



PLANNING COMMISSION MINUTES

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

APPROVED

Wednesday, June 11, 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 June 11, 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; Marion Pavan, Associate Planner; Robin Giffin, Associate Planner; and Cory Emberson, Recording Secretary.

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

Commissioners Absent: Commissioner Jennifer Pearce.

2. APPROVAL OF MINUTES

(Note: Staff confirms any proposed changes by reviewing the recorded proceedings prior to finalizing the Minutes.)

a. March 19, 2008

These minutes will be considered at a later meeting.

b. May 21, 2008

Commissioner Narum noted that the second sentence of the last paragraph on page 14 should be modified to read as follows: "She stated that the rear yard

setback should be larger on the east side, and that she *thought* it was not fair to the neighbors on the east side,....”

Commissioner Narum noted that the first sentence of the last paragraph on page 14 should be modified to read as follows: “Commissioner Narum noted that she could accept the proposed open space as presented but would like to see some open space *such as you see when* turning into Del Valle Court.”

Commissioner Narum moved to approve the minutes of May 21, 2008, as amended.

Commissioner Fox seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Blank, Fox, Narum, and Olson.

NOES: None.

ABSTAIN: None.

RECUSED: None.

ABSENT: Commissioner Pearce.

The motion passed.

c. May 28, 2008

Commissioner Fox noted that Commissioner Pearce attended this meeting and requested that the minutes be continued until her return.

Chair Blank complimented staff on the quality of the minutes, adding that they were long, complex, and well done.

In response to an inquiry by Chair Blank regarding whether there were any time-sensitive or legal matters dependent upon the approval of these minutes, Ms. Decker confirmed that there were no actions awaiting the adoption of these minutes.

Commissioner Narum moved to postpone the minutes of May 28, 2008, until Commissioner Pearce’s return.

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.

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 requested that Item 5.c., PCUP-222, Sherman Balch/SuperFranks, be continued to the next available meeting, so it may be pulled from the Consent Calendar and held as a hearing item. She suggested that the item be continued to either the June 25, 2008 or July 9, 2008 meeting.

5. **CONSENT CALENDAR**

a. **PCUP-217, Michael Hughes, Baci Café**

Application for a conditional use permit to allow alcohol to be served after 10:00 p.m. at Baci Café located at 500 Main Street. Zoning for the property is C-C (Central Commercial), Downtown Revitalization District, and Core Area Overlay District.

Chair Blank noted that the staff report indicated that a bar menu would be provided for the patrons during extended hours. He noted that he did not see where sandwiches were listed on the menu. Ms. Decker indicated that the sandwich page was listed on the back of the page.

Chair Blank noted that the applicant had crafted an excellent bar menu.

b. **PCUP-219, Paul Rubio/Boxercise Fitness Center**

Application for conditional use permit to operate a boxercise facility within an existing building located at 1279 Quarry Lane in the Valley Business Park. Zoning for the property is PUD-I (Planned Unit Development – Commercial) District.

Commissioner Fox noted that the Center was identified as being for adults, and the attachment stated that it was for “ages 15 and up.” She inquired whether the conditions of approval should specify that the facility was for adults.

Ms. Decker replied that was a condition to allow high school-aged students which would be 15 years and older.

Commissioner Fox inquired where that condition was located and whether it could be added if it was not included. Ms. Decker replied that it was considered

as a part of Exhibit A, and it could be clarified with a condition of approval stating “ages 15 years and older,” should the Commission so desire.

Commissioner Fox would like to modify the second part of Condition No. 3 of Exhibit B to read: “*Instructor-student ratio 1-12; Students age 15 years and above.*”

c. 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- I (Planned Unit Development – Industrial) District.

This item was continued to a future meeting.

d. PCUP-225, Dave Johnson

Application for a conditional use permit to establish an HVAC contracting company at 1040 Serpentine Lane, Suite 205. Zoning for the property is PUD- I (Planned Unit Development – Industrial) District.

Ms. Decker noted that the language of Condition No. 11 of the Conditions of Approval is being revised, as the application is not for a trade school, to read as follows: “This conditional use permit approval will lapse one year from the effective date of approval unless the ~~trade school~~ *applicant applies for and* receives a business license.”

**Commissioner Fox moved to make the required conditional use permit findings for PCUP-217, PCUP-219, and PCUP-225 as listed in the staff reports, and to approve the projects subject to the Conditions of Approval as listed in Exhibit B of the staff reports, 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.**

Resolutions Nos. PC-2008-25 approving PCUP-217, PC-2008-26 approving PCUP-219, and PC-2008-27 approving PCUP-225, were entered and adopted as motioned.

6. PUBLIC HEARINGS AND OTHER MATTERS

a. PUD-85-09, Sunrise Senior Living

Review of the Planning and Community Development Director's determination on substantial conformance of the Sunrise Senior Living facility with the approved PUD-85-09 located at 5700 Pleasant Hill Road. Zoning for the property is PUD-C-O (Planned United Development – Commercial-Office) District.

Ms. Giffin summarized the staff report and described the background, scope, and layout of the proposed project. She presented a PowerPoint presentation which compared some of the aspects of the 1985 approval to the current plan submittal.

Commissioner O'Connor noted that Ms. Giffin stated that the artist's rendering did not show the trash enclosure in the front left corner. He noted that the staff report noted that garbage was being placed underneath the building and requested clarification.

Ms. Giffin replied that a different plan was proposed in 2007 when the applicants came in with a PUD modification. She added that the 2007 major modification plan was a three-story proposal with underground parking and that under the current proposal, which instead seeks to achieve substantial conformance with the 1985 approval, the trash enclosure is currently proposed for the same general location outside as approved in 1985.

Mr. Dolan indicated that, as had been spelled out in the staff report but bears repeating, the merits of the project is not what is before the Commission, which includes some of the issues the neighbors have understandably been most concerned about such as compatibility with the neighborhood and traffic. He reiterated the scope of what was before the Commission for action, which is a very narrow scope to make a determination of the proposed project matches up with what was approved in 1985. He added that Ms. Giffin had described what should be considered when determining whether or not the proposed project is in substantial conformance with the 1985 project, which really gets down to appearance and operations.

Mr. Dolan stated that the manner he would think about this is if this project were built and five years went by, would anyone necessarily notice the differences between the proposed project and the 1985 approved plan. He noted that as staff went through the tables in the staff report and broke it down into several issues as objectively as possible, staff determined that while there were differences, it was a fairly easy determination that it was in substantial conformance. He stated that staff also looked at some other issues that have been raised, which are really related to the original approval, and evaluated them one by one in an objective and professional manner and concluded that the responses to those concerns were consistent with the determination of

substantial conformance. He offered to go through those issues one at a time, if the Commission so desired. He noted that staff knows this determination does not sit well with the neighborhood and that staff tried to be objective and provide the best professional judgment on the question before the Commission.

Mr. Dolan stated that he spoke with Commissioner Narum this morning, and it was suggested that there might be at least one other alternative to staff's recommendation in the staff report. He described that alternative as one in which there is still some room for negotiation to come up with a project that Sunrise Senior Living would like to build and that would be acceptable to the neighborhood. He noted that he had sent out a memo to the Commission to that end. He indicated that he did have an opportunity to discuss this alternative with the applicant's representatives and at least one of the more active neighbors. He added that it would be relatively easy to determine whether or not the applicant would support this alternative since there is only one person on that side; however, there is obviously no way to determine whether or not there is any support for it from the neighborhood by speaking to only one neighbor.

Mr. Dolan then summarized the content in the memo. He noted that it would essentially involve the approval of the Zoning Administrator's finding of substantial conformance, with the appeal period to the City Council being extended so that staff could undertake a mediation process between the two parties. He noted that the extension of that appeal period would preserve the neighbors' right to appeal to the City Council if the mediation proved to be not successful. He presented the details of the process in terms of how the mediation would be handled:

- the mediation would have a fixed time period of 90 days plus a 15-day period at the end to allow the neighbors time to put an appeal together if the process were not successful. the City would select the mediator and that Sunrise Senior Living would fund the process.
- he would attend the mediation meetings but not as a party.
- the number of participants should be limited to four persons on each side.
- the participants from the neighborhood would agree not to oppose the determination of significant conformance if, in fact, an agreement was reached for a smaller project.

Mr. Dolan stated that this last item was a concern because Sunrise originally proposed a smaller project which met with resistance from the neighborhood; as a result, the applicant went back to the safer ground of the original approval, which was even less popular in the neighborhood.

Chair Blank inquired whether the Commission had the right to waive the initial appeal period of 15 days and to allow a longer period.

Commissioner Fox inquired if the Planning Commission found it was not in conformance with the original approval, whether mediation could still take place

in order for the neighborhood to bring the project to where it believed the plan was in substantial conformance.

Ms. Harryman replied that the Pleasanton Municipal Code states that with the parties' consent, the appeal period could be extended. She noted that Mr. Dolan stated that he had spoken with the applicants earlier in the day.

In response to an inquiry by Chair Blank regarding whether a mediator would be selected rather than an arbitrator, Ms. Harryman confirmed that was correct.

Chair Blank noted that the American Arbitration Association was a professional body that certified arbitrators and inquired whether a similar body exists for mediators. Mr. Dolan noted that staff did not have a preconceived notion on how that would proceed. He added that staff would like someone to the satisfaction of both parties.

Chair Blank requested clarification of the language in Mr. Dolan's memo, "The participants from the neighborhood would agree not to oppose a determination of substantial conformance." He inquired whether it referred to the four individuals and whether the rest of the neighborhood or other individuals could oppose the determination of substantial conformance. Mr. Dolan confirmed he believed other neighbors who did not participate in the mediation could still oppose the determination of substantial conformance.

Mr. Dolan continued that the four neighbors would be representative of the neighborhood, and anyone who did not agree with the result at the end could appeal the decision to the City Council. He stated that should a particular person who was not a part of the represented group bring such opposition individually to the City Council, it was conceivable that the Council would be inclined to agree with what the neighborhood representative had negotiated in good faith with the applicant.

Chair Blank noted that he had experience with other groups where the members could not agree not to oppose unless they individually signed a legal document stating that they agreed not to oppose.

Ms. Harryman stated that was a good point and noted that it would be possible for someone who disagreed with the decision to file an appeal; the matter would go to Council at an earlier time.

Commissioner Fox suggested that this item be turned into a workshop so that the Planning Commission may give feedback as to whether the project was in substantial conformance or not, go through the mediation process, and then brought back to the Planning Commission after the mediation in order to make the formal finding of whether it was in substantial conformance or not. She expressed concern that if the mediation method recommended that the

Commission found the project to be in substantial conformance immediately, that would essentially tip the issue toward the developer, because a finding has been made. She stated that she did not see why the Planning Commission's hands should be tied with respect to finding it to be in conformance or not because the Commission could suggest that it be mediated either way.

Mr. Dolan replied that those were options and stated that if no action was taken, there was a time period that would expire as staff has processed this decision as an appeal of the Zoning Administrator's determination, in which case, the City must take it forward. He noted that if the project owners' concurrence would be needed as well as agreement to extend the time limits, he had not yet been able to achieve that in his discussions. He noted that he and Commissioner Narum had discussed alternatives and that she had inquired if it were possible to continue the project to allow the applicant and neighborhood to find a solution that would work in the best interests of all parties. Mr. Dolan stated that he then spoke with the applicant, Sunrise, and based on that conversation, had developed a memo outlining a mediation process extending the time to 90 days to try to effect a compromise.

In response to an inquiry by Chair Blank regarding whether this item could be continued by the Planning Commission, Mr. Dolan replied that it could be continued, but there was a time limit of 30 days whereby action was required to be taken.

Chair Blank noted that if the workshop was not acceptable, the Planning Commission had the options of finding the project was in substantial conformance or not, turn it into a workshop, or continue the item.

Commissioner Fox noted that it would be important to hear the public testimony and that the preferred approach could be determined after the Commission's discussion. She stated that she did not believe the Commission should be tied into having to make a finding at this time, especially if the mediation does not succeed, and the neighbors make their input regarding the project. She inquired whether a finding of substantial conformance must be made or whether it may be continued so the Planning Commission would then have a final review of what was going to City Council.

Mr. Dolan noted that it may be possible that the project may not be appealed to the City Council at all and that a result could be achieved that both parties could live with. He believed that whatever path was followed, City Council may be interested in pursuing a similar process, as has been suggested by Commissioner Narum. In terms of Commissioner Fox's question regarding whether the Planning Commission could determine whether the project was not in substantial conformance and then dictate a mediation, he noted that could be done; however, the property owner may be inclined to appeal directly to City Council.

Chair Blank noted that it was impossible to determine the state of the neighborhood in 1985 based on the minutes from the 1985 Planning Commission and City Council meetings. He inquired whether, in the event the Planning Commission believed the building architecture was not appropriate, it could make any judgment on it, or, alternatively, whether the only item to be determined was whether the building was in substantial conformance. Mr. Dolan confirmed that the only item to be determined was whether or not the building was in substantial conformance.

Chair Blank noted that he was not on the Planning Commission in 1985 and did not know what the intent was in 1985 nor what would have been acceptable at that time. He noted that no criteria had been identified for making that decision other than numbers on a chart. He inquired whether Negative Declarations expired on their own. Mr. Dolan replied that they did not and that the California Environmental Quality Act (CEQA) does not come into play here because the determination is not considered a project as defined under CEQA. He noted that the project was approved, and this hearing covered the determination of conformity with that approved project; it was not discretionary.

Commissioner Fox noted that she had printed out Resolution 85-402 approving the Negative Declaration, signed by Ken Mercer, James Walker, and Peter MacDonald, with three Ayes votes. She noted that Moore, Wood, and Mercer voted to approve the item and that the Negative Declaration resolution stated: "Whereas at the meeting of August 20, 1985, the City Council received a proposed Negative Declaration for development plan approval to construct a two- and three-story 132-unit retirement hotel complex." She added that later in the document, it read, "Therefore, the City Council resolves . . . Section 1: Approves the Negative Declaration for development plan approval to construct a two- and three-story 132-unit retirement hotel." She noted that if this CEQA approval contained a Negative Declaration that did not include the fourth story, and the 1985 resolution included wording stated it was two to three stories. She inquired whether that meant the complex should be two to three stories. She inquired why, if the resolution included a CEQA document for a two- to three-story complex, regardless of what was in the staff report or the exhibit at the time, if the PUD ordinance stated two to three stories and the notice stated two to three stories, and if the resolution approving the CEQA document stated two to three stories, the City refer to only the plans to determine how many stories were approved. She expressed concern that in accordance with the CEQA, only two to three stories, and not a four-story building, was approved. She noted that there have been similar projects in the past, such as that of 300 Neal Street, wherein the Commission believed that there was a requirement for perpetual open space at the street front although it was not spelled out in the conditions and ordinances.

Ms. Harryman noted that Commissioner Fox was correct in that the Negative Declaration and the notice referred to two to three stories, and the title of the ordinance referred to two to three stories. She added that the body of the ordinance referred to conditions of approval which incorporate drawings, which depicted four stories. She added that the staff reports to the Planning Commission and City Council discuss four stories, and the comments in the minutes included discussion of the four stories on the Planning Commission level being proposed for fire access, which was how the issue came up. She noted that Commissioner Fox was correct that there were documents that read two to three stories; she noted, however, that the whole record, particularly the drawings, indicated four stories. She added that an argument had been made that the statute of limitations to challenge the notice and the Negative Declaration ran out in 1985. She noted that the issue before the Planning Commission at this time is whether the project substantially conforms to what was approved in 1985. She noted that Commissioner Fox is making an argument that probably someone would have like to challenge it in 1985; however it did not happen, and consequently, the project was approved.

Commissioner Fox noted that the motion made by Wood and Moore to approve the project and the Negative Declaration in the minutes spelled out two to three stories and inquired whether that did not count at that time. Ms. Harryman replied that they were not irrelevant but that in looking at the record as a whole and comparing it to the Generations Health Care project, she noted that the ordinance and conditions of approval for the latter project did not address open space being in perpetuity. She added that the neighbors had referred to the lawn area in front adjacent to Neal Street as being open space in perpetuity, but neither the ordinance nor the conditions of approval specified that requirement. She noted that staff examined the entire record, including the minutes and the staff reports, to make a determination and found that there was discussion of open space, but in staff's opinion, there was no requirement placed or indicated that this was the direction in which they were moving. She indicated that in this present case, staff looked at the big picture and not just at one or two items. She added that even if persons were to disagree with that conclusion, the statute of limitations has run out.

Commissioner Fox noted that in the past, the City has approved projects such as the Pereira wall next to Hap's and then decided there was a noticing problem, or that there was another issue with the approval where it thought the City was in error. She noted that in that situation, although the appeal period had lapsed according to the Pleasanton Municipal Code, the City had that project redone and brought back with the correct process. She noted that today, if a member of the public requested a copy of these site plans, many times the Department would state that they were copyrighted and could not be handed out to the general public. She noted that during the Hap's situation, she went to the Building Division and requested the original site plan; she was told that she could not have it because it was copyrighted material. She noted that Mr. Fialho had to

get her a copy. She noted that these were copyrighted materials from Ned Abrams in 1985. She inquired how the public could have had access to see these plans if the City did not distribute them to anyone other than the Commission and the City Council, and if the document were not distributed and the public did not have access to them, she questioned how they could have appealed the decision or challenged it in 1985.

Ms. Harryman noted that she was not familiar with the Pereira issue, since she did not handle that case. She noted that the question in this case was substantial conformance. She could not confirm whether the copyright laws existed in 1985 and noted that people could always review materials at the counter. She noted that copies could not be made of plan-size drawings.

In response to an inquiry by Commissioner Fox regarding how the public would have known to appeal this item in 1985, Ms. Harryman replied that the public received a notice that gave a general description of the project.

Chair Blank noted that the notice would have said two to three stories. Ms. Harryman agreed with that assessment.

Commissioner O'Connor noted that when the ordinance was approved for two to three stories, it referred to Exhibit A, which was conditions of approval, which did not contain actual drawings or plans. Ms. Harryman noted that the first condition of approval discussed the drawings and noted that was a common occurrence in conditions of approval.

Commissioner O'Connor noted that it was confusing to have the ordinance refer to Exhibit A, Conditions of Approval, with the first condition of the Conditions of Approval referred to another Exhibit A, the development plan. Ms. Harryman noted that the ordinance referred to Exhibit A and the plans attached to the ordinance. She noted that Item 1 read, "The development is substantially as shown on the development plan, [another] Exhibit A on file with the Planning Department." She noted that it would have been clearer if the second Exhibit A had been labeled more accurately.

Commissioner O'Connor noted that the Commission generally saw plans stamped Exhibit A and that the plans the Commissioners had were not stamped as Exhibit A. He added that the general public might think that this Exhibit A was a development plan because the 24 conditions, plus the standard conditions, tied the document to the development plan. He noted that would be confusing to the general public. He added that in the conditions of approval, Condition No. 17, stated, "This project is subject to all standard conditions of development, which are attached hereto and made a part hereof," with the exception of four paragraphs that were otherwise not pertinent to his question. He noted that in the standard conditions of development, Condition No. 14 stated, "The applicant be aware that design review approval lapses within one year, unless a building

permit is issued and construction has commenced” and that the public would not know that unless they did the due diligence and had extensions.

Ms. Giffin noted that based on the information available in 1985, Condition No. 17 in the project-specific conditions of approval referenced and incorporated the standard conditions of approval and should have excluded Condition No. 14. She noted that this was not a design review approval but a PUD approval.

Chair Blank noted that Commissioner O’Connor’s point included being rigorous about the expiration of appeal periods and noted that it would appear that the design review should be redone.

Ms. Giffin stated that she understood Chair Blank’s points and reiterated that this was a PUD application, not a design review application. She added that had it been a design review application or had a two-part PUD and design review been done, the design review action would have lapsed because the applicant did not pull a building permit within one year. She stated that this section should not have been included and although it was included, it said “design review” and not “PUD.”

Chair Blank believed the Commission should be very careful about counting some things but not others.

Commissioner O’Connor noted that he had read documents that he thought he understood but where the meanings were more complex and that if a member of the public read these documents without having expertise in these matters, it would be very easy to misconstrue the nuances of the language in the documents.

Commissioner Olson noted that had no questions for staff at this time and that he would like to hear the presentation before making any comments.

Commissioner Narum had no questions for staff.

THE PUBLIC HEARING WAS OPENED.

Frank Rockwood, applicant, Sunrise Senior Living, discussed the background and goals of the company, which was to offer a residential setting close to the residents’ original homes. He displayed slides of the exterior and interior of the building. He noted that it was accessible and adjacent to medical services, shopping, and a park. He noted that Sunrise did not expect to be exposed to additional cost and risk for downsizing its project within the constraints of the current approval. He noted that the reduction from four, three, and two stories to three and two stories was not positively received by many of the neighbors. He stated that the property was marketed as an approved senior living site for several years and that during Sunrise’s due diligence period in 2006, it made inquiries with staff, City officers, and Councilmembers regarding the continued validity of the current entitlements. He added that the neighbors’ idea of the

project was at odds with their vision of a privately financed community. He stated that once they were operating within the community, they would be a very strong and positive resource and asset to the community.

Matt Gray, applicant, reiterated that there was a 20-plus-year planning history with this application and that it had been included in the General Plan for this use consistent with Sunrise's proposed use. He noted that there were multiple General Plan updates and environmental reviews and that Sunrise sought similar treatment to what recently occurred in 2000 when another landowner came forward with a proposal and sought to conform it to the existing zoning on the site. He noted that plans were submitted and reviewed, and it was determined that no discretionary approval was required and they were deemed to be in substantial conformance by the Zoning Administrator. He added that Sunrise requested the same determination and the same process and that the numerous neighborhood comments were very diverse, and that the only place for Sunrise to reliably land was on an approved designated zoning for this property.

Commissioner Fox inquired how "senior community" compared to the retirement hotel approved in 1985. Mr. Gray replied that the assisted-living industry had evolved considerably over the past 20 years, particularly in recognizing that there was great benefit in providing people a place where they could "age in place." He added that they could do so in a place with services and a level of care within their communities that allow people to locate to such a facility when they no longer wish to remain in a single-family home. He added that the community itself would provide a range of services so that people could stay in the facility for a meaningful amount of time, even as the demands for care may change for a particular individual. He noted that the assisted-living facility submitted by Sunrise, similar to the one submitted in 2000, was an evolution of the concept of a retirement hotel. He believed this kind of project would not be called a "retirement hotel" today and that it was an anachronistic term that suggested that people were put into the building with no attention being paid to the differing levels of care that individuals may need or warrant.

Commissioner Fox noted that the old approval stated the average age of 81 and that the residents would be ambulatory and able to care for themselves. She inquired whether this proposed use would be described as a skilled nursing facility.

Mr. Rockwood replied that it was definitely not a skilled nursing facility and that it would not look like an institution physically. He noted that the average age of the residents would be in their early 80's.

In response to an inquiry by Commissioner Fox regarding whether this was a convalescent facility, Mr. Rockwood stated that it was not and that it was a residential care facility.

In response to an inquiry by Commissioner Fox regarding whether the company was a licensed residential care provider for seniors, Mr. Rockwood replied that, yes, this was the type of license they have in the State of California. He noted that the distinction between continuing care and a residential care community is that there was no insurance element for a residential care provider or promise to provide continuing care. He added that the proposed plan did not include an insurance element.

Commissioner Fox inquired whether the current proposal had more employees than the initial proposal and requested a description of the makeup of the employees. She further asked why the number of employees had doubled. Mr. Rockwood replied that they had employees related to providing the congregate services such as three meals a day, transportation, extensive programs and activities, and care services such as assistance with dressing, bathing, medication reminders and the like. He noted that there may be fewer drivers than the original program had contemplated.

Commissioner Fox inquired whether the residents, as envisioned by the 1985 plan, were more independent than the current proposal. Mr. Rockwood replied that they had learned a lot as an industry about who wanted this service and that people generally did not move into this type of community, even if they were independent, until they were close to needing some level of care. He noted that if this community had been built in 1985 exactly as proposed, it would have evolved into the type of residential facility that they envisioned and that the services would have evolved as well.

Commissioner Olson inquired whether Alzheimer's patients were generally included in these facilities. Mr. Rockwood confirmed that they would be included.

Commissioner Olson inquired whether the Alzheimer's patients would generally require skilled nursing care. Mr. Rockwood confirmed that someone with Alzheimer's may or may not require skilled nursing care, depending on his or her condition, and that it was determined by the State of California that it did not create a special licensing category for Alzheimer's dementia. He noted that cognitive impairment was a common part of the aging process. He noted that they would not necessarily change the environment in the presence of cognitively impaired residents and that they would be outside, enjoying life with the rest of the residents. He added that they strongly believed in the integrity of life in every phase of life.

In response to an inquiry by Commissioner Olson regarding whether there was a certain stage at which an Alzheimer's patient must leave the facility, Mr. Rockwood stated that generally, Alzheimer's patients could be physically able and that they would have to leave the community if they were bedbound, were a danger to themselves or others, or they were in an acute state. He noted that they had higher staffing levels than originally proposed and that the interaction

would be more socially based than medically based. He added that regular participation in activities was very important.

Commissioner Fox inquired whether the applicant was concerned about the presence of the creek next door with respect to the Alzheimer's patients. Mr. Rockwood replied that while they envisioned the community to have many residents who would be able to walk around freely, their Alzheimer's residents would not be walking freely to the park and the creek. He noted that the Alzheimer's patients would be highly supervised and that staff took all hazards seriously.

Commissioner O'Connor inquired whether any tenant above the first floor would be required to be ambulatory and able to manage the stairs. Mr. Rockwood replied that the facility would be built to a very high fire standard and would be of a non-wood, non-combustible structure. He added that in terms of evacuation, that would be worked out in the building-permitting phase, in cooperation with the Fire Marshal. He noted that they regularly met these challenges.

Chair Blank inquired whether a flag had been raised with respect to the applicant's due diligence when the two to three stories had been referenced in the 1985 documents.

Bill Lindstrom, Sunrise Senior Living, noted that they had met with staff and the Planning and Community Development Director as well as with the City Council and that there had been some confusion regarding this matter. He added that they also consulted with an attorney, who came to the same conclusion that it was a four-story.

Chair Blank asked Mr. Lindstrom if Sunrise initially preferred a three-story project.

Mr. Lindstrom replied that they thought a three-story project would be a more attractive alternative.

Chair Blank requested clarification that they did not propose three stories but that they thought the initial approval was for three stories.

Mr. Lindstrom replied that as Mr. Rockwood had stated earlier, they thought that they believed the three-story design would be a design that would be both more attractive and superior and that the neighbors would embrace it; however the neighbors did not and so the applicants went back to the original design.

Chair Blank inquired if staff had advised them that four stories was the appropriate number of stories.

Mr. Lindstrom replied that staff told them that consistently, all the way.

Mr. Rockwood noted that when they started the process again recently and asked staff what substantial conformance would be and which direction they should go, staff was very clear and again told them that four stories was what was approved and that they would need to do four stories if they wanted to be in substantial conformance.

Commissioner Fox inquired whether the windows on the west and north elevation had bars on them. Ms. Giffin replied that the 1985 plans did not have a west elevation, and was not included in the PowerPoint presentation.

Wayne Rasmussen, applicant representative, displayed the elevations on the overhead screen and described the series of recessed decks as well as areas where the rear wall of the unit was recessed four feet from the outside wall of the building. He noted that the ironwork protected people within the four-foot-wide deck area.

Commissioner Fox noted that the Planning Commission minutes from 1985 discussed fire truck access and inquired how the fire ladder would get into the building if the ironwork went floor to ceiling. Mr. Rasmussen replied that a condition of approval would include approval of the plans by the Fire Marshal and that any obstructions to safety would be designed out at that time. He added that the architect was in contact with the Fire Marshal and that those details had been addressed and would be modified during the final plan stage.

In response to an inquiry by Commissioner O'Connor regarding why the decks appeared to be so different, Mr. Rasmussen replied that they endeavored to refine the design concepts from 1985.

Robert Binder noted that his mother was 80 years old and did not believe that she would have been able to climb the stairs even ten years ago. He stated that he believed the presence of the stairs would be a hazard in an evacuation and that it would be difficult to compare anything to 1985 as so much had changed significantly. He noted that the north side of Stoneridge Drive contained all commercial uses and that there was no residential on that side. He noted that there was a park, their condos, and more residential on his side of Stoneridge Drive. He stated that his complex faced the hillside and that he enjoyed the view from his home. He noted that the residents of the proposed complex would see the view that he would be robbed of. He added that he was unsure of what the law would require them to do and was concerned about possible legal fees in the face of rising fuel prices and declining property values.

Fran Robestelli thanked the Planning Commission for the thorough questions. She noted that she did not live in Pleasanton in 1985 and believed the City performed due diligence to put measures in place to protect those who move in and out of the residential properties and for them to have a say in the activities.

She believe that some sense of reason and common sense had been lost in the approach by the City in that the same process would not be available 23 years later. She echoed Commissioner O'Connor's comments about the documents containing standard language and agreed that the City protected the residents in that manner. She noted that when she pulled permits to remodel her home, she would not get 23 years to complete that work. She noted that there had been substantial changes on the operational side and that the employee number had doubled, which could be considered a substantial operational change. She noted that when the City Council reflected two to three stories in the concept as did the minutes and the ordinance, there should have been due diligence from the City to make that change in the resolution before adopting it. She stated that she believed proposing a four-story building was a substantial change.

Rich D'Agosta noted that he lived across the street from the proposed project and thanked the team for the presentation. He noted that he did not argue the quality of care and added that the neighbors were concerned with the size and view obstruction. He stated that he believed the staircase would be inconsequential to an 80-plus-year-old resident. He further stated that he would like a definition of "substantial conformance." He added that a change from a resident profile of ambulatory to including Alzheimer's patients was a substantial change and did not see substantial conformance of this plan. He expressed concern about the potential loss of his view.

Rich Partida noted that he had lived in his house since 1971 and believed this project would change his neighborhood forever. He stated that this project would be a monstrosity and considered it to be a mini-hospital. He urged the Planning Commission not to approve it. He was concerned that the quality of life for the people in the neighborhood and using the park would be very negatively impacted.

In response to an inquiry by Commissioner Fox regarding whether he recalled any newspaper articles or other notices about a four-story building in 1985, Mr. Partida noted that he did not hear anything about it but that he may have been outside the noticing radius.

Rick Shemp noted that five U.S. Presidents had served since this project had been approved and believed it had become very long and protracted. He expressed concern about the height of the building and that four stories would be too tall for their neighborhood. He added that with respect to staffing, there were also many visiting staff members over the regular in-house staff and was very concerned about the impact on parking. He was concerned about the traffic generating from families going to the park. He inquired why the applicants were not required to abide by the current FAR restriction of 60 percent. He noted that the 1985 documentation strictly prohibited kitchenettes and that the plan proposed residents of "sound mind and ambulatory and able to perform their daily activities." He stated that he believed the tenant profile had changed,

including the addition of residents with dementia. He requested a safety evaluation by the Parks and Recreation Department. He inquired why the setback should push the building more towards the neighborhood rather than toward Stoneridge Drive. He inquired whether the clock would start again due to the changes and restrictions.

Mike Weidel noted that he had lived in the neighborhood since 1995 and was approximately six houses from the Pleasant Hill Road intersection but did not receive a notice of the project. He stated that he did not disagree with the need for senior living but was very concerned with the height of the building that would block his view of the hill from his back yard. He was also concerned about traffic impacts, safety, impacts to the park, parking, and noise. He also expressed concern about cut-through traffic from Foothill Road and Stoneridge Drive. He noted that hundreds of people used the park every day. He stated that he counted 21 trees in the area and inquired where the eight trees to be removed were located; he hoped they would not be removed from the Gold Creek area, which was very special to them. He inquired whether the Commission believed the Negative Declaration took future changes in the area into account.

Ron Williamson gave the Commissioners a handout, which was a comparison of the 1985 and current projects as it relates to conformance. He noted that the residents added items that he felt were overlooked or not included in the staff's spreadsheet. He complimented Ms. Giffin on the work that she did. He noted that they wished to add more color and other items. He added that with respect to the architecture, the 1985 plan clearly stated that a Colonial design would be used and that this design was clearly different from a Colonial design; he noted that it should be re-examined. He noted that neighbors on all sides of the site were concerned about the many nonconformities of the current plan. He stated that staff has referred to this site as an issue lot since 1985 and that the 1985 documentation was so inconsistent; he noted that the gray area of conformance should be very narrow and limited to the legally binding documents as those signed and ratified by the City in order to deem whether or not it was in substantial conformance. He stated that he and his wife did not oppose senior living but were opposed to the cumulative effects of these nonconformities and the size of the structure. He said that the structure had been approved for two to three stories and that because of the cumulative effect, the impact on the neighborhood would be far greater than what could have been contemplated in 1985. He stated that he believed that if this proposal were to be approved, it would dramatically affect the quality of life and property values. He expressed concern that Sunrise had not approached them since May 2007 to discuss this proposal and that they had objected to this project in 2007 because it was a three-story box with no step-back from Pleasant Hill Road. He noted that he became more concerned when the applicants proposed a four-story building. He likewise expressed concern about the ordinance and the lapse of approval. He stated that he did not have confirmation that the building diagram was Exhibit A because it was not labeled as such. He indicated that the legally binding, factual,

and signed documents should be adhered to and asked the Commission to stand by the lapse of approval clause.

Mr. Williamson continued to say that the City Attorney argued that the PUD and design review were different and that a PUD was not required to undergo a design review. He noted that was not clear in 1985 and had seen PUD's that were expected to go through a design review. Based on the staff's comparison spreadsheet as well as the one he had provided, he stated that he believed that due to the cumulative effect, the assumptions made in the 1985 studies regarding traffic, parking, and environmental were no longer valid and should be revisited. He noted that rights should be given to the residents to say whether the project fit in the neighborhood due to the changing dynamics in the community. He argued that the cumulative effect went well beyond the gray area of substantial conformance and requested that the Commission rule in favor of substantial nonconformance.

Valerie Rossman noted that she had been a teacher in Pleasanton for many years and had originally supported the concept of a senior center but was very concerned about the immense size of the proposed building. She understood there would have been no way for her to see the plans in the first place and was very concerned about that. She noted that the Sunrise representative gave an emotional appeal regarding the interior of the building; the plans seem to indicate that they would be up against a large institutional building at four stories. She stated that this proposal should not ignore the change in the community's makeup and added that she taught about the elements of the community of character, including responsibility in how Pleasanton would be built up.

Jack Dove noted that he was a former Planning Commissioner and that he believed it was time to address the lack of assisted living in Pleasanton. He noted that a survey of over 50 establishments in Northern California concluded that it was important to know what percentage of assisted-living residents were from the area. He noted that 80 percent of the residents in each establishment were from out of the area. He noted that because of the updated State requirements, any new building would be in very good shape with respect to earthquake safety and that evacuation from the third floor would not be as much of an issue as it would have been 23 years ago. With respect to parking, he stated that there would be 200 parking spaces which would be sufficient for this use. In the facilities he had visited, the staff-to-Alzheimer's-patient ratio was approximately two to one.

Jennifer Robinson noted that she had family experience in such facilities. She added that it was very difficult to find a site in Pleasanton to meet this need. She opposed the size of the structure and understood that three stories had not been good enough for the applicants, leading them to design a four-story building. She believed they would comply with three stories. She stated that she believed none of the neighbors wanted anything to be built on that site. She supported having the facility near a park facility where there were children would be an important part of the quality of life of the seniors and the children and that it would improve their lives. She supported the placement of the facility near the

park. She noted that the seniors relied on people to help them and supported this project if the size could be mitigated. She noted that in the past, no building was allowed on the hills and that there were now buildings all over the hills.

Jill Salmanca noted that she had not received a notice. She stated that she did not have problems with a senior center in her neighborhood; however, she was not in support of a building of the size and mass of the proposed project. She expressed concern about traffic around this development and noted that Foothill Road was too close to this site. She was concerned about parking congestion on Pleasant Hill Road and asked the Planning Commission to not make a finding of substantial conformance.

Lou Ellen Casell noted that she had also submitted a letter and added that there were two creeks near the site and was very concerned about the environmental impacts, particularly on Gold Creek. She inquired how the statute of limitations could have expired for appeal if it could not be demonstrated that the public was notified about this plan. She believed that the applicant's mission was honorable. She did not oppose having a senior facility nearby but opposed the impact it would have on their quality of life. She requested clarification on the number of external staff that would travel to the facility on a daily basis.

Chair Blank invited the applicant to reply to the public comments.

Mr. Rockwood stated that the 2006-07 proposal did not go through the full proposal and that they had withdrawn it when the difficulty of having a dialogue with the neighbors about modifying the proposal became apparent. It had been their intent to bring this back with a legally binding document and have adjusted their proposal accordingly. They were open to working with the neighbors, providing they could find a framework in which to have the dialogue.

Dave Gates, landscape architect, stated that there appeared to have been a miscommunication and that they had been restricted by the process in working with a product created in 1985. He noted that Sunrise did an excellent job in working with communities and that they manage their facilities well. He noted that it would be very important to work with the community and fully express the nature of the project properly. He believed the applicant team was a good one and was willing to work with the community and the City.

Mr. Gray noted that with respect to the floor area ratio (FAR), this Planned Unit Development was very specifically designed to the project site and did not require design review. The General Plan stated that where there was an existing approval via PUD, it was deemed to be in conformance with the provisions of the General Plan. He emphasized that they wanted to be responsive to the neighbors and would like to have an opportunity to use a mediation process. He believed the most sensible way to make that work was to affirm the determination

of substantial conformance so the appeal time could be waived to allow the process to occur.

A recess was called at 9:28 p.m.

Chair Blank reconvened the meeting at 9:38 p.m.

THE PUBLIC HEARING WAS CLOSED.

Commissioner Fox noted that at one point, the City had a Design Review Board. She inquired whether that Board was part of the process in 1985.

Ms. Giffin replied that in 1985, the Design Review Board had not yet been created; she was not sure when it was disbanded. She added that PUD's were handled as they are presently, and a PUD applicant was not required to go through a separate design review approval.

Commissioner Fox believed the Design Review Board may have existed in the 1960's and 1970's. Ms. Giffin noted that it may have existed during part of the 1990's and recalled that some planners currently on staff prepared reports for the Design Review Board. She noted there was no evidence regarding a Design Review Board in 1985.

Commissioner Fox agreed with Commissioner Narum's idea of mediation. She had significant issues in finding that it was in substantial conformance with the 1985 plan, which was a two- to three-story building in her estimation. She stated that she believed the Negative Declaration resolution set the height at two to three stories, which did not conform with the 1985 approval; a four-story building was not in substantial conformance with the 1985 approval. She stated that she believed the intensity of the use had change from a retirement hotel to the current plan, and the use had changed. She noted the architecture was described as a Colonial design and had changed significantly from the previous proposal. She noted that the Zoning Administrator found it was in substantial conformance because it would have the same impact on the neighborhood; she stated that she disagreed with that assertion. She added that the greater range of care option made this more of a hospital-like facility, where it would be a more intense use in relation to the neighborhood.

Commissioner O'Connor agreed with Commissioner Fox's comments and believed there were many places where a two- to three-story building were discussed in the Negative Declaration. He noted that the Conditions of Approval stated that the design review approval lapsed within a year without a building permit. He believed that too many mistakes had been made and that the public could have been misled. He stated that he believed it was hard to making the finding of substantial conformance in discussing whatever a retirement hotel meant 23 years ago, to assisted living, which had evolved greatly since then. He

noted that if this building were limited to three stories, with the right parking structure, the neighbors would not be as concerned with the overflow parking. He stated that mediation could be very successful and would like to see that process go forward.

Commissioner Olson disclosed that he spoke with Ron Williamson on the phone on June 10, 2008, for about 20 minutes. As staff indicated, he noted that substantial conformance would be based on appearance and operations. He noted that a better appearance could be achieved and that a senior living facility should be placed on this property. He indicated that four stories might be pushing the envelope. He added that he could not come up with substantial conformance when he looked at the nature of this operation versus what was anticipated in 1985. He noted that it was reasonable that in the past 23 years, some could argue a lack of conformity in general, based on changes that have occurred. He indicated that he did not understand how this could go forward without an EIR. He stated that he believed this project should go on this property but that there should be a mediation process. He stated that he could not vote for conformance in order to get to a mediation process as he believed there was no substantial conformance in this case. He inquired why ingress and egress could not occur off of Foothill Road rather than Pleasant Hill Road. He noted that it seemed possible that a three-story design could be put on the property such that the third story would be up against Foothill Road and away from the other road; entry to and exit from the property would occur from Foothill Road and actually go under part of the building to get into the main part of the property.

Commissioner Narum noted that she had difficulty finding substantial conformance based on the operation. She stated that this was a good location for a senior facility but the project evolved with time. She disclosed that she met with the Williamsons and met with Mr. Shemp earlier in the day. She understood that there was a willingness to compromise in the neighborhood, which led her to suggest the mediation process. She stated that she would vote for conformance if a condition were to be included to use a mediation process because she believed this was the right use at the location.

Commissioner O'Connor disclosed that he met with the Williamsons.

Commissioner Fox disclosed that she met with the Williamsons.

Chair Blank stated that he believed this item should have been a workshop rather than a hearing. He noted that senior living had evolved in the past 23 years, as had the environment. He noted that it was disingenuous to suggest that one side of the equation had evolved but that the other had become frozen in time. He stated that the principles of a Community of Character did not fit with the application yet. He was very concerned about the operations and noted that he had an incidence of Alzheimer's in his family. He added that he did not see how the required care for someone in the late stages of Alzheimer's could be

operationally the same as what was originally proposed. He indicated that he could not find substantial conformance on this property based on the 1985 plan, which was very clear, as was the Negative Declaration. He stated that a senior facility would fit on this property but that it should have a design review. He noted that four stories was not in substantial conformance when all the documents stated it would not exceed three stories. He stated that he did not know whether the correct solution at this point was to have this project undergo mediator or a workshop or to continue. He stated that he could not vote for substantial conformance under any circumstances at this time.

Mr. Dolan noted that the discussion held with the applicant during the break was close to that point and that they essentially agreed to move forward with the facilitation process and without a determination of substantial conformance. He added that they would also agree to granting an exemption from the timing limitation to allow that process to occur. He stated that the applicant wanted a timeline shorter than 90 days, (75 plus 15 days for appeal), which would make it more difficult for them.

Commissioner Fox inquired about continuing the item and asking the applicant to come back within a fixed period of time, after which the Planning Commission could consider making a determination. She inquired whether that would be acceptable to staff and the applicant.

Mr. Dolan advised that would be acceptable to staff and that the applicant indicated it would be acceptable to them. He added that it would also provide staff the relief required on the timing to accomplish the mediation process. He noted that, in the absence of the continuance and mediation process, if the Planning Commission did not act within a certain period of time, the applicant had the right to take the issue to City Council immediately. He indicated that the applicant has agreed not to do that if the City went through this process of mediation and brings the matter back before the Commission within the 75 days. He added that normal appeal rights would continue for all parties after the continuance period.

Ms. Harryman noted that the applicant's consent to an extension of time was consistent with the Code and process.

Commissioner Fox moved to continue this item for 75 days plus 15 days, and return to the Planning Commission after the mediation. An independent mediator shall be used. The Planning Commission shall have access to the minutes from the mediation in order to review the issues. Commissioner Narum seconded the motion.

Chair Blank indicated that he could not support the current motion if it included minutes from the mediation session.

Ms. Harryman noted that mediation sessions were normally used to promote settlement and were intended to be confidential.

Commissioner Fox agreed to strike the requirement for the mediation minutes.

Ms. Harryman noted that normal mediation was confidential but that this was a slightly different situation. She noted that Ms. Decker had reminded her that there had been minutes for mediations in the past. She believed there was benefit to that and asked that the Commission allow staff to decide on that issue at a later time rather than making a motion on it at this point.

Chair Blank added an amendment that minutes would be determined at the discretion of the Planning and Community Development Director and the City Attorney.

The amendment was amenable to Commissioners Fox and Narum.

Mr. Dolan stated that he would like to discuss the issues in the memo and obtain an explicit direction or authority to determine them. He stated that the Commission addressed the timing factor but not the terms of selection, payment, and number of participants.

Chair Blank stated that Item 1 would be off the table; Item 2, the time limit would be 75 days plus 15 days; Item 3, the City would select a qualified mediator.

Ms. Harryman noted that the term mediator was very specific.

Commissioner Fox suggested the use of a facilitator.

Chair Blank noted that would be acceptable and that Sunrise Senior Living would pay for the facilitator. He added that each party would have no more than four participants in the mediation and that the participating members of the neighborhood would agree not to oppose the determination of substantial conformance for a project that was smaller than the proposed project.

Commissioner Fox noted that she was not comfortable with adding conditions on the neighborhood at this point. She noted that anybody had the right to oppose a project and that no one's due process rights could be taken away.

In response to an inquiry by Chair Blank regarding whether neighborhood participants must sign a legally binding agreement and whether it would prevent people from participating in the process, Mr. Dolan replied that it was important that the issue was understood by the Planning Commission and that the Commission can express some notion of support for the outcome. He noted there would always be people outside of the signature list. He stated that there

should be some acknowledgement that there be an expectation that there can be support for the outcome. He noted that was not essential to include at this time.

Commissioner Fox amended her motion to add that the participants in the neighborhood facilitation process expend good-faith effort on the part of each party to come to a compromise. The term “mediation” would be replaced with “facilitation.”

The amendment was acceptable to Commissioner Narum.

ROLL CALL VOTE:

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

The motion passed.

8. MATTERS FOR COMMISSION'S REVIEW/ACTION

a. Future Planning Calendar

Commissioner Fox noted that the Vineyard item discussed reducing the length of the Vineyard Avenue Trail. She inquired whether that would affect the Trails Plan, if it had been brought before the Trails Ad Hoc Committee, and what the change consisted of.

Ms. Decker noted that it had not gone to the Trails Ad Hoc Committee and would be scheduled as soon as possible. She noted there was a change in staffing and leadership of that particular program, and it was a request to amend the Specific Plan to reduce the length of the Vineyard Trail, providing an extension to the actual road at Machado Place, and creating a “T” intersection at Mingoia Street and Machado Place. She added that it would be gated at the end and noted that plans would be provided at that time. She added that it would be modified by approximately 300 to 400 feet. She noted that the proposal was to modify the pedestrian, bicycle, and equestrian trails for that particular length and may impact landscaping along that side.

In response to an inquiry by Commissioner Fox regarding whether the Trails Ad Hoc Committee or the Parks and Recreation Commission would see this item before it came to the Planning Commission, Ms. Decker replied that both bodies will see this item first.

7. MATTERS INITIATED BY COMMISSION MEMBERS

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

There was not discussion or action taken.

City Server/Hillside PowerPoint Presentation

Commissioner Olson noted that he had been unable to access the Hillside PowerPoint presentation on the City's server. Chair Blank noted that there were not enough licenses to allow simultaneous access and suggested accessing it at night.

Ms. Decker noted that staff would follow up in providing a copy on CD for Commissioner Olson.

Commissioner Fox suggested putting the presentation on the FTP site. Ms. Decker replied that she would follow up with that information.

Sprinkler Ordinance

Chair Blank noted that there was another house fire in Pleasanton, off of Kottinger Drive. He noted that the house was destroyed because it did not have a sprinkler system in it. He noted that Chief Cody informed him that if it had a sprinkler system, the roof would have burned, but the structural trusses in the house would have been safe. Chair Blank noted that he was very frustrated and wondered how many houses in Pleasanton would be allowed to burn until a sprinkler ordinance was enacted. He noted the Planning Commission had been supportive, and when it was sent to City Council, it had been prioritized. He encouraged staff to continue its diligent work on this ordinance. He noted that Livermore had a sprinkler ordinance and believed that Pleasanton should have one as well.

8. MATTERS FOR COMMISSION'S REVIEW/ACTION

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.

11. MATTERS FOR COMMISSION'S INFORMATION

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

No discussion was held or action taken.

12. ADJOURNMENT

Chair Blank adjourned the Planning Commission meeting at 10:13 p.m.

Respectfully,

DONNA DECKER
Secretary