submitted for LEEDS points. Ms. Hardy replied that the threshold for compliance is 50 points and that this project is substantially greater than that. She notes that Ponderosa would not have typically anticipated providing this information at this preliminary design phase and would have more information at the building permit submittal process, at which time Ponderosa would have had the chance to get more information and bid analysis from their subcontractors. She noted that she understand it to be a preliminary planning tool and would like to go on record that the project may not be at the actual 100-point range.

Chair Blank indicated that the Commission has been more flexible with projects that had 200 LEED points and that it would be acceptable if Ponderosa would propose 100 LEED points and came in at 90 or 105. He noted, however, that if the project came in at 50 points, his personal flexibility would be reduced.

Ms. Hardy said that there is every expectation that the project would be in substantial conformance, although she could not confirm the exact number at the time. She reminded the Commission that the Ironwood project was the very first green project approved in Pleasanton.

Chair Blank expressed his appreciation for Ponderosa's amenability to install sprinklers.

Jereen Gilbert stated that many people could not be present at the meeting because of the late notice to surrounding neighborhoods and that she would be representing two groups of people. She said that she did not want to be involved but that she needed to do so as a parent. She indicated that people are very frustrated with City government as thousands of people have discussed the circulation issues at the intersection at Santa Rita and Valley Avenue with Council and Commission members and no measures are being taken to mitigate them. She noted that many children are getting hit at the intersection of Santa Rita Road and Mohr Avenue. She stated that she believes the frustration is that people have said things they want considered, neighborhoods have come together and have recognized the limitations given the General Plan, and they all agree on the fact that no more development should occur along Busch Road until solutions to traffic issues can be proposed. She noted that the current levels of service are unacceptable; six children have been hit along Santa Rita Road in the Valley Avenue area, and she believes it is the City's responsibility. She stated that she does not see any mitigation happening in terms of the traffic model resulting from this project because what is being proposed does not represent what the community has asked for. She stated that the Ponderosa project will bring many more homes to the area and many of the issues will come up again.

Ms. Gilbert continued that the second issue she promised to bring up has to do with the term, "senior." She noted that people who will buy these homes may be 55 years old, but the traffic model will not reflect the numbers of trips they will take. She said she is the type of person who would purchase a home there, as she has a parent with Alzheimer's and there is a tremendous need. She noted, however, that when people originally discussed medium density, the prices were considered to be in line with what Ironwood Estates or the Classics were, but the appreciation on the price is almost 40 percent on similar homes in the area because the demand is very high. She noted that developers are not held to the same ethics as real estate agents.

Ms. Gilbert requested that the matters she brought up be taken into consideration.

David Rice stated that he is in support of the Ponderosa application for the PUD but opposed to the placement of an EVA at Sandstone Court. He noted that there has been no disclosure of the EVA by Ponderosa and that he did not attend

the workshop that began this process because he did not have any notice that it would affect him or his court. He questioned if there would be a driveway to access the EVA and believed that if there was, having a driveway with a steel gate and connecting to another neighborhood and then into his court would lower property values within the court, affect his sense of security and safety, and give the sense of less privacy. He said he purchased in the court for safety, privacy, and security. He indicated that he is opposed to the EVA at Sandstone Court and requested the Commissioners to consider this.

Chair Blank disclosed that he knew Sherry Dennis socially but that they had not discussed the item she was providing public testimony on.

Sherry Dennis expressed her support for the project and stated that she would qualify for living there. She stated that Pleasanton has no project like this, which adds many things to the community, and as a senior, having a secure place in which to live is important. She noted that she would like to downsize but agreed that the square footage was important as she did want to lose the ability to invite friends over. She indicated that having rear access to the trail would also not be an issue.

Lauren Purcell stated that she did not attend the March meeting but sent her comments and requests for changes, which have been made. She noted that her main concern is that it does not take into account the most precious land use part of the area, which is the bird sanctuary. She stated that currently, there are three houses on her court which appreciate the birds. She noted that the area is now gated, and Zone 7 runs that property. She indicated that she has been trying to determine where to go next to identify where a trail could be placed in order to walk, walk animals, and have some serenity and would, therefore, like feedback on how the Commission could be motivated to provide access to the trail from the property.

Chair Blank noted that he had received a speaker card from Penny Duport indicating that she supports and looks forward to the project but does not wish to speak.

In response to the EVA question from Mr. Rice, Ms. Hardy reiterated that the gate would always remain locked, that there would be no pedestrian access, and that the Fire Marshal has indicated this is a secondary access point to be used only for emergency response for secondary equipment. She acknowledged Mr. Rice's concerns from an aesthetic or value standpoint and noted that some people have stated that it would improve safety and privacy in the area. She stated that she believed the EVA will not impact Mr. Rice at all.

Ms. Hardy stated that she also has been in Pleasanton for about 30 years and understands the frustrations of the community with traffic issues and its desire for a clear understanding on when mitigations will be implemented. She noted,

however, that from the project's standpoint, the project will not create additional traffic impact. She indicated that while Ponderosa would be happy to continue to discuss this with the neighbors, Ponderosa feels that it has over-mitigated all the impacts associated with traffic.

Regarding Ms. Purcell's comments, Ms. Hardy said they were aware that at some point in the future, the City will work with Zone 7 on the Parks and Trails Master Plan at some point in the future and may allow some sort of trail access. She noted that there was also a Martin Avenue foot trail which is a great trail in that area; however, some neighbors in the immediate area have voiced concerns that they did not want any pedestrian trail.

Commissioner Narum asked Ms. Hardy how she felt about the streets and sidewalks as the project is currently designed. Ms. Hardy replied that Ponderosa would be glad to have the opportunity to look at the 32-foot street widths, which would be their first preference. She reiterated, however, that Ponderosa is trying to minimize the amount of impervious surface. She noted that Ponderosa's preference would be to have reduced street widths and maintain the street width design but that they would be happy to evaluate the issue of placing sidewalks throughout the development.

Chair Blank inquired if Ponderosa would be opposed to 32-foot street widths with sidewalks on both sides. Ms. Hardy replied that Ponderosa would not object to this, assuming the engineering worked out, but that she wanted an opportunity to review this with the project engineer and City staff.

Commissioner O'Connor believed Mr. Rice's concerns regarding the EVA gate was more about aesthetics than actual use. He asked Ms. Hardy if the gate would have been located at that site given a school project. Ms. Hardy replied that they never anticipated there would be a requirement for an EVA connection through the Ironwood development, but the Fire Marshal advised that this would be required as a secondary access road. In that regard, she indicated that she suspects this would have also been required of the school, with possibly an additional EVA to the east. She indicated that when the Fire Marshal considered the project's initial plans for the EVA, he was not supportive of one out the north property line and identified the location on Sandstone Court as being the only preferred EVA location.

Chair Blank inquired if the EVA location was discussed at the workshop. Ms. Hardy said yes and added that at that time, she had provided a brief background showing some of the site plan changes that had resulted in discussions with City staff and her initial view regarding the EVA location.

Commissioner O'Connor inquired if Mr. Rice was given any notification when he purchased his home that there might be an EVA at that location. Ms. Hardy replied that when Ponderosa learned of the Fire Marshal's preference, the

property owners at the end of Sandstone Court were notified regarding the planned EVA. She added that no other property owners on the cul-de-sac were notified at that time as City approval still needed to be obtained.

In response to Chair Blank's inquiry if there was a City easement for the EVA, Ms. Hardy replied that there is a private access easement and that further notification would not have been done beyond notifying the two properties at the end of Sandstone Court. Ms. Decker advised that there was a easement recorded on both the parcel map and through title documents.

THE PUBLIC HEARING WAS CLOSED.

Chair Blank asked if there was money available for the mitigation.

Commissioner Narum indicated that she was still confused about the mitigations and asked for an explanation about how mitigation will work for some of the intersections, particularly at Valley Avenue and Santa Rita Road. Commissioner Fox stated that the Council also discussed the East Side Specific Plan and asked how mitigations would be tied into that.

Mr. Tassano replied that there is a planned improvement at the Santa Rita Road at Valley Avenue intersection, including a triple southbound left turn and a double westbound left turn that would go from the Ironwood development, left to Safeway, which is already moving forward and should be in construction next year. He added that the double westbound left is included in the traffic study and would be constructed within a year. Commissioner Narum requested confirmed that there was, therefore, already one improvement to make the intersection better. Mr. Tassano confirmed that this was so. Mr. Tassano added that the one which has been in the traffic plan for the last ten years and in the General Plan for the last 12 years is the triple southbound left turn. He noted that the City moved forward with that project, had the design level complete, and is currently working on the funding portion. He added that the City did not have sufficient funds at that time and held off on it for awhile, adjusted some of the design elements, and returned to the Council a couple of years ago. He noted that the Council was not comfortable with a triple southbound left turn, as were the residents in the area, due to concerns over pedestrian safety and the width of the crossing. He continued that he was then asked to look at other potential solutions and to determine if extending Stoneridge Drive would be a possible mitigation to this LOS. He stated that what was determined was that right now, Stoneridge Drive extension would mostly add some cross-town traffic to get back on the freeway at El Charro Road. He added that in the future, at build-out, there would be a higher need in the Hacienda Business Park area, and extending Stoneridge Drive would have more benefits as it will alleviate more traffic seen at Santa Rita Road and Valley Avenue. He stated that the Council is now faced with a dilemma of not favoring the triple southbound left turn as a near-term mitigation, with the knowledge that a longer-term mitigation in the future would be

the Stoneridge Drive extension. He noted that the question to be answered after the General Plan is completed is the timeline on when the cross-town traffic would diminish to a point where there would be a greater benefit of the local need to reduce the southbound left-turn volume.

In response to Commissioner Narum's inquiry regarding when this might occur, Mr. Tassano replied that he would be able to analyze this in greater detail after the completion of the General Plan.

Commissioner Narum noted that it would be years away if and when the Stoneridge Drive extension occurs and inquired if there were other solutions that could alleviate this intersection besides the triple southbound left turn. Mr. Tassano replied that he did not know if and when Stoneridge Drive would be extended and that nothing else is planned at the present time. She inquired if there is money available if the triple southbound left turn were to be constructed at this time. Mr. Tassano replied that money would be available but that other pipeline projects would need to be shifted around.

Commissioner O'Connor voiced concern that while there is money in the bank and the City is waiting to collect more, the costs are rising, and the City is then always behind the 8-ball. Mr. Tassano agreed.

In response to the East Side Specific Plan question, Mr. Tassano stated that with the General Plan, there is a combination of residential, retail, and office for the East Side Specific Plan. He added that upon completion of the General Plan, the East Side Specific Plan would give a more specific identification of what that land use is going to be.

Commissioner Fox noted that after the Home Depot project was denied, the Council wanted to hold off on development on the East Side until the East Side Specific Plan was developed. Mr. Tassano stated that he recalled the Council indicating that the City would move forward with the East Side Specific Plan and would identify its land uses following the completion of the General Plan. He stated that he believed there was no connection between the timeline on the development of the East Side and the Home Depot project.

Brian Dolan confirmed that the East Side Specific Plan will start upon completion of the General Plan. He noted that there are two primary property owners who are anxious to start, and staff has begun discussion with them, informing them of what the schedule generally would be, including about one year of planning efforts, another year of environmental impact analysis, and then a subsequent project which would be a mix of uses including 250 residential units to be divided up between the two properties. He reiterated Mr. Tassano's statement that the General Plan does have placeholders and assumed trip generators.

Commissioner Narum inquired if the two properties bordered the Ponderosa property, and Mr. Dolan replied that the planning area borders the Ponderosa property but that there was no developable site bordering the property.

Chair Blank stated that he liked the idea of having sidewalks on both sides of all the streets within the project. Commissioner Fox agreed.

Commissioner Narum stated that she would prefer to add a condition to allow for flexibility for Ponderosa to work with the Traffic Engineer as to what would make sense, with the direction that more sidewalks are preferred. Commissioner Fox agreed and suggested that the sidewalks would be put in and approved at the tentative map stage. Commissioner O'Connor made an assumption that putting sidewalks on both sides and narrowing the street down by four feet would allow for parking on one side of the street versus two sides. Mr. Tassano stated that staff would prefer a road width of 36 feet with sidewalks with 20 feet for the actual road. He noted that there are some streets in the City where staff has approved 32 feet and has allowed for parking on both sides but with very narrow streets. He recommended, however, that the streets be 36 feet.

Commissioner O'Connor noted that the area near Kamp Drive and Equestrian Drive have narrower streets and allowed parking on both sides, but only one car can pass at a time; however, this slows vehicles down.

Commissioner Narum noted that she believed this development has a 20- or 25-foot setback from the street, which leaves room in the driveway to park a car. Commissioner O'Connor stated that he believed the setback to the house is 12 feet, and adding a four-foot sidewalk would leave only eight feet from the sidewalk to the house.

Chair Blank referred to the developer's proposed modification to Condition 69 regarding the media filtration system. Ms. Decker stated that in listening to the applicant's comments, staff is proposing a couple of modifications to the Conditions of Approval for consideration by the Commission. She indicated that the first one would be Condition No. 18.c. regarding retaining walls, which is specifically required to be part of the development plan but which staff believes could be taken out and made a separate condition with the addition of the language "for review and approval at the Tentative Map stage," as it is really a part of the grading and drainage plans, and there may be other considerations by the time the fine grading is completed.

Ms. Decker noted that the second condition related to street widths, Condition No. 67 under Engineering requirements, where staff could add a new Condition, No. 67.g. as follows: "The applicant shall work with staff to design the street section to provide sidewalks on both sides of the street by reducing the street width, subject to review and approval by the City Engineer and the Director of Planning and Community Development at the Tentative Map approval stage."

Ms. Decker added that staff would like to modify Condition No. 69 regarding filtration as follows: "The applicant shall work with staff to provide storm water treatment design solutions for review and approval by the City Engineer and the Director of Planning and Community Development." She added that in this way, the City conditions the optimum design solution.

Mr. Dolan made a correction to his response to Commissioner Fox's question regarding the East Side Specific Plan bordering the project site. He stated that the property to the east is owned by Legacy, which is part of the Specific Plan area.

Commissioner Fox noted that if a motion were made for approval, she would not support the project because of the following issues:

1. She believes projects for senior housing should be within the 1,200- to 2,300-square-foot range so that an average senior in the City would have the ability to truly downsize and be able to afford it. She noted that she felt senior housing should be aimed for those currently in Pleasanton and she would like to see smaller and less expensive houses.
2. She would like to see the East Side Specific Plan done in conjunction with this project because the Closed Session that occurred at the School Board meeting to decide not to take the option for a high school was not a public meeting, so people did not know that the school site option was passed upon.
3. Regarding a gated community, she did not believe it conforms to the General Plan and does not support a project that does not support the General Plan.
4. She believes the project is too dense, specifically Lots 21, 63, and 70, some of which are bordered by multiple lots in their rear and side yards.
5. She does not believe there is sufficient parking for the recreation area and would like to see the recreation area and community center moved so that it would border the City's Operations Service Center (OSC) because she believes Lots 93 and 94 would get significant noise from the OSC. She believes there will be extensive noise from the City's Operations Service Center (OSC) and is concerned with lots bordering the OSC.
6. She also voiced concerns about traffic.

Chair Blank stated that he believed the square-foot range has to do with marketing and that he did not want to dictate that.

Commissioner Fox commented that the City has a Youth Commission and wished there was a Senior Advisory Commission in the City to better understand the real needs of seniors in the community and to represent and support their needs.

Chair Blank stated that he believed it was a bit unfair to hold this project to the East Side Specific Plan and voiced concerns with the timing for the completion of the General Plan. He noted that the gated community issue was the toughest for him as he has steadfastly opposed gated communities because it does not conform to what is in the General Plan. He added, however, that this is the first project he has seen specifically for seniors, and based on the workshop, gated communities are favored by seniors. He indicated that he would like to consider that value for seniors as opposed to the gated issue and believed this is worthy of experiment. With respect to density, he acknowledged the concern regarding Lots 21, 63, and 70 but noted that they most likely will be priced less than others. He indicated that while he respects Commissioner Fox's comments, he felt comfortable with the project.

Commissioner Olson stated that Pleasanton has a number of gated communities and believed the demographics argue for them. He added that if it is acceptable to the Fire Marshal, then it is acceptable to him as well. He indicated that he had no issues with the project, believes it is needed in the town, and the location is good.

Commissioner Olson moved to make the finding that the project would not have a significant effect on the environment and recommend approval of the Negative Declaration, to make the PUD findings for the proposed development as listed in the staff report and recommend approval to the City Council of PUD-74, subject to the Conditions of Approval listed in Exhibit B of the staff report, with the following modifications: (1) Amend Condition No. 18.c. to indicate that the retaining walls shall be reviewed at the Tentative Map stage; (2) Add a new Condition No. 67.g. stating that the applicant shall work with staff to design the street section to provide sidewalks on both sides of the street, subject to the review and approval of the City Engineer and the Director of Planning Community Development at the Tentative Map approval stage; and (3) Amend Condition No. 69 to state that the applicant shall work with staff to provide storm water treatment design solutions, subject to the review and approval of the City Engineer and the Director of Planning and Community Development. Commissioner Narum seconded the motion.

ROLL CALL VOTE:

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

Resolutions Nos. PC-2008- 31 recommending approval of the Negative Declaration and PC-2008-32 recommending approval of PUD-74 were entered and adopted as motioned.

Commissioner Narum stated that if the project is forwarded to the City Council recommending review and approval, she would like to include something the Commission could do to bring attention to the traffic mitigations discussed tonight. She indicated that she totally understands the impacts are far less than if the property were developed as a school, but at the same time, it adds cars to a bad intersection. She noted that there are triple left-turn lanes at other parts of the City and that she was struggling with the need for it at this intersection.

Chair Blank commented that the Commission could discuss this under Matters Initiated by Commission Members and recommend that the City Council review this. Commissioner Olson agreed with Commissioner Narum, but noted that it has nothing to do with this project. He agreed with Chair Blank's suggestion to pass another resolution and direct it to the City Council that as time goes by, it will be more and more difficult in to get these types of projects approved because of an underlying problem with traffic, especially at that intersection.

Ms. Decker advised that when projects are forwarded to the City Council, staff discusses concerns described by the Planning Commission, and in light of this project's discussion being part of the Traffic Study and being very detailed relating to this particular intersection and its mitigation, the discussion will also be part of that staff report to Council. She indicated that it is not necessary to pass a resolution, particularly since this is a mitigation that the City Council is aware of.

Commissioner Narum stated that she likes the idea of a resolution and agreed to remove the traffic issue from this project. She noted that as Chair of the Parks and Recreation Commission, she pushed for and succeeded in including the Alviso Adobe project in the Council's top priorities. She agreed that the Council has a full plate but feels that there needs to be a push at times.

Ms. Decker read a page that Mr. Otto brought to her attention on Program 2.3. of the Circulation Element of the General Plan, as follows: "The Santa Rita Road/Valley Avenue intersection is conditionally exempted from the City's LOS policy in that the mitigation of adding a third southbound left-turn lane is a short-

term mitigation with build-out mitigation being the Stoneridge Drive extension. The City Council shall decide if and when this intersection modification is needed in conjunction with the development projects which add traffic to it. Projects which add traffic but are not required to improve this intersection will continue to pay traffic development fees and will be considered to have mitigated their impact at the Santa Rita Road/Valley Avenue intersection on that basis.” She noted that this matter will be revisited by both the Planning Commission and City Council as part of the Draft General Plan, which may be a more appropriate place to add the Commission’s interest in adding the acceleration of the mitigation measure.

Chair Blank noted that on the other hand, a resolution recommending the City Council reprioritize that, focusing on Program 2.3 of the Draft General Plan and recognizing its criticalness could not hurt.

a. PCUP-222, Sherman Balch/SuperFranks

Application for a conditional use permit to serve wine and beer in conjunction with food in an existing indoor recreation facility located at 5341 Owens Court. Zoning for the property is PUD-C (Planned Unit Development – Commercial) District.

Jenny Soo presented the staff report and described the background, scope, and layout of the proposed project.

Commissioner Fox stated that beer and wine are only allowed in the food service area and noted that there were multiple food service areas in the building. Ms. Soo noted that beer and wine would be served only in the café area. She pointed out on the screen the locations of the different food service areas, indicating the café area where beer and wine would be served.

Commissioner Narum stated that she visited the site, and there were three distinct areas where people were eating – in the lobby, the theater, and the dining room. She inquired if Condition No. 4 included all three areas or just the café. Ms. Soo replied that staff’s recommendation is to limit alcohol to the café area, which is more defined in that it has doors and walls and would have signs posted that no alcoholic beverages can leave the café. She indicated that the theatre area is set up for overflow of the dining area. Ms. Soo indicated that staff had discussed this with the applicant, who wishes to have the option to serve beer and wine in the theater area as well because it is an alternate or annex of the café.

Chair Blank noted that there is also concern of beverages being served in the lobby as when someone orders a sandwich and beer and then carries it out of the café and into the lobby.

Commissioner Olson noted that there are a couple of pizza places on Main Street where he can take a small child in and drink beer or wine anywhere in the restaurant. He asked how this would be different from those pizza places. Commissioner Fox commented that SuperFranks is like a Gymboree for older kids.

Chair Blank noted that one of the conditions states that a full menu shall be available for patrons of the facility and that food must be served in conjunction with beer and wine. He stated that normally, the Commission includes a condition that states: "and a full menu must be available anytime that beer and wine are served." He inquired if this was implied in Condition No. 3 or whether it should be specified.

Ms. Harryman replied that if the City has a standard language for this, it should be included.

Chair Blank stated that the intent of the language was that no one could simply go to the establishment and order beer without food. He added that the City has conditioned several restaurants to have a full menu available from which to choose. Commissioner Narum stated that she did not believe the last establishment was conditioned but, rather, that food be made available. Chair Blank agreed.

Ms. Harryman inquired if the Commissioner believed this was a stricter standard. Chair Blank said he was asking for both, but he wanted to ensure there was something other than something like popcorn to eat.

Commissioner Narum inquired if it would be a problem if a person who had already eaten ordered beer only when he came to pick up his children. Chair Blank stated that he was amenable with the way the staff report condition was written.

Commissioner O'Connor noted that the end of Condition No. 3 states that one must purchase food. Ms. Decker said there are three conditions staff uses with regard to alcohol: (1) used with restaurants when a full menu needs to be available at all times alcohol is served; (2) outdoor dining areas where alcohol will not be served unless one purchases food from the menu; and (3) in this facility and in talking with the applicant, who has a concern to limit the number of drinks to two per person. Ms. Decker added that staff modified its standard condition to require that if one wants alcohol, then it should be ordered with food.

THE PUBLIC HEARING WAS OPENED.

Frank Tate, applicant and owner of SuperFranks, stated that their goal is for families to have a great time and the biggest complaint they have received from their patron parents is not having beer and wine. He indicated that they consider

all three areas as dining areas so that parents can have visual contact with their children at all time. He added that they have glass separation using signs, but there is visual connection at all times. He noted that limiting alcohol service to the dining room, which is the least room used, would be restrictive and hurt their premise for parents and children to be near one another. He stated that he included the two-beer limit because he does not want the place to become a bar. He noted that one father described it as beer is to pizza as peanut butter is to jelly. He added that SuperFranks is not the same as Chuck E. Cheese and that their slogan is "Family entertainment created by parents for parents." He noted that the place has a great environment where the atmosphere is pleasing, sports are on, and Wi-Fi is available. He indicated that food is not allowed in the arcade, golf, or gym areas, but other areas are considered dining areas where food is allowed. He explained that they have a lot of midday parties and that it would not be fair for a parent not to be able to have a glass of wine at a 4:00 p.m. party. He noted that this is not the case in other restaurants, and he asked for that restriction not be placed on them. He noted that from his understanding of the ABC regulations, a full menu must be available when alcohol is being served. He indicated that they abide by the ABC rules and that food is available the entire time they are open. He requested that Condition No. 4 be modified to include alcohol service in all the food service areas.

Commissioner Fox noted that the condition states that alcohol is allowed only within the main food area and not in the party area and requested staff confirmation that the dining area was located in the center of the facility, which was labeled as such in the building permit plan. Ms. Soo confirmed that was correct. Mr. Tate stated that he was not sure how this came about and explained that their dining areas included the theater and the lobby as well. Ms. Soo explained that said this is staff's condition but that if the Planning Commission so desired, it could revise the condition to allow food in the three dining areas.

Ms. Decker clarified that staff simply tried to craft a condition that would restrict alcohol and drinking from the actual activity areas. She added that she believed staff did not completely understand the breadth of where food is actually able to be eaten, which includes the lobby, the theater, and the dining area itself, and that there was plexi-glass throughout the areas so parents can always see their children. She reiterated that staff particularly did not want alcohol in the game rooms.

Mr. Tate stated that the whole premise of the party rooms was that they were made large enough so that families could stay together. He added that from his research, he knows more parents actually stay for the parties than any of the other times, and to prohibit alcohol service in the party rooms would be self-defeating because that is where the parents interact. He said 30 percent to 40 percent of the parents stay in the actual party room where there are parties and chairs and where families have a fantastic time.

Chair Blank suggested that beer and wine be served only in the food areas, which includes the party room. He further suggested that Condition No. 3 be changed to read that a full menu will be in effect whenever alcohol beverages are served.

Commissioner Fox inquired if staff would still supported the application if multiple food areas were used. Ms. Decker said yes.

Commissioner Olson stated that staff's memo, dated July 9, 2008, refers to Conditions Nos. 44 and 45 of PCUP-161, but the Exhibit B the Commission only has seven Conditions of Approval. He inquired if there is an entirely different set of conditions of approval. Ms. Soo replied that PCUP-161 is the original approval for the facility which is still in effect, and Conditions Nos. 44 and 45 were part of that project's Conditions of Approval; the seven new conditions are the conditions for the current application.

THE PUBLIC HEARING WAS CLOSED.

Commissioner Olson moved to make the conditional use findings as listed in the staff report and to approve PCUP-222, subject to the Conditions of Approval listed in Exhibit B of the staff report, with a modification to Condition No. 3 that a full food menu shall be available for patrons when beer and wine are served and to Condition No. 4 that beer and wine are allowed in all the food service areas.

Commissioner Narum seconded the motion.

Commissioner O'Connor noted that there was no condition for a two-beer limit. Ms. Decker explained that this is part of the narrative, Exhibit A, which is included under Condition No. 1. Chair Blank noted that there have been times in the past where narratives has been in conflict with the Conditions of Approval, and staff has always indicated that conditions override what is in the narrative. Ms. Decker indicated that this could be added as a new condition.

Commissioner Olson amended his motion to modify Condition No. 4 to include the language that no more than two beer or wine drinks shall be served to each adult patron.

The amendment was accepted by Commissioner Narum.

Commissioner Narum stated that she has mixed feelings about the appropriateness of having beer and wine in places where families interact, but on the other hand, she understands how the owner is trying to make it a family environment, and she can see some merits to this. She noted that she would be more comfortable in having a report back from staff in six months such that any problems which may arise could be addressed. She stated that she felt there was a huge difference between a pizza parlor and this operation.

Chair Blank stated that he has taken kids from soccer games and baseball teams to pizza parlors where there are open beers on the table, sometimes in the back and front rooms, and here the City is placing a higher standard for SuperFranks that does not apply to anyone else.

Commissioner Narum reiterated that she felt there was a huge difference here in that parents are taking kids in and putting them in a room where they can play, and then there is beer and wine, and kids could get into trouble without supervision. She indicated that she wants to approve the permit because the facility was clean, and she liked what she saw, but she wants to make sure what is being done is still okay in six months.

Commissioner Fox concurred that Commissioner Narum had some good points, as three to four years ago, the Commission voted to allow a hair salon on Santa Rita Road to serve beer and wine because the patrons are adults, but it was not a restaurant. She added that Commissioner Olson referred to this project as a restaurant.

Chair Blank asked for the vote on the item.

ROLL CALL VOTE:

AYES: Commissioners Blank, O'Connor, and Olson.

NOES: Commissioners Narum and Fox.

ABSTAIN: None.

RECUSED: None.

ABSENT: Commissioner Pearce.

Resolution No. PC-2008-33 approving PCUP-222 was entered and adopted as motioned.

Commissioner Fox left the meeting at this point.

b. PDR-717, Tarlochan Sidhu (continued)

Application for design review approval to construct an approximately 4,716-square-foot two-story single-family home on an approximately 18,285-square-foot site located at 6047 Sycamore Terrace. Zoning for the property is PUD-LDR (Planned Unit Development – Low Density Residential) District.

Marion Pavan presented the staff report and described the background, scope, and layout of the proposed project.

Mr. Pavan noted that there was a clerical error in the staff report and that the size of the property is 17,896 square feet reflecting the PUD development plan. He added that a letter was attached to the staff report asking for low intense lighting

which was already covered by a condition of approval. He noted that there was a landscaping request as well, which is covered in the revised Condition 16. With respect to the request regarding reflective glass, he stated that predominantly non-reflective glass is used in residential construction. He indicated that there are a series of two-story houses in the area, none of which have the same type of limitations for non-reflective glass. He added that at some point, there will be reflections coming off of this house as well as others in the morning and afternoon hours.

Commissioner Olson noted that the V-ditch runs down the easement and he inquired if it was located slightly left to the center of the easement toward the Greene property. Mr. Pavan confirmed that was the case.

Commissioner Olson disclosed he spoke with Mary Greene on the telephone and noted that in her presentation tonight, she mentioned the controversy concerning that property line and where the fence is; however, if the fence is anywhere on the other side of that V-Ditch, he stated that he was not sure if it was on her property or on the easement. He noted, however, that the fence has been fixed, and, therefore, this is a non-issue.

Mr. Pavan explained that there was an existing wire mesh at the time of PUD approval, and because of age, slope subsidence, and horses, it did not coincide with the property line. He added that the property line and fence were surveyed very carefully under Ms. Greene's supervision, and the fence was built as established by Mr. Darryl Alexander, subject to review by the City Engineer.

Commissioner Olson referred to the trees and said that he likes the evergreen mitigation. He noted that the Commission received an email from a lady indicating that she thought the size of the trees recommended in the staff report were not large enough. Mr. Pavan directed the Commission to Fire Station No. 4 on Bernal Avenue, which was landscaped with a combination of 15-gallon and 24-inch-box sized trees in 2005. He noted that now, three years later, the landscaping is lush and provides full foliage. He stated that the City experimented with planting Coast Redwoods, from 5-gallon to 48-inch sizes, and he presented pictures of the plants after 5 and 10 years, and it was found that the 5-gallon tree overtook the 48-inch box sized tree in height. He stated that the City uses 15-gallon and 24-inch box sized trees and that he could secure some estimates on cost; however, a 36-inch-box sized tree will cost approximately \$500 to be installed, whereas a 15-gallon tree costs \$130, and a 24-inch-box sized tree is \$300. He noted that staff could secure additional trees; larger trees will give an immediate effect, but over the longevity of the installation, the 15-gallon and 24-inch box are the best way to go to achieve the screening.

Commissioner O'Connor stated that he thought the email had to do with the species rather than the sizes of the trees, and he agreed with Mr. Pavan's statements regarding size.

Commissioner O'Connor inquired how it could be ensured that the right number and the right maturity of trees would be in place given the height of the house. Mr. Pavan replied that this would be worked out among the applicant, the landscape architect, and staff to achieve the effect. He noted that the immediate installation will be somewhat sparse, but after five to ten years, the trees would mature nicely.

Commissioner O'Connor inquired whether the ten-foot easement restriction also applied to vegetation along with structures. Mr. Pavan replied that care must be taken not to undermine the V-ditch drains as roots can potentially cause problems and that he would be hesitant to place anything in the easement or close where a root from a tree would cause damage.

Commissioner O'Connor suggested the use of root guard, and Mr. Pavan noted this was a standard condition, along with drip systems and other things.

Ms. Decker stated that the distance between the pre-treatment bioswale next to the house and the concrete swale next to the Greene property is a sloped bank. She explained that the larger the trees, the greater the impact to the already graded sloped bank which could conceivably impact drainage conditions within the area. Staff would look for a plan that would mix 15-gallon trees and 24-inch-box size trees to provide the screening. She added that although this is a subjective concept, staff relies on appropriate placement for maximizing growth and privacy screening.

Commissioner O'Connor disclosed that he met with Ms. Greene on her property and that what she is looking for is privacy provided through vegetative screening.

Commissioner Narum disclosed that she also met with Ms. Greene and her brother. She noted that she likes the architecture on the house and finds it interesting; however, she feels it is the right house on the wrong lot; but because it meets all development standards, she would support it. She noted that she felt on hindsight that the FAR should have been reduced due to the pad being small and sloped. She further noted that the Commission has not discussed installing trees along the south property line, which was requested by the Walkers. Chair Blank stated that there is a condition for approval addressing this, and Mr. Pavan confirmed that Condition No. 16 covers both the south and west property lines: "The building developer shall install accommodation for a 15-gallon and 24-inch box evergreen trees on the slope banks facing the west and south sides of the property."

Commissioner Narum stated that the original PUD development includes language to ensure privacy of neighbors and that she feels this is part of the original PUD for these lots; therefore, she would support it.

In addition to including a new Condition No. 16, Mr. Pavan requested the Commission to delete Condition No. 30 and modify Condition No. 8 to read “27 feet.”

Commissioner Narum moved to approve PDR-717, subject to the Conditions of Approval as listed in Exhibit B of the staff report, with the following modifications: (1) Condition No. 8 is modified to increase the building height by six inches to 27 feet; (2) Condition No. 16 is modified to require the applicant to plant evergreen trees on the south side of the property to create a vegetative screen, with the types, numbers, and sizes of the trees to be determined by the Planning Division; and (3) Condition No. 30 is deleted.

Commissioner Olson seconded the motion.

Chair Blank referred to numbers of LEED points and noted that it is surprising that the Conditions of Approval requires only 50 LEED points versus 70 LEED points. Mr. Pavan explained that when the Condition was drafted, the 50 points required by the ordinance was used; the 70 points would require some verification at the building permit stage. He noted that the condition could be changed to prefer 70 points, to be verified at the building permit stage.

Chair Blank said stated that this would be dependent upon the maker of the motion. He noted that this is the first developer who has come forward with a new property, this is a lot more real than Ponderosa’s in terms of moving forward. Ms. Decker explained that the Code actually requires a minimum of 50 points, and any project which comes forward requires 50 points. She stated that it may appear that all developments are all greater than 50, but this is not the case.

Chair Blank noted that when staff meets with the developers and encourages them to bring forward the LEED points, it will at least be 50; but the reality is that the City does not know how many points there will actually be until the project is built. Ms. Decker said that if this project needed a variance and it came in with 50 LEED points, she would be less flexible to grant the variance. Chair Blank agreed, but noted that his point was that for at least 80 percent to 90 percent of the developments last year, developers did not indicate how many LEED points they were providing.

Commissioner O’Connor inquired if Condition No. 30 was being deleted. Ms. Decker said yes. She explained that this condition is one placed on commercial projects and states that there shall be no truck deliveries, parking lot sweeping, outdoor maintenance, and garbage pickup between 10:00 p.m. and 6:00 a.m. She noted that for residential construction, there were also construction hours that limited building from 8:00 a.m. to 50 p.m.

Commissioner O'Connor referred to the amended condition for landscaping and inquired whether the following condition was included: "The applicant shall install a solid six-foot fence on the south side of the property." Mr. Pavan said no; this wording was raised by the Walkers, and the PUD limits the development to open fencing.

ROLL CALL VOTE:

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

Resolution No. PC-2008-34 was entered and adopted as motioned.

Ms. Harryman noted that it was close to 11:00 p.m., and, based on the Commissioner's Handbook, the Commission will need to take a vote to continue.

Commissioner Narum moved to continue the meeting past 11:00 p.m.
Chair Blank seconded the motion.

ROLL CALL VOTE:

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

The motion passed.

b. PAP-122, Jeffrey and Louise Green/Green Living Trust, Appellants (PDR-761, AT&T, Applicant)

Appeal of the Zoning Administrator's approval of an application for design review to install an AT&T Project Lightspeed cabinet at the southeast corner of Rheem Drive and Olivia Court. Zoning for the site is PUD-MDR (Planned Unit Development – Medium Density Residential) District.

The project was withdrawn by AT&T, applicant, and therefore, the item was not considered.

7. MATTERS INITIATED BY COMMISSION MEMBERS

- a. Discussion of the types of projects to be placed on the Consent Calendar.

Resolution Regarding Traffic Mitigation Measures

Commissioner Narum stated that she was interested in proposing a Resolution for consideration, and Chair Blank suggested wording such that the Planning Commission urgently requests the City Council to pursue traffic mitigations for Valley Avenue and Santa Rita Road.

Ms. Harryman asked the Commission if this was something it wanted to agendize for future discussion, but Commission Narum said this was what the Resolution should indicate as well as the evaluation of the triple southbound left-turn lanes.

Commissioner Olson noted from what has been stated by the Traffic Engineer that some of the tough issues need to be resolved, such as extension of Stoneridge Drive. The Commissioners agreed. Commissioner O'Connor noted that if Stoneridge Drive were extended today, that same intersection will even be better, but he did not believe it should continue to be pushed off.

Commissioner Narum moved to adopt a resolution that the Planning Commission urgently requests the City Council to pursue mitigations for Valley Avenue and Santa Rita Road and to evaluate the triple southbound left-turn lanes in the area.

Commissioner O'Connor seconded the motion.

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None.

RECUSED: None.

ABSENT: Commissioner Pearce and Fox.

Resolution No. PC-2008-35 was entered and adopted as motioned.

Sprinkler Ordinance

Chair Blank noted that according to the June 25 minutes, staff was going to provide a date on the consideration of the sprinkler ordinance this evening.

Mr. Dolan indicated that he did not have a specific date, but could provide an update. He clarified that this is a project between the Building and Safety Division and the Fire Marshal rather than a Planning Division issue. He noted that as a result of the Commission's nudging, there has been a lot of action,

including several meetings including authorization to move forward by the City Manager. He stated that staff went back to the point at which the issue was removed from the Code adopted by Council at the end of last year and part of that was a commitment to do outreach with those affected. He stated that staff is in the process of designing the outreach program, which is anticipated to occur during the month of September, and the Code text will be simple and brought forward for consideration as soon as October or shortly thereafter.

View Easements in the City

Chair Blank noted the question of view easements often comes up. He stated that they are relatively rare in the City and inquired if the Planning Division would know which developments have view easements in the City, or would it be something that could be mapped.

Commissioner Olson stated that they are recorded, and Ms. Decker confirmed that view easements that have come to the Planning Commission with other projects are recorded on Tract Maps. She explained that because each PUD has a tract map, research can certainly be done, but it would be a fairly broad task for staff to do for all subdivisions within the City.

8. MATTERS FOR COMMISSION'S REVIEW/ACTION

a. Future Planning Calendar

Ms. Decker indicated that there would be no special meetings in August on the General Plan. She noted that discussion on the Draft General Plan and Draft EIR will come before the Planning Commission on September 24th. She added that staff is planning on sending an email to the Commission soon, requesting available dates for special meetings sometime in October. She noted that the regular meetings for October have been modified to be on the third and fifth Wednesday due to holidays.

Commissioner Narum inquired if the August 27th Planning Commission/City Council workshop would be held. Ms. Decker said yes.

Commissioner O'Connor noted that there have been many special meeting dates that have been canceled. Mr. Dolan explained that some of this has been related to the uncertainty of the Staples Ranch development.

Sunrise Senior Living Facilitation Process

Mr. Dolan reported that the first meeting of the Sunrise Senior Living project facilitation process was held earlier in the day. He noted that the meeting went well and is making good progress, but the facilitation group members have many vacations planned, and staff had trouble finding three dates that would work. He

added that it is unlikely that staff will return on August 13th, which would have been the last day before the 75-day extension the Commission set. He stated that the Commission will need to take action to extend the deadline, as the dates for future facilitation meetings extend past August. He indicated that the applicant is agreeable to this extension because the dates now extend through the end of August.

Chair Blank stated that this could be agendaized for the next Commission meeting.

b. Actions of the City Council

No discussion was held or action taken.

c. Actions of the Zoning Administrator

No discussion was held or action taken.

9. COMMUNICATIONS

No discussion was held or action taken.

10. REFERRALS

No discussion was held or action taken.

11. MATTERS FOR COMMISSION'S INFORMATION

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

12. ADJOURNMENT

Chair Blank adjourned the Planning Commission meeting at 11:08 p.m.

Respectfully,

DONNA DECKER
Secretary