



PLANNING COMMISSION MINUTES

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

APPROVED

Wednesday, March 19, 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 March 19, 2008, was called to order at 7:00 p.m. by Chair Blank.

1. ROLL CALL

Staff Members Present: Donna Decker, Principal Planner; Julie Harryman, Assistant City Attorney; Steve Otto, Associate Planner; Natalie Amos, Assistant Planner; and Cory Emberson, Recording Secretary.

Commissioners Present: Commissioners Phil Blank, Greg O'Connor, and Arne Olson.

Commissioners Absent: Commissioners Anne Fox, Kathy Narum, Jennifer Pearce.

2. APPROVAL OF MINUTES

There were no minutes to consider.

Ms. Decker noted that the minutes would be considered at the meeting of April 9, 2008.

In response to an inquiry by Chair Blank why the minutes were being postponed, Ms. Decker referred the Commission to page 34 of the *Commissioners' Handbook*. She stated that while the minutes were the official record of the Commission proceedings, it had not been the practice of the City to produce what amounted to a verbatim transcript. It had been customary for the City to produce summary minutes that accurately described the proceedings. She added that staff was continuing to review the audio of the meeting, and will compare it with the draft minutes.

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 none.

4. **REVISIONS AND OMISSIONS TO THE AGENDA**

Ms. Decker advised that Item 6.c. was continued to the meeting of May 14, 2008, at the request of the applicant.

5. **CONSENT CALENDAR**

There were no items for consideration.

6. **PUBLIC HEARINGS AND OTHER MATTERS**

- a. **PAP-116, Paul Esser, Appellant (PV-167, Rich and Lori Lortz, applicants)**
Appeal of the Zoning Administrator's approval of an application of an application for variances from the Municipal Code to: (1) reduce the street side yard setback of a corner lot from the required ten feet to eight inches (measured from eave to soundwall) for an existing accessory structure and to five feet for an existing pool; (2) reduce the side yard setback from the required three feet to one foot, eight inches and reduce the rear yard setback from the required five feet to eight inches (measured from the eave to the property line) for a second accessory structure; and (3) retain the existing eight-foot tall hedges in the front yard where a maximum height of six feet is allowed. The property is located at 2402 Crestline Road and is zoned R-1-6,500 (Single-Family Residential) District.

Ms. Decker noted that as the Zoning Administrator, she would be able to answer any specific questions from that perspective, and that all other questions should be directed towards Ms. Amos.

Ms. Amos summarized the staff report, and described the background, scope and layout of the proposed project, as well as the background of the Zoning Administrator hearing and appeal.

Staff recommended that the Planning Commission deny Case PAP-116, thereby upholding the Zoning Administrator's approval of Case PV-167, subject to Exhibit B, Conditions of Approval.

THE PUBLIC HEARING WAS OPENED.

Paul Esser, appellant, stated that he opposed the Zoning Administrator's approval of the subject variance, and displayed views of the applicants' property as seen from his home.

He stated that on January 25, 2008, he appealed the Zoning Administrator's approval in writing, and requested a complete review by the Planning Commission. He believed that the variance application was deficient, and that the findings of the Zoning Department were flawed. He stated that no scale drawings had been submitted by the applicants, nor were elevation drawings even though the structures appeared to be in excess of 10 feet in height. He noted that the sketch submitted with the application contained many erroneous dimensions. He believed the applicants had made poor choices over the past three years, and that they appeared to ignore correspondence from the City for two years. He added that large judgments had also been levied against them. With respect to Finding 1, he disagreed with staff's contention that the property's location and configuration was unique, and noted that there were many corner lots with sound walls in their development. He added that most of the corner lots were 72 feet wide, and noted that the sound wall actually gave the applicants an additional 10 feet of side/rear yard space. He disagreed with staff's assessment that the applicants were denied property uses enjoyed by other residents.

With respect to Finding 2, Mr. Esser disagreed with staff's statement that the site was unique, and the lot substandard. He noted that at 8,500 square feet, the subject lot was one of the largest in the development. He added that the minimum lot size in the development was 6,500 square feet, and that this lot was considerably larger than the minimum. He did not believe this approval was consistent with previous approvals, as stated by staff. In the cases cited, the residents in question received a variance to move the side yard fence closer to the street. With respect to Finding 3, he noted that the accessory structures were unusually tall, and produced light, open space and other visual impacts. He did not believe that any of the three findings could be made, and requested that his appeal of the approval be granted.

Rich and Lori Lortz, applicants, stated that they disagreed with Mr. Esser's assessment of the Zoning Administrator's approval. They distributed a packet of photographs displayed Mr. Esser's shed and detailing tent as being visible over their shared fence. The photographs also showed other neighbors' sheds being visible from Mr. Esser's house, as well as a 25-foot-long trailer.

Victoria Lenz spoke in support of the applicants, and believed that this matter could have been resolved without such an extension use of time and City resources. She did not object to the shed or the setback.

Mr. Esser reiterated his objection to the shed and the approval by the Zoning Administrator. He believed that the approval should be overturned, and requested that his appeal be upheld.

THE PUBLIC HEARING WAS CLOSED.

The Commissioners discussed the various issues before them and questioned staff as to the process, requirements, and regulations related to constructing or installation of accessory structures.

Commissioner Blank moved to deny PAP-116 and to approve PV-167, subject to the conditions listed in Exhibit A, with the following modifications: (1) the rear yard accessory structure shall be relocated within six months of building permit issuance; (2) the applicant shall apply for building permits and all other applicable permits within 30 days of project approval; (3) Condition No. 4 regarding the installation of intumescent paint shall be deleted; and (4) should the applicant fail to comply with the timeliness stated in (1) and (2) above, the application shall be brought back to the Planning Commission for re-consideration.

Commissioner Olson seconded the motion.

ROLL CALL VOTE:

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

NOES: None.

ABSTAIN: None.

RECUSED: None.

ABSENT: Commissioners Fox, Narum, and Pearce.

Resolution No. PC-2008-15 denying PAP-116, and approving PV-167 was entered and adopted as motioned.

b. PREV-712, Pamela Hardy/Ponderosa Homes

Work session to review and receive comments on an application for preliminary review to construct 110 detached single-family homes for residents aged 55 and older at the previously reserved school facility option site located at 1 Reimers Drive in the Ironwood Development. Zoning for the property is PUD-LDR/MDR/HDR/P&I/MDR (Planned Unit Development - Low Density Residential/Medium Density Residential/High Density Residential/Public & Institutional and Mixed Public and Institution/Medium Density Residential) District.

Mr. Otto summarized the staff report and described the background, scope, and layout of the proposed project.

THE PUBLIC HEARING WAS OPENED.

Pamela Hardy, applicant, displayed a PowerPoint presentation on the overhead screen of the preliminary site plan. She stated that the Ironwood PUD-18 was unanimously approved by the City Council in 2002. When the School District terminated its agreement at the beginning of 2007, Ponderosa Homes began the concept planning for the proposed senior housing project consistent with the approved PUD designation of the property. The City's General Plan Update reflected the medium density residential land use designation, and up to 113 units were allocated to the site under the Housing Element and toward the Citywide housing cap. She noted that the project consisting of 110 homes would be consistent with the mid-point density. She described the circulation plan and

noted that a gated entry was proposed. Although the streets would be designated as private streets, they would be built to the City standards of a 36-foot width (curb-to-curb) throughout the community. The parking would be on both sides of the street, with the exception of a portion of Street A between the entry gates and Court D, where no parking would be allowed. She stated that Ponderosa had worked closely with the Fire Marshal regarding the circulation and emergency vehicle access (EVA) locations.

Ms. Hardy acknowledged the City's General Plan policy, which discouraged gated communities. She noted that they had met with the Fire Marshal, a representative of the Police Department, and engineering staff to design the circulation plan so that emergency access would not be impacted. She noted that the needs for residents of a senior community were different than other residential neighborhoods. She added that seniors frequently preferred the limited access and additional sense of security that a gated community would provide. She added that many were semi-retired and traveled frequently for extended periods of time, making the gated community a desirable amenity to these residents. In addition, many of the senior residents would be single or widowed women who preferred the additional home and personal security provided by a controlled-access gated community. She noted that the community would have substantial common use amenities such as a large community clubhouse, pool/spa and a bocce courtyard. The gate would serve to limit unauthorized use by non-residents of the privately owned and maintained facilities and minimize the potential for vandalism. She added that many similar senior retirement communities had similar access control.

Ms. Hardy described the sidewalk layout as well as the general subdivision design. She indicated that a private walkway at the north boundary of the project was considered as a potential connection should the City decide in the future to construct a public trailway system around the Chain of Lakes. She stated that it was eliminated for privacy, security, and safety reasons. She noted that pedestrian walkways in the community as well as connections via the public trail system traversing the Ironwood Community will provide varied pedestrian routes to the surrounding areas, including the Iron Horse Trail, the Martin Avenue (Zone 7) Buffer Strip, and future trail systems. She noted that the landscape plan would include a significant amount of drought-tolerant, water-conserving plant selections consistent with the City's Green Building requirements. A water-conserving irrigation system would be utilized. The Homeowners Association (HOA) would provide the front-yard/ irrigation and landscape maintenance which would ensure that the landscaping would be well maintained even if a resident were to experience health challenges or were to go on an extended trip.

In response to a question by Commissioner O'Connor, Ms. Hardy indicated that a 1,000-student school was assumed for the prior traffic analysis done for the site.

Commissioner O'Connor asked if someone younger than 55 years could live in the development.

Ms. Hardy indicated that the development would follow the State Civil Code with respect to age restrictions, which she believed requires a spouse to be at least 45 years old, would

allow younger caregivers meeting the definition of the Code, and allow children under certain extenuating circumstances.

John Knight, 3372 Sagewood Court, indicated that he was happy with the development and that Ponderosa disclosed the project to him when he purchased his property. He discussed the letter that was submitted by Linda Purcell. He requested that a public trail access be provided through the proposed EVA connecting to Sandstone Court.

Ms. Hardy indicated that Ponderosa made the eastern side yards of the existing homes on Sandstone and Sagewood Courts wider in anticipation of the future development of the subject site. She said that she would evaluate the possibility of providing a wider side yard setback for the proposed homes abutting the existing Ironwood homes as well as plotting one-story homes next to Sandstone and Sagewood Courts to enhance privacy.

Ms. Hardy indicated that an EVA easement exists on the two lots at the end of Sandstone Court, which does not include a public pedestrian or vehicle access. She indicated that the owners of these two lots on Sandstone Court would have to consent to a pedestrian easement across their properties, and she thought they would probably not want a public trail at the end of Sandstone Court. She stated that an alternative could be a pedestrian walkway connection at the end of Sagewood Court across the Ironwood Homeowners Association parcel if the Ironwood residents consented.

Discussion ensued regarding trail access.

Commissioner O'Conner questioned if there would be demand for two-story homes.

Ms. Hardy indicated that some buyers would want a two-story home. She indicated that at this point, about 20% of the lots would have the two-story model.

THE PUBLIC HEARING WAS CLOSED.

The Commission provided feedback on the following discussion points listed in Exhibit B:

1. Site Plan

Is the size and location of the recreation area acceptable? Are the private recreation area amenities acceptable?

Commissioners O'Connor and Olsen felt that the size, location, and amenities of the recreation area were acceptable. Commissioner Blank felt that the size and location were acceptable, but would like to see a jogging or bike path added. He would also like to see some "green area" added along the eastern boundary.

In response to a question by Commissioner O'Conner, Ms. Hardy indicated that a gate would be provided around the recreation area.

2. Gated Development

Does the Commission support a gated community?

Commissioner Olson noted that for a development such as this, he believed that a gated community made sense for the residents, who preferred additional home and personal security.

Commissioner O'Connor stated that he did not favor a gated community unless it was at a senior community.

Chairperson Blank indicated that he did not support any gated developments, which he felt detracted from the open community feel of Pleasanton.

3. House Design

Does the Commission wish to make any suggestions regarding the architectural materials used?

Commissioner Olsen indicated that he liked the house designs.

Commissioner O'Conner would like to see more detailing and "quaintness" added to the homes. He noted that Plan 4 was not as attractive as the other models.

Commissioner Blank felt that the Plan 4 design needed to be improved. He noted that the other three models could use more detailing. He also indicated that the placement of the two-story model was important and he would like to know where they would be located in the development.

Commissioner Blank indicated that the homes needed to be sprinklered and would like to see more than 50 Green Building points. He requested viewscapes be provided from the neighboring homes.

No action was taken.

c. **PUD-85-09, Sunrise Senior Living**

Determination that the building permit plans submitted for a two-, three-, and four-story senior assisted-living facility with 132 units is in substantial conformance with the previously approved development plan for a 132-unit two-, three- and four-story senior retirement facility to be located at 5700 Pleasant Hill Road. Zoning for the property is PUD-C-O (Planned Unit Development 0 Commercial Office) District.

This item was continued to the May 14, 2008, meeting.

7. MATTERS INITIATED BY COMMISSION MEMBERS

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

No discussion was held or action taken.

8. MATTERS FOR COMMISSION'S REVIEW/ACTION

a. Future Planning Calendar

Ms. Decker reminded the public that there would be no meeting on Wednesday, March 26, 2008, and that the next regular meeting would be held on Wednesday, April 9, 2008.

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

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

No discussion was held or action taken.

12. ADJOURNMENT

Chairperson Blank adjourned the Planning Commission meeting at 9:18 p.m.

Respectfully,

DONNA DECKER
Secretary