



## PLANNING COMMISSION MINUTES

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

**APPROVED**

**Wednesday, November 29, 2006**

### **CALL TO ORDER**

The Planning Commission meeting of November 29, 2006 was called to order at 7:02 p.m. by Acting Chairperson Fox.

#### **1. ROLL CALL**

Staff Members Present: Jerry Iserson, Planning & Building Director, Donna Decker, Principal Planner; Steve Bocian, Assistant City Manager; Julie Harryman, Assistant City Attorney; Phil Grubstick, City Engineer; Steve Otto, Associate Planner; and Cory Emberson, Recording Secretary.

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

Commissioners Absent: None.

Acting Chairperson Fox requested that the minutes be addressed at the end of the meeting to accommodate the agenda items. Ms. Decker concurred.

#### **3. MEETING OPEN FOR ANY MEMBER OF THE AUDIENCE TO ADDRESS THE PLANNING COMMISSION ON ANY ITEM WHICH IS NOT ALREADY ON THE AGENDA.**

Kevin Close, 871 Sycamore Road, clarified his statement in the October 25, 2006 meeting minutes. He had intended to say that if the Heartwood Communities wishes to be part of the golf course and not part of the greater Happy Valley area, an amendment to the Happy Valley Specific Plan would be necessary. He hoped to preserve the Happy Valley Specific Plan in the future and not reverse it. He noted that it was built in order to protect the surrounding community.

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

There were none.

**5. CONSENT CALENDAR**

**a. PDR-571, Peter Shutts/Sang and Yoon Sim**

Application for design review approval to allow the modification of the existing façade of the buildings, the replacement of existing landscaping, and related site improvements at the Vintage Hills Shopping Center located at 3550 Bernal Avenue. Zoning for the property is PUD-C-N (Planned Unit Development – Neighborhood Commercial) District.

**Commissioner Blank moved to approve Case PDR-571, subject to the conditions of approval as shown on Exhibit B of the staff report, as recommended by staff. Commissioner O’Connor seconded the motion.**

**ROLL CALL VOTE:**

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

**Resolution No. PC-2006-60, approving PDR-571, was entered and adopted as motioned.**

**6. PUBLIC HEARINGS AND OTHER MATTERS**

**a. PDR-561/PV-158, John Miller Architects/Saint Elizabeth Seton Church**

Applications for: (1) design review approval to modify the Saint Elizabeth Seton Church Master Plan to construct an approximately 22,296-square-foot parish center building with gymnasium and related site improvements on the existing church site located at 4001 Stoneridge Drive; and (2) a variance from the Municipal Code to allow the proposed parish center building with gymnasium to be approximately 34 feet tall, where 30 feet is the maximum height limit allowed. Zoning for the property is A (Agriculture) District.

Ms. Decker introduced the item and noted that an e-mail written by Acting Chairperson Fox was available to the public at the rear table. She requested the Planning Commission to allow staff to present the project, at which time she would address those questions. She added that staff had received an email requesting that this item be presented as a workshop first. She reaffirmed that this project was noticed as a public hearing item and recommended that it continue and maintain its status as such. She noted that this item was well into the application process and that the items of concern to the neighborhood

had significantly been addressed. She advised that a majority vote of the Planning Commission would be required to change it to a workshop item.

In response to an inquiry by Acting Chairperson Fox regarding staff's earlier response to a request received via email to videotape this hearing, Ms. Decker replied that was not typically done. A member of the public who misses a meeting could listen to the full content of the meeting on the audiotape; the minutes would also be available. She then indicated that Steve Otto, Associate Planner, the project planner for this item, would present the staff report.

Mr. Otto summarized the staff report and described the background, layout, and scope of this project including a height variance of 34 feet tall where 30 feet is the maximum height in the Municipal Code and described the 1989 and 1998 Master Plans. The site is a 12-acre site zoned Agricultural with a General Plan land use designation of Medium Density Residential. The eastern and western portions of the existing church are currently undeveloped. The permit in 1989 granted a conditional use permit and design review approval for the Master Plan of the property including a chapel and church building, a sanctuary building, a classroom building, a multipurpose gymnasium building, an elementary school, and a rectory building. Three hundred sixty parking spaces were approved to be constructed for buildout. A retail building was also proposed at the western side of the site and was not approved by the Planning Commission. The conditional use permit granted church and related uses on the entire parcel except that separate conditional use permit approval was required for the future elementary school buildings. At that time, design review approval of a chapel and circular parking lot was obtained. In the 1998 Plan the church received design review approval to construct an 800-seat sanctuary building and an additional parking lot and approval to modify its Master Plan to move the future 25,000-square-foot elementary school on the western portion of the site with the classroom building, the multipurpose/gymnasium building and the rectory building remaining on the eastern portion of the site as they had been placed in the prior 1989 Master Plan approval. Two future parking lots totaling 113 parking spaces were to be included on the eastern portion of the site, resulting in 435 parking spaces at buildout.

With respect to the Church's current proposal, it is proposing to modify the 1998 Master Plan to allow construction of a 22,296-square-foot parish center building with gymnasium on the western portion of the site. The future elementary school from the prior Master Plan has been moved to the eastern portion of the site, and the gymnasium and multipurpose and classroom buildings have been combined into the proposed parish center building. The rectory building will remain as a future option on the eastern portion of the site along with the original parking lots proposed, resulting in 424 spaces at buildout.

The parish center will utilize the existing parking lots. The proposed Plan would eliminate 20 parking spaces on-site for a drop-off area and a pedestrian pathway between the buildings. For the 20 parking spaces eliminated, the applicants propose to restripe existing standard-sized parking spaces to compact sized spaces. Staff noted that some

current spaces do not comply with length and fire truck access and proposes eliminating them, which would result in 306 parking spaces on the current proposal.

Uses proposed for the parish center include basketball practices and games, Church programs, youth group center, a nursery, religious education classes, religious seminars and conferences, funeral receptions, Church banquets, benefits and dances, and Sunday service brunches. The applicant has agreed that activities in the parish center building and existing church, chapel and sanctuary will not occur simultaneously. The gymnasium is at the southern end of the building, and the conference center is at the northern end of the building with a variety of meeting rooms, classrooms, kitchen, bathrooms and nursery in the center.

Gymnasium walls will undulate up and down and in and out. Landscaping will be installed around the building. A pedestrian access exists in the southern side of the property between the Church and the Pleasanton Village neighborhood. Some neighbors have indicated that this pathway is a nuisance when Church attendees park in front of their homes and use the pedestrian access to walk to the Church. They have requested that a fence be installed to prevent Church members from walking from cars parked in the neighborhood to the Church. The Church has agreed to install the fence.

A meeting was held last month for neighbors to comment on the proposed plan. Neighbors provided comments on building placement and orientation and expressed concerns with traffic, parking, noise, safety, screening, and construction impacts. Letters received from residents and surrounding commercial businesses have been received and have been included with the staff report. The Church has moved the building ten feet farther to the north away from neighbors.

Because activities in the parish center and the existing Church will not occur at the same time and existing Sunday services currently provide a higher parking demand, city staff requested that the Church conduct parking counts of parking required at existing Church services that resulted in a maximum of 413 vehicles for the 6:30 p.m. service, which exceeds the Church's existing 311 parking spaces on-site. As a result, staff had requested that the Church construct a gravel overflow parking lot on the eastern side of the Church property. The Church responded that it did not wish to construct the parking lot requested by staff and negotiated with a set of nearby property owners located on Rheem Drive to use their 95 spaces to accommodate overflow parking. The Church has also requested that it be allowed to use on-street parking for 28 vehicles along Stoneridge Drive during the 4:00 p.m. and 6:30 p.m. evening services.

Staff believes that the height variance for a 34-foot tall building is supportable and believes it is difficult to perceive the height difference between a 30-foot tall building and a 34-foot tall building. The applicant expressed concern about a condition from staff that the noise from the air conditioning units not being perceptible beyond the property plane. Staff has revised this to a condition limiting the noise levels from mechanical equipment to 60 dBA at the property plane. Staff recommends that the Commission make the variance findings and approve the project.

Ms. Decker summarized Acting Chairperson Fox's November 28, 2006 email which requested feedback in the event that the Commission might have some difficulty in rendering a decision after hearing the presentation and public testimony, what opportunity may be available to have a mediator become involved in the process, and how the City might pay for that mediator. She had noted that previous projects used mediators when there were significant disputes between an applicant and the surrounding neighborhood. Two projects were used as examples: St. Clare's Episcopal Church and the Knights' residential additions. She noted that the use of a mediator to be paid for by the City was a budget issue and that only the City Council had the authority to provide funding. She indicated that the mediation for St. Clare's was authorized by the Council and that with respect to the Knights' case, former Planning Commissioner Mary Roberts had volunteered her time to conduct the mediation as recommended by the Planning Commission. Ms. Decker reiterated that there was no funding for mediation as a condition for any project that would come before the Planning Commission. She emphasized that the charge of the Planning Commission was essentially to approve, conditionally approve, deny, or continue various projects by a majority vote.

Ms. Harryman explained the Brown Act, which required government business to be held in the open for the public to observe. A meeting is considered to take place any time there is a quorum of a legislative body; in this case, three of five Planning Commissioners would constitute a quorum. A meeting also takes place when that quorum discussed or considered a matter or took action on a subject that was within its subject matter jurisdiction. She noted that the subject e-mail to staff and to the entire Commission discussed what may or may not happen at this meeting with respect to the possibility of mediation. She advised that the e-mail could arguably be construed as being in contravention of the Brown Act. She noted that a potential violation could be cured or corrected by including the item in the open discussion and action for the public to hear. She noted that would be the course of action to be taken for this item. She advised that when the e-mail was received, staff did not respond, did not copy any of the Commissioners, and none of the Commissioners wrote back or responded.

Acting Chairperson Fox advised that she was contacted by a local newspaper regarding this item several weeks ago and that the reporter had indicated talking to staff and the applicant. She was asked some fairly detailed questions about the proposal, and she stated that she did not usually comment on matters coming before the Commission. She was concerned that because the newspaper contacted three parties, it may be construed as a Brown Act issue. She also disclosed that she spoke with Barbara Dawson, the Pleasanton Village Homeowners Association manager, and had likewise spoken and met with the applicant as well as with Sharrell Michelotti and several neighbors. She also spoke with the City of Livermore planning staff regarding a similar project called the Cedar Grove Church project.

Commissioner Blank disclosed that he had met with the applicant's representative the previous month.

Commissioners Pearce and Olson disclosed that they had met with the applicant's representative.

Commissioner O'Connor disclosed that he had met with the applicant's representative, Ms. Michelotti and John Miller, the project architect.

In response to Commissioner Blank's inquiry regarding whether the bioswales were designed to handle pollution and contaminants or for drainage and sediment from the roof and if these bioswales could perform multiple functions, Mr. Otto replied that they were designed to treat stormwater coming off the roof, which would then flow through some kind of landscape material to filter the contaminants in the water on its way into the stormdrain line. He added bioswales could perform multiple functions as long as they are engineered to handle the flows.

In response to an inquiry by Commissioner Pearce regarding whether the oral parking agreement with a local business had been codified in writing and where this parking lot is located, Mr. Otto confirmed that the Church did obtain a written parking agreement and that the Commission was provided with a copy of that agreement. He added that the lot is located on Rheem Drive across from the Church. In relation to the parking proposal on Stoneridge Drive and bringing down the 12-foot bike lane to four feet, Commissioner Pearce inquired if there were a required minimum bike lane width required. Mr. Otto replied that he was not certain but that staff had discussed this matter with the Traffic Engineer, who indicated that a four-foot wide bike lane was accessible. He noted that this eight-foot wide parking isle was for use only during the Sunday evening service hours.

Commissioners Olson and O'Connor indicated they had no questions at this time.

In response to Acting Chairperson Fox's inquiry regarding the total acreage of the property and the sizes of the three individual lots on Rheem Drive, the Church location, and the vacant lot between the Church and Nielsen Park that was originally supposed to contain the gymnasium and classroom building and parking lots, Mr. Otto replied that the total site is 12 acres, but since the three lots are not individual lots, the actual sizes of the three lots were not readily available and would need to be measured to determine their exact acreages. He added that the applicant may have that information.

Acting Chairperson Fox read an excerpt from the permit application and site plans that she distributed to the rest of the Commission and staff from the City of Livermore, which had similar Code requirement, regarding a gymnasium/multipurpose building proposed for a church. The City of Livermore had reduced the building bulk as directed by its Design Review Board and the height of the originally-proposed 35-foot tall gymnasium at the Cedar Grove Community Church project to 30 feet. She noted that Livermore has similar Code requirements, and its staff could reduce a gymnasium building size to 30 feet for a building designed for adult and youth basketball and volleyball and asked why the gymnasium proposed for this project would have to exceed the 30-foot maximum height allowed by the Municipal Code and would need to require a variance.

She asked whether there was some difference in Livermore and Pleasanton that would require a building in Pleasanton to have four extra feet. Mr. Otto noted that he would not be in a position to comment on Livermore's Code requirements. With respect to this project, he stated that the applicant required 25 feet of inside clearance for basketball use, and beyond that, the structural requirements included beams, roof slope and duct work for air conditioning and heating. For aesthetic reasons, the applicant designed the walls to extend an additional three feet beyond the roofline.

Ms. Decker added that the parapet would screen the photovoltaic system panels that the Church may eventually install on the roof.

Acting Chairperson Fox noted that in the 1998 Master Plan, the original thought was to have the gymnasium and classroom buildings on the blank lot between the Church and Nielsen Park and it was appealed to the City Council with a 3-2 decision with Michelotti, Ayala, and Dennis supporting its approval and Pico and Tarver dissenting. She noted that the lot next to Rheem Drive, now proposed for the parish center/gymnasium, was originally supposed to be the site for the school. There was discussion from those minutes regarding open space between the school and the neighborhood because there needed to be a large play area for the 300 students proposed. She asked staff whether the play area envisioned in 1998 is approximately where the gymnasium is now being proposed. Mr. Otto replied that the plan shows an outline of the conceptual footprint of the building at that location. No play areas were shown.

Commissioner Pearce asked for clarification regarding parking in the staff report. She asked for clarification in the discrepancies in parking spaces. The report indicated that 435 spaces were in the approved Master Plan at buildout, but because 11 fewer spaces currently exist on-site compared to the 322 listed on the 1998 Master Plan, staff reduced the buildout parking spaces by 11 spaces. Mr. Otto replied that he was not sure where the lost spaces went but indicated it could be related to handicapped spaces or some changes made during the building permit process such as location of utilities. Commissioner Pearce also asked for a copy of the parking agreement.

Acting Chairperson Fox indicated that she had another question about parking. She indicated that she had visited the Church's parking lot at 6:45 p.m. for two Sundays, and the on-site parking was full and there were vehicles leaving the parking lot already parking across the street as well as within the neighborhood. She asked whether any City staff was present at any of the Sunday evening parking counts and asked how vehicles were counted that had to leave the full parking lot to park in the surrounding neighborhood and surrounding off-site parking lots. Mr. Otto indicated staff was not present during the parking counts and that this was done by the Church.

Acting Chairperson Fox explained that the public hearing would be open. She indicated that members of the public other than the applicant would be limited to a five-minute time limit. She reminded the members the audience that sometimes comments can get somewhat a little emotional and that some in the audience may agree or disagree with

comments a speaker is making and that she would appreciate it if everyone in the audience would have respect for the speakers as they present their point of view.

### **THE PUBLIC HEARING WAS OPENED.**

Father Dan Danielson, Pastor, Catholic Community of Pleasanton, 3999 Bernal Avenue, described the Saint Augustine and Saint Elizabeth Seton Churches, history of this application and noted that the Church's facility at Saint Augustine had become cramped and overcrowded. The Diocese of Oakland had purchased additional property and began identifying needs for the community. He described the past plans for staff and other office space, a chapel for smaller services and daily mass, and the large church and parking lot. The proposed development addressed the needs of the Church and its service to the community, including the community center. He noted that the Church at Saint Elizabeth Seton currently had youth groups and divorce and bereavement groups meeting in chapel space rather than in a separate meeting space. He noted that their Catholic Youth Organization (CYO) basketball program service children throughout the community from third to eighth grade and that through this project, the Church tried to fulfill its commitment to the youth. He indicated that the program has a small gym at Saint Augustine and rented gymnasium space in town. He indicated that high school youth are meeting where they can, and this facility would have a dedicated room for them to meet. He indicated that he would try to accommodate reasonable expectations and needs and concerns people have and indicated he was open to questions.

In response to Acting Chairperson Fox's inquiry regarding why the Church decided to place the building next to Rheem Drive rather than at its original location on the 1998 Master Plan, Fr. Danielson noted that in the first plans in 1989, nothing was proposed for that space because the intent then was to sell that piece to help pay for the building of the Church. The revised 1998 Master Plan included a building on the site; however, the entire property was brought into the planning process, and based on the community's needs as they developed, the Church felt that the space would not be large enough for a school, given the needs of present elementary schools. He added that should a school be built in the future, the eastern portion of the property that is approximately four acres between Nielsen Park and the Church would be sufficient for the necessary buildings as well as a play area.

Acting Chairperson Fox inquired whether, if a school and gym were both located in the eastern lot between Nielsen Park and the existing Church, it might make sense to build the gymnasium at the eastern portion next to the school to be built eventually, with both buildings in the same location, so that the children would not have to walk across the parking lot to the gymnasium. Fr. Danielson replied that given what he has observed of today's schools, everything available is utilized no matter where in property they are located, including across the property to get to the gym. He then introduced John Miller, project architect, who will also respond to all technical questions regarding the project.

John Miller, project architect, 100 View Street in Mountain View, displayed the site plan and elevations and described the design, circulation, and parking features of the proposed

project. He indicated that the design of the building is focused on providing space for education, social, and athletic activities and combining them in one building. He indicated it is a long, narrow site and relies on shared parking and not having to build extra parking. He reviewed the architectural components of the building and indicated that the back 30 feet of the building toward the adjacent residential neighborhood is focused on storage rather than active use. The western side of the building towards Rheem Drive will be closed and locked because the Church is concerned about security. Meeting rooms and a conference room for special events, speakers and banquets will be in the north side of the building.

Mr. Miller discussed the intensity of use and indicated that the parish center building will not be used in the summer. No activities will occur during the summer in the building, and very little activity will occur in the weekday and none in the morning peak hours. He indicated that during the school year, the building will be used in the evening for religious education for youth. Mr. Miller indicated that Sunday would be the day with the heaviest use, but it will not be used simultaneously with the Church/chapel. After church on Sunday, he indicated the parish center would be used for Sunday brunch, and during Sunday evening, for youth religious education classes. He noted that the 6:30 p.m. mass on Sunday is a great success and the parking demand is greater than can be accommodated at this time. He indicated that the parking issue is an existing issue they are trying to solve and that the agreement with owners of the parking lots in the surrounding commercial properties will help. He stated that staff was very thorough in analyzing Stoneridge Drive for additional parking. He indicated that the third lane that it was originally designed to accommodate that now contains the bike lane will accommodate on-street parking. He noted that in terms of traffic, there would be very little impact on a.m./p.m. peak traffic from the basketball practices and that only 20 players at a time would be present. They understood the neighbors' concerns about noise and were committed to keeping the air conditioning units quiet and as far away from the neighborhood as possible. With respect to the basketball program noise, they intended to keep control over that situation. Regarding alcohol, they would have banquets at the facility and envisioned only serving alcohol with meals including wine at tables and a cocktail bar beforehand.

Mr. Miller addressed the height of the building and showed an overlay of the outline of the Church with a silhouette of the proposed parish center/gymnasium. He discussed the need to accommodate the ceiling, duct work, lights, pipes, and roofing and to hide photovoltaics. He noted that the City of Pleasanton required dedicated wiring for photovoltaic equipment; thus, this building would be LEED-certified; they intended to make this a sustainable green building. He noted that there would be shared parking, energy-efficient design in terms of mechanical systems, photovoltaic system, recycling of building materials, and rainwater treatment.

Commissioner O'Connor asked Mr. Miller to indicate the height of the parapet wall. Mr. Miller indicated that the parapet wall varied from three-and-a-half to four feet high with a peak of 34 feet, with an 18-inch variation as it undulates up and down. Mr. Miller also indicated water would flow from the roof down one side of the gym to the bioswale

because only one side has access to the bioswale, located in the landscaping near Rheem Drive because next to the parking lot there is no to little potential to have a bioswale. Commissioner O'Connor expressed concern that two-and-a-half feet of equipment could be exposed if the height of the building was reduced. Mr. Miller indicated that the Church may need to place heating and air conditioning units on the roof. He indicated they are not planning to do that, but may have to do that for several reasons.

Commissioner O'Connor asked about the measurements of compact parking stalls. He asked Mr. Miller to confirm that this affected not only the length but also the width of the stalls as well. Mr. Miller indicated it affected the width as well as the length. Commissioner O'Connor indicated that in his experience, vehicles parking in stalls that are not as wide crowd the space and make the space next to it not usable or they avoid it because SUVs and larger vehicle cannot fit into it. In a response to an inquiry by Commissioner O'Connor regarding what percentage is allowed by the Municipal Code for compact spaces, Mr. Otto indicated that it was 40 percent. Commissioner O'Connor noted that the applicant's proposal is close to the limit at 35 percent.

In response to an inquiry by Commissioner O'Connor regarding lights and the location of the dumpsters and neighborhood concerns about odors, Mr. Miller replied that there could be one new light standard, but it would be shielded to prevent glare on the neighboring homes. He pointed out the dumpsters on the site plan and stated that they were in the northeast corner at the farthest point from the homes.

In response to an inquiry by Commissioner Blank regarding the synthetic surface, the landscape plan, and the landscaping in the walkway next to Rheem Drive and the lack of trees on part of the walkway, Mr. Miller indicated that they could add trees. Mr. Miller also indicated that there was a hedge surrounding the synthetic surface outside the nursery to screen the corral.

In response to an inquiry by Commissioner Pearce regarding whether the Church was amenable to the four modifications to the landscape plan proposed by staff, Mr. Miller said yes.

Acting Chairperson Fox noted that in the original appeal that went to the City Council in 1998, there was a condition to close the pedestrian cut-through between the Church and the neighborhood and that there was supposed to be a fence or berm put in at that time between the Church and the existing neighborhood. She asked Mr. Miller whether he knew why this was never done in 1998 as was required. Fr. Danielson indicated that he recalled that the Church owned a house next to the cut-through at the time that was later sold, so that this was postponed and never done.

Acting Chairperson Fox noted that when the City of Livermore processed a similar proposal for a gymnasium/multipurpose building on a church property, it required an Environmental Impact Report (EIR) as well as a conditional use permit because it was considered a private recreational facility that needed a conditional use permit so the City could regulate the hours of operation. Acting Chairperson Fox recalled former

Commissioner Maas' comment that public/private recreation uses were usually booked up fairly quickly. She expressed concern that it would become an 18-hour open recreation facility and requested the applicant's comments concerning not having any activities during the summer. Father Danielson noted that because of insurance requirements, the Church cannot have drop-in centers for anybody. Only people attached to a specific parish-sponsored or run programs may use the facility. The only other groups that can also use the facility are other non-profit groups that have their own insurance. Acting Chairperson Fox noted that the Commission had received an email from on the Pleasanton Unified School District (PUSD) trustees. She asked whether the Church had been in discussion with the School District regarding having the gymnasium used for school activities. Fr. Danielson indicated that there had not been any discussions but that they would not be opposed to that if scheduling allowed. He noted that the Church would not host wedding receptions, which were booked six to eight months in advance, and wanted this facility to be available to the needs of the community. He noted that the Church would be able to accommodate funeral receptions.

Commissioner Blank asked whether he could confirm if there would not be activities occurring concurrently in the parish building and the main building and asked if there was a condition that stated this. Mr. Otto replied that it was not a condition but part of the applicant's submittal document as the narrative. Acting Chairperson Fox indicated that staff has not processed this application with a conditional use permit that would have conditions incorporated but has processed this only with a design review. Mr. Otto indicated that there was a previous conditional use permit attached to the original Master Plan that covers all Church uses. Ms. Decker noted that there are no overlapping activities in the applicant's narrative. Commissioner Blank expressed concern for future years such as twenty years from now when there may be other property owners not as cooperative. He indicated that it was his understanding that narrative shows intent, but as it has been explained by staff and in written City materials provided to the Commissioners, the narrative shows intent; however, if it is not spelled out in the actual written conditions of a conditional use permit or in recommended conditions of approval, it is not binding. Commissioner Blank noted that the narrative of the application was acceptable to show intent and inquired whether any language outside the recommendation conditions of approval was binding. Ms. Decker confirmed that it was binding because it was part of Exhibit A, which encompassed all the plans and narrative with which the project must comply. Commissioner Blank asked for clarification that if an applicant is not in compliance with something in the stated narrative, the City can enforce that equally even if it is not stated as an actual condition of approval. Jerry Iserson, Planning Director, confirmed that Condition No. 1 referenced the written narrative, which would be linked in that way and thus be enforceable.

Acting Chairperson Fox asked if alternatively, the City could process this application as a conditional use permit in an A (Agricultural) District for a private recreational facility. She indicated that private recreational facilities are conditional uses within an A District, thus having an actual conditional use permit with conditions. Mr. Iserson replied that there is no need to do that because a master use permit controls the site and this is a Church-related use. Acting Chairperson Fox noted that in the 1998 Master Plan staff

report and minutes, it notes that a separate conditional use permit process would be required for a future school on the site. Mr. Iserson indicated he does not know what reasoning went into that but that his judgment now indicates that a second conditional use permit process would no longer be needed to place a school on the Church property.

In response to an inquiry by Acting Chairperson Fox regarding whether it would be feasible to move the gymnasium towards the front along Stoneridge Drive rather than adjacent to the residential neighborhood by rotating the building or have the gym portion of the building placed in the vacant lot on the eastern portion of the parcel where it was originally proposed, Mr. Miller replied that they wished to keep a low building profile towards the corner for aesthetic and masking reasons. They did not want the gymnasium to be in competition with the Church, which was located towards the front of the site. He noted that visually, it was the focus of the site. Mr. Miller indicated that technically, the gymnasium portion could be moved to the other side of the Church, but there are owner-driven program requirements. If the activity center were placed on the other side of the Church and parking is on the opposite side, it would be too far away unless parking lots were constructed next to the activity center.

Michael Gallagher, 3330 Muscat Court, continued the presentation and described the background of the project as well as the design and use rationale of the proposed expansion. He noted that there were 1,700 youth involved in the Faith Formation program, and there was no space to accommodate the high school participants. They named the activity center after Pope John Paul II, who was especially beloved by the youth. He emphasized that they wanted to continue to be good neighbors and noted that they had listened carefully to the neighbors' concerns about noise, traffic, and pollution. They hosted several neighborhood meetings to hear those concerns, as well as a City-sponsored meeting. There were concerns about parking on Bowen Drive, and they would be willing to build a fence to discourage parking. They would request parishioners not to park there and install signage on the sidewalk to ask parishioners to respect the neighbors by not parking there. He estimated that the cars on that street belonged to the approximately 50 parishioners who live in that neighborhood. He noted that they would contain the children on-site to the best of their ability and would ensure that the children would be dropped off and picked up at the main entrance. Any children's activities would cease by 9:00 p.m. during the week, and 11:00 p.m. during the weekend. He indicated that the Church was willing to have a liaison to whom the neighbors could talk should problems occur. They were very concerned about the safety of the children and would ensure they enter and exit the building accordingly. He noted that most of the gyms around Pleasanton exceeded 40 feet in height – Harvest Park Middle School, Pleasanton Middle School, and Foothill High School. He believed flip-flopping the gym would make it less aesthetically appealing. He indicated he understood why the Commission asked the question because of possible noise, but it will be a single-court gym and a double court for practice, but there will be 30 children at the most on the courts at one time. He believed this Center would be a benefit to the community in general. Showers would be installed, not for the gym users, but for a possible disaster recovery center.

Rick Hankins, 3230 Royalton Court, CYO Athletic Director, described the CYO basketball program and the benefits it provided to youth and their families. He noted that the minimum height for a regulation basketball gymnasium established by the State High School regulations is 25 feet, and they recommended a greater height than that.

In response to an inquiry by Commissioner Pearce regarding whether the Church would be amenable to Condition No. 19 requiring that noise not exceed 60 decibels, Mr. Hankins confirmed that it was agreeable.

A recess was called at 8:50 p.m.

Acting Chairperson Fox reconvened the meeting at 9:02 p.m.

Eric Souza, Pleasanton Village Homeowners Association (HOA) vice president, 4345 Krause Street, noted that the HOA consists of 196 homeowners and that their main concerns were traffic, safety, noise, and parking, as well as the cut-through. He expressed concern about the hours of operation of 3:00 p.m. to 10:00 p.m. Monday through Thursday and until 11:00 p.m. on Fridays and Saturdays. They were concerned about traffic congestion during the regular Sunday service times and the resulting safety concerns during CYO games. He expressed concern that there will be summer activities. While the applicant stated that they would not host wedding receptions, he inquired whether the Church would open up the gym to CYO volleyball or other summertime uses. He hoped a fence would prevent use of the cut-through.

Todd Collier, Pleasanton Village Homeowners Association, 2117 Alexander Way, expressed concern about the size of this project and the volume of traffic and parking spaces. He noted that overflow parking impacted the surrounding streets during all services. They had asked the City for support over the past few years for traffic controls on the streets for their own traffic, with some vehicles going over the speed limit, and he was very concerned about the addition of the traffic connected with this use. He indicated that there will be a large volume of activities, people coming and going, and that Rheem Drive could be used as a drop-off. He stated that the height of the building is a concern, and putting a large building in a residential area with a variance from the Code purely for aesthetic reasons is problematic.

Commissioner Blank noted that any homeowner may address traffic mitigation with the Traffic Commission. Mr. Collier noted that they had taken that action, and the Traffic Commission suggested putting parking and center lines down Rheem Drive, which would narrow the street.

Rick Edwall, 4471 Stoneridge Drive, noted that Church overflow parking had consistently been a problem in the neighborhood. He suggested the addition of speed bumps to calm the traffic. He expressed concern about the shading effect of the gymnasium on his office.

Rohit Gupta, 4443 Bowen Street, expressed concern about the effect the continued growth of the parish and its activities would have on the neighborhood. He was concerned about the plan to serve alcohol, and he had been previously told at the neighborhood meeting that it would not be served. He did not believe the expansion would be beneficial to the neighborhood. He noted that with his own limited landscaping, the gym was visually prominent from his home, and he believed it was too large for the site. He suggested that it be returned to the original location. He showed the Commission a spreadsheet of all Church activities and noted that Friday and Saturday uses were more intense than described. He expressed concern about hours of operation being until 11:00 p.m. on Friday and Saturday.

Commissioner Olson noted that he had looked at Mr. Gupta's home from the parking lot of the Church and indicated to Mr. Gupta that he believed that it was the most impacted home by the proposal. He believed that if the cut-through were blocked off, it would benefit him. He suggested that additional trees on the Church side of the fence to the rear of the Mr. Gupta's home may mitigate the visual and noise impacts. Mr. Gupta agreed with that assessment.

Sonia Gupta, 4443 Bowen Street, noted that when they bought their home, they were attracted by the quietness of the neighborhood. She has become very concerned with the volume of traffic in her neighborhood as well as with the safety impacts. She did not feel comfortable allowing her children to play in the front yard without supervision because of the speed of the traffic. She did not know what the Church planned to do two or more years in the future. She noted that she had heard skateboarders behind her home on church property, and added that headlights often shone into the back of her home. She indicated she has a small child who goes to bed at 8:00 p.m. She requested some commitment from the applicant that these concerns would be addressed.

Acting Chairperson Fox read from the conditions of approval for the nearby Early Learning Institute, which was later renamed Hacienda School, on the corner of Stoneridge Drive and Stonepointe Way, provided for operating hours from 7:00 a.m. to 6:00 p.m. on weekdays only with no school activities of any type allowed on weekends. In addition, teachers allowed to be in the premises until 8:00 p.m. were limited to office work and/or meeting with parents; all group parents meetings and other meetings are to be held before 6:00 p.m. She added that there was a big difference between 6:00 p.m. and 10:00 p.m. or 11:00 p.m. in terms of school activities. She asked Mr. Iseron if the same type of conditions and restrictions would have been envisioned for the school if it were placed on the site as proposed in the 1998 Master Plan. Mr. Iseron replied that it would be difficult to say what staff would have done because each application is different in terms of the number of children, teachers, and activities before and after school. He stated that each application is considered on a case-by-case basis; staff looks at the particular proposal, identifies the issues, works with the applicant and the neighbors, and responds with conditions of approval as necessary to best serve the use.

Acting Chairperson Fox noted that when the Early Learning Institute was brought to the City Council in 1997, the staff report included information and discussion about the

concentration of public and private schools along the surrounding two-block area. She commented that moving the future Saint Elizabeth Seton school eastward on the property would bring it much closer to the already existing Hacienda School. In a response to Acting Chairperson Fox's question regarding if the future school for Saint Elizabeth Seton were to be placed next to Nielsen Park, there would be less than a 1,500-foot separation between the proposed school and Hacienda School, Mr. Iserson indicated did not know the exact distance but that it sounded correct. Acting Chairperson Fox asked Mr. Iserson that from a planning perspective, given those approximate distances and the proximity of the Hacienda School and comparing a proposed gymnasium building closing at 10:00 p.m. or 11:00 p.m. versus a proposed school building closing at 6:00 p.m., where he would place each building on the site.

Ms. Harryman advised Mr. Iserson that before answering the question, the public hearing should be closed. Acting Chairperson Fox asked Ms. Harryman if it would be more appropriate to ask the question after the remaining speakers had addressed the Commission.

Praveen Sharma, 4227 Diavila Avenue, agreed with the concerns of the previous speakers and was especially concerned that the notification did not show the new location of the building. He stated that some of his neighbors shared the same impression of the revised location. Mr. Sharma indicated that most of the surrounding neighbors were not even aware that the Church is moving the proposed building locations to the other side of the Church. He indicated that the notification does not show where the building is being built. Many people he has spoken to believe that the building is being built by Nielsen Park as was approved in the 1998 Master Plan.

Commissioner Pearce asked to see a copy of the notice.

In response to Acting Chairperson Fox's inquiry as to whether Mr. Sharma's interpretation of the notice is that it gives no information that the building is being moved from the parcel adjacent to Nielsen Park as was approved in the 1998 Master Plan to the corner of Rheem Drive and Stoneridge Drive and that the neighborhood is unaware of the revisions, Mr. Sharma indicated this was correct.

In response to an inquiry by Commissioner Olson regarding whether the revised location of the building was clearly indicated at the last neighborhood meeting, Mr. Otto asked whether Commissioner Olson was referring to the notice for the neighborhood meeting or the actual neighbor meeting held on October 5<sup>th</sup>. Mr. Otto confirmed that it was made clear at the meeting.

In a response to an inquiry by Commissioner Pearce regarding whether the same people who received the neighborhood meeting notice received the Planning Commission notice, Mr. Otto indicated the group was the same.

Commissioner O'Connor asked whether it was the same type of notice that may not have clearly shown the location of the building. Acting Chairperson Fox recalled it was the

same notice but excluded mentioning the 34-foot building height variance. She also recalled that Nielsen Park showed two roads within the park that do not exist bisecting each other through the park, thus the location map was unclear.

Ms. Decker wished to clarify that the purpose of the notice was to give a broad description of the scope of the project and to provide a map identifying the location of the project. It is not intended to actually define where structures and improvements were planned to go.

Commissioner O'Connor indicated that the location map of the notice shows the entire church property and not the 1998 Plan or the current plan.

In response to an inquiry from Acting Chairperson Fox clarifying that the text of the notice does not indicate the building locations were moved from the east to the west, Ms. Decker indicated there it does mention design review approval to modify the Plan and construct so that would cue individuals familiar with the existing approved 1998 Master Plan that this notice states that there is design review approval to modify the Master Plan and that changing the Master Plan and location is via a design review.

Mr. Sharma reiterated that the notice was not clear.

Milind Joshi, 4293 Diavila Avenue, expressed concern about noise, parking, security, and the change in the original plan.

Sharrell Michelotti, 7873 Olive Court, wished to clarify that while she arranged the meetings with the Church representatives, she did not meet with Acting Chairperson Fox regarding the project. She noted that they had conducted a phone conversation. She noted that her history with this project included her tenure as a former Planning Commissioner. She noted that the uses in this conditional use permit were attached to the conditions; when someone has a concern, it may be brought to the Commission, and the Commission could then address the concerns with the applicant. She believed the Church had made an early effort to address the existing concerns regarding overflow parking. They had tried to educate the parishioners to be courteous and would also install signage to that effect. She believed the Catholic Community of Pleasanton had tried to be a good neighbor and would like to go forward with the project. She requested the members of the audience who supported this project to raise their hands. She noted that she was a parishioner and had worked on the fundraising committees. She believed the Church had tried to impose the least impact on the neighborhood. She discussed hours of operation and the impact of a school on a neighborhood and relayed that there is gridlock at 3:00 p.m. around any school in Pleasanton. She indicated that if a school were built on that particular property, there would be far more impact on the neighborhood. She requested that the Planning Commission make its decision tonight. She noted that this application contained 88 conditions that addressed each concern that had been raised by the neighboring residents, including keeping doors and windows closed and adding landscaping. She noted that while a 300-foot notice was required, this project had been noticed to over a 1,000-foot radius each time. She wants 5,000 families to have places to

meet and to have uses that are being carried on now at the Church shifted to a proper location.

Acting Chairperson Fox began a discussion regarding past decisions of the City Council during Ms. Michelotti's tenure with the Council. Acting Chairperson Fox noted that Ms. Michelotti was on the Council when the Early Learning Institute appeal was heard by the City Council and asked whether she recalled the discussions on cumulative impact of school concentration as well as the 1998 appeal of the Saint Elizabeth Seton Master Plan. Acting Chairperson Fox recalled that in the 1998 appeal hearing in front of the City Council, the issue was the location of the driveway and its distance from Bowen Street because the neighbors wanted it closer to Stoneridge Drive. Acting Chairperson Fox asked Ms. Michelotti that given her comments regarding school impacts, whether Ms. Michelotti at the time felt that the appropriate location for school should be located next to Nielsen Park rather than the parcel adjacent to Rheem Drive. Ms. Michelotti indicated that the staff believed it was very important because of the definite impacts on the community that the future school located on Saint Elizabeth Seton should go through a separate conditional use permit process. She indicated that the Church and chapel and related buildings were under the original conditional use permit. In addition, Ms. Michelotti stated that the original driveway location was at the corner of Bowen Street and Alexander Street and because of the Planning Commission's concerns at the time, it was moved.

Frank Spindler, 1338 Benedict Court, strongly supported this project and asked the neighbors to look at the Church's benefits to the community by the activities, be they athletic, spiritual, and educational. He noted that the additional activity would be a small percentage of the overall existing Church activities. He added that the scope of the building was a fraction of the existing Church, and he believed it was well scaled. He believed the additional traffic impact was also small when compared to existing traffic. He noted that this was not a taxpayer-funded or corporate-funded project; it was funded entirely by the members of the Catholic Community of Pleasanton.

Greg Thome, Co-Athletic Director, CYO program, 1745 Paseo del Cajon, described the educational benefits of this program. He noted that the City was the largest scheduler of youth activities within Pleasanton and that the CYO program was co-sponsored by the City. He added that the school system was the second-largest scheduler, and that the Church worked closely with both entities at those times. He noted that the City did not allow 18 hours of play at any of their facilities, and that they were asked to leave the middle schools at 9:00 to 9:30 p.m. Rather than talking about the fear of what could occur, he suggested examining what has happened over the last 20 years that he has been personally involved. He noted that rules had been followed and maintained, and noted that there had been great adherence to responsibility and respect in connection with the activities. He noted that, for example, Diocese-wide rules state that are not allowed to use the existing gym before 12 noon on Sundays because it would conflict with church services, or at any other time which would conflict with services and mass. He noted that they had a demonstrated history of respecting the rules and the neighborhood. He

described the traffic patterns in the neighborhood and noted that much of the traffic was neighborhood-related.

Chuck Wiedel, 7225 Valley Trails Drive, spoke in support of this item and believed the positive aspects of this proposed project far outweighed the negatives. He noted that Church staff had spent many hours preparing this project and added that the Catholic community of Pleasanton had committed millions of dollars for the completion of this project. He added that the entire City would benefit from this project and acknowledged that change in a neighborhood was difficult. He believed the Church would continue to be a good neighbor. He asked that a decision be rendered this evening.

Acting Chairperson Fox indicated that this was all the speaker cards and invited the applicant to address the Commission with any responses or questions. Responding to the neighbors' concerns, Mr. Miller asked staff how high the hackberry trees required for street trees would grow. Mr. Otto noted that the hackberry trees would be replaced by evergreen trees on Rheem Drive between the sidewalk and the street. Commissioner Pearce noted that this was one of the landscaping conditions that she asked about because it was one of the four conditions she asked about.

Mr. Miller noted that this was not a convenient neighborhood to come through, and with the fence and landscaping, he could not see how regional people would park in the neighborhood and walk around to the building. He believed they would try to park as close to the activity as possible. He noted that the Church had been concerned about skateboarders and has tried to eliminate the skateboarding issue. He noted that in each iteration of the Master Plan, there had always been a building proposed on that site. He noted that the parishioners and the Church had always taken great pride and ownership in the care of the facilities and that they respected what they already had. He noted that the windows on the side of the gym had been removed, and skylights had been installed so there would be no sound coming from the side of the building towards the homes. The church had created a buffer between the site and the neighborhood, and that it was 100 feet from the back of the gym to the rear residential property line.

Mr. Gallagher noted that a sidewalk would be installed on Rheem Drive going out to Stoneridge Drive. He wished to assure the residents that the Church wanted to be good neighbors and that the Pastoral Council would be happy to hear from the neighborhood on a regular basis.

#### **THE PUBLIC HEARING WAS CLOSED.**

Commissioner Pearce recalled a previous discussion on permit parking for the residential street, which the neighbors opposed. She inquired whether putting up signs and encouraging parishioners not to park on the residential streets would be the best effort possible to relieve the neighborhood parking impacts. Mr. Otto replied that short of making it a permit parking street, which could be enforced by the Police Department, staff cannot do more than encourage, which is what staff has tried to do.

Ms. Decker added that the residents had not seemed interested in permitted parking. She noted that anyone is able to park on public streets and added that the use of signage has worked in other project circumstances where an attendant from a facility has been available to keep an eye on parking and advise patrons where parking is encouraged.

In response to an inquiry by Commissioner Pearce regarding whether the noticing was sufficient, Ms. Harryman confirmed that the noticing was sufficient for this use. The law required that enough information be provided to inform the recipients that something was occurring with respect to that property, as well as some particulars about what might be going on. In this case, the entire lot was hatch-marked, with no indication of where any building may be placed. It was her opinion that the notice was not misleading and that the size of the building to be constructed had been called out. Any person who was concerned about a 22,000-square-foot building would be able to contact staff or attend the meeting.

Commissioner O'Connor did not believe this project was the root cause of the parking issues, which he believed was the Church service. He noted that there was an overflow parking agreement and added that if that agreement were to be terminated, Condition No. 11 required the Church to find an alternative parking arrangement or, within 60 days, they would have to construct the on-site gravel parking lot that the City had previously discussed with the Church. He suggested adding language stating that if the off-site parking was not being adequately utilized, the City invoke the 60-day requirement to add the gravel parking lot. Commissioner O'Connor noted that the parking lot for off-site parking is not exactly across the street but located down and across. He did not know what utilization it would get.

Commissioner Blank indicated he would like to suggest a motion. Acting Chairperson Fox indicated that prior to making motions, she would like staff to clarify the process regarding this application. She asked staff to confirm whether this being a design review, it would be subject to a 15-day appeal period and that anyone who disagrees with the Planning Commission's decision can file an appeal, and that unless that is done, this item will not go to the City Council. She asked staff to confirm that parking on Stoneridge Drive would not go to the City Council, that variances would not go to the City Council, and that unlike PUDs that go to the City Council for approval, design reviews do not go to Council unless they are appealed. Ms. Decker replied that this would be a Planning Commission action only unless someone wants to appeal the decision to the City Council. In a response to an inquiry from Acting Chairperson Fox regarding whether parking on Stoneridge Drive would need to go the City Council, Ms. Decker indicated that the use of parking on Stoneridge Drive would not go to the City Council as this was discussed internally with the Deputy Director/Transportation, Mike Tassano, and City staff determined that it is a workable solution. Acting Chairperson Fox asked whether the reduction of bike lanes on Stoneridge Drive would need to go to the City Council or would appear on the City Council's consent calendar. Ms. Decker advised that it would not need to go to the City Council but decisions of the Planning Commission would appear as actions of the Planning Commission.

With respect to the question on potential bike-lane reduction, Ms. Decker advised that the minimum width was technically three feet; in this case, four feet met the criteria. Acting Chairperson Fox indicated that she believed that a few years ago in the Traffic Committee Minutes, Jeff Knowles suggested taking some bike lanes off of Stoneridge Drive, and it was brought to a previous Council's attention roughly three years ago, but there was discussion that this should not occur. She indicated that if there was a reduction in the width of the bike lanes, she was concerned that the City Council be able to see that that was a component of the Planning Commission decision in the text. Ms. Decker indicated that the City Council would not need to know and it would not be forwarded to them. Ms. Decker also clarified there would be parking on Stoneridge Drive from Rheem Drive until the easterly boundary of the current Church property.

**Commissioner Blank moved to make the variance findings listed in the staff report and approve Case No. PDR-561/PV-158 subject to the conditions listed in Exhibit B of the staff report, as recommended by staff, with the following amendments:**

- 1. Modify Condition No. 19 to indicate that noise from the mechanical equipment shall not exceed 60 dBA at the property plane;**
- 2. Add a new condition that additional trees shall be planted on both sides of the walkway on the western side of the parish center building;**
- 3. Add a new conditions that a two-inch diameter capped conduit shall be installed in the roof for emergency purposes, the location of which shall be subject to the review and approval of the Chief Building Official;**
- 4. Add a new condition that the City Traffic Engineer shall consider appropriate mitigation measures on Rheem Drive to address the neighbors' traffic concerns;**
- 5. Add a new condition that additional large trees shall be planted in the southern planter area to further mitigate both noise and visual impacts of the Church property to the southern residential area, with the final location, species, and size of the trees to be shown on the plans submitted for issuance of building permits and subject to the review and approval of the Planning Director prior to issuance of building permits; and**
- 6. Add a new condition that if the Planning Director determines that the off-site parking at 2174-2186 Rheem Drive is not being effectively used by the Church, the applicants shall work with the Planning Director to investigate options to increase the effectiveness of the off-site parking lot; and if the Planning Director determines that this off-site parking lot continues not to be used, the Planning Director may inform the Church to construct an on-site gravel parking lot in the undeveloped eastern side of the Church site to accommodate the overflow parking within 60 days, the exact location and design of which shall be subject to the review and approval of the Planning Director prior to installation.**

**Commissioner Pearce seconded the motion and suggested an amendment to remove parking on Stoneridge Drive.**

Commissioner Pearce indicated she was very concerned about parking on Stoneridge Drive because of safety concerns that she supports the off-site parking and believes that it mitigates the parking issue; hence, there is no need to have the Stoneridge Drive parking.

Acting Chairperson Fox stated that one of the issues regarding parking on Stoneridge Drive is only around 6:30 p.m. on Sundays when it will be dark during the fall and winter and part of spring and people are exiting their cars on Stoneridge Drive because it is restricted parking at night. People will be driving by and be surprised that there are people parking along Stoneridge Drive and exiting their vehicles. She indicated that is a tremendous safety hazard.

Commissioner Pearce indicated that there is a safety concern for bicyclists and that it is a busy street and she wants to encourage people to ride their bikes. She felt that the off-site parking will eliminate the need for parking on Stoneridge Drive.

Commissioner O'Connor noted that the 28 parking spaces on Stoneridge Drive were included in the count of required parking since the 95 parking spaces across the street on Rheem Drive would not be adequate. Commissioner Olson asked staff if parking on Stoneridge Drive is not allowed at this time. Ms. Decker replied that parking is not currently allowed on Stoneridge Drive. She added that staff investigated the opportunity to put parking on Stoneridge Drive to mitigate the impacts of the evening service. She noted that Condition No. 8 required that a sign be posted limiting parking from 3:30 p.m. to 8:00 p.m. as the parking analysis identified the 6:30 p.m. service as the greatest impact. The on-site and off-site parking would serve the needs at other times.

In response to Commissioner Pearce's inquiry if the 95 on-site and off-site parking spaces would adequately serve the Church's parking needs such that parking on Stoneridge Drive would not be necessary and could be eliminated, Commissioner O'Connor noted that he believed that the Church was 135 spaces short. Acting Chairperson Fox indicated that instead of endangering parishioners by having them exit vehicles on Stoneridge Drive, the safety of the neighborhood and the parishioners should be looked at and the fact that this would be at night. She preferred that there be a gravel parking lot used in the property next to the existing Church rather than on-street parking. She noted that Gatewood Apartments is across from the Church with an undeveloped median so that there are currently issues regarding people crossing the street to go to Nielsen Park directly rather than using the crosswalk at the corner of Kamp Drive and Stoneridge Drive. She believed to ensure the safety of parishioners, that there should be a gravel overflow parking lot if there is a parking shortage. She could see that at night there would be a potentially huge hazard. She also noted that the adjacent roadway on Stoneridge Drive is signed for 35 miles per hour and coming from Santa Rita Road, travelers are generally exceeding that speed limit. She noted that Jeff Knowles tried to raise the speed limits along that roadway to almost 45 miles per hour because he indicated travelers along that stretch of road were traveling approximately at that speed.

Ms. Decker stated that the existing parking spaces are adequate for the current Church functions and is in excess of the parking spaces required by the Code's actual

computation of one parking space per six seats. She noted that staff requested that the Church look at the actual usage and to accommodate and maximize the opportunities for parking which then included on-street parking on Stoneridge Drive.

Commissioner Blank commented that eliminating the 28 spaces on Stoneridge Drive would inadvertently force more traffic into the neighborhood for people looking for parking places. Commissioner O'Connor noted that those driving would see the white stripe of the bike lane. Commissioner Pearce agreed that this would be true during the day. Acting Chairperson Fox asked Commissioner Blank whether he would accept the proposed amendment to eliminate parking on Stoneridge Drive. Commissioner Blank noted that he was concerned that the bike lane striping would not be as visible and asked staff if a reflective paint or other material could be used. Ms. Decker responded that the lane could be painted with thermoplastic reflective paint.

**Commissioner Blank suggested an alternate amendment to add red reflectors on the outermost (northernmost) bicycle lane striping along the Church's Stoneridge Drive frontage.**

Ms. Decker proposed that rather than specify colors, the amendment simply state reflectors.

Commissioner Pearce reiterated that she was in support of the project but was extremely concerned about adults and small children getting out of their cars.

**Commissioner Pearce accepted the proposed amendment.**

Ms. Decker indicated that in conferring with the City Engineer, because it is a bike lane, it should not have anything like raised buttons and that the amendment should read "thermoplastic reflective paint." Ms. Decker suggested re-opening the public hearing prior to a vote to understand whether the applicants were amenable to those conditions. Commissioner Blank indicated that if the applicants were not amenable, they could appeal the decision to the City Council.

The applicants indicated that they were amenable to the additional conditions.

Acting Chairperson Fox indicated that there was a motion and a second and asked Commissioners Olson and O'Connor if they had any other comments or wished to discuss the item further.

**ROLL CALL VOTE:**

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

**Resolution No. PC-2006-61, approving PDR-561/PV-158, was entered and adopted as motioned.**

Acting Chairperson Fox noted that the motion carried 4-1 and that although she was supportive of the project, she believed the building was sited in the incorrect location and that it was detrimental to the neighborhood. She indicated that she would support the project if it were to be located between Nielson Park and the Church, as shown in the existing 1998 plan. She thanked the audience for their patience and congratulated the Church and advised that there was a 15-day appeal period.

**b. Consideration of the City Council Annual Work Plan Priorities for 2007-2008**

In response to an inquiry by Acting Chairperson Fox regarding the timing of this item before City Council, Mr. Bocian noted that it would not be on the December 5, 2006 agenda, but staff would like to address it before the end of the year.

Acting Chairperson Fox suggested that this item be continued to the first meeting in December.

Ms. Decker noted that the December 13, 2006 and January 10, 2007 agenda were heavily impacted.

Commissioner Olson indicated that he does not recall receiving the staff report.

Acting Chairperson Fox stated that she would like to see this item discussed in detail after all the Commissioners have had the opportunity to review the document.

**Acting Chairperson Fox moved to continue this item to the meeting of December 13, 2007.**

**Commissioner Pearce seconded the motion.**

**ROLL CALL VOTE:**

**AYES: Commissioners Blank, Fox, Olson, and Pearce.**

**NOES: Commissioner O'Connor.**

**ABSTAIN: None.**

**RECUSED: None.**

**ABSENT: None.**

**The motion passed.**

## **7. MATTERS INITIATED BY COMMISSION MEMBERS**

### Commissioner Noticing

Commissioner Blank understood that the Planning Commissioners would receive all notices by default. He noted that the noticing issue brought up during Item 6.a. was an example of this necessity.

Ms. Decker noted that direction was already given and that she would follow up on its progress.

### Commissioner Option to Receive PDF Staff Reports

Commissioner Blank requested that Commissioners be able to receive staff reports and other documentation on pdf format to save City staff and paper resources as well as staff time for home delivery of the documentation.

Commissioner O'Connor noted that during the meetings, speakers often referred to a certain page of the staff report and noted that the Commissioner may not have that particular page printed out.

Ms. Decker noted that she would follow up on that request. She noted that there had been feedback to have the plans available in a pdf file.

### Meeting Audio Podcast

Commissioner Blank suggested that the meeting audio be available on the City website as a podcast so that people could listen to the proceedings. He believed that would also increase the public's awareness of the Commission proceedings.

Ms. Decker advised that she would look into that request.

### City of Livermore Planning Department Feedback Form

Acting Chairperson Fox noted that she had visited the City of Livermore's Planning Department, which had a survey available for resident feedback. It included a business reply mail to return to the City with no postage necessary. She liked this kind of feedback form, which was available in several locations at City Hall.

### Cost of Printing Public Records

Acting Chairperson Fox noted that the City of Pleasanton charged \$1 per page for printouts on laserfiche and added that the State's Public Records Act indicated that the charge should be limited to direct cost. She added that the City of Livermore provided any printout less than 25 pages to the public at no cost; documents over 25 pages would

cost 8 cents per page. She believed that \$1 per page was excessive and copies should be charged to the public at cost.

Acting Chairperson Fox stated this was an issue because neighbors have asked her to come in and print out pages for them, which she does for them. Commissioner Olson disagreed and noted that providing copies for neighbors was not the Planning Commissioners' responsibility.

Ms. Decker noted that she would look into that issue and report back to the Commission.  
Acting Chairperson Fox

December 27, 2006, Meeting

In light of the impacted schedule, Commissioner Pearce proposed that the December 27, 2006 be reinstated. There was general support for that proposal.

**Commissioner Blank moved to reinstate the previously scheduled December 27, 2006 meeting.**

**Commissioner Pearce seconded the motion.**

Acting Chairperson Fox expressed concern that members of the public may not be able to attend this meeting as it is vacation time should there be controversial items on the agenda. She noted that she would be available on December 20, 2006. Some of the Commissioners as well as Ms. Harryman indicated they would not be available then.

Commissioner Pearce requested that non-controversial items be agendaized.

Commissioner Blank suggested that routine items be scheduled and that extra ads be placed in the newspaper.

**ROLL CALL VOTE:**

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

**NOES: Commissioner Fox.**

**ABSTAIN: None.**

**RECUSED: None.**

**ABSENT: None.**

**The motion passed.**

## **2. APPROVAL OF MINUTES**

### **a. October 18, 2006 Minutes**

Acting Chairperson Fox noted that with respect to Commissioner O'Connor's proposed amendment on the last paragraph of page 8, City staff indicated that because FAR was measured with respect to livable space in the Pleasanton Municipal Code, they would not recommend including an amendment that indicated a non-standard, non-Municipal-Code definition of FAR.

Commissioner Blank noted that staff did not try to include a non-standard definition.

Ms. Decker noted that the particular conditions were related to specific PUDs, and she noted that staff could check the tape to discern whether there was further relevant discussion to include in the minutes. She did not recall any of the discussion leaning towards not being appropriate per Code as had been done in the past.

The minutes of October 18, 2006, were approved as amended.

### **b. October 25, 2006 Minutes**

Acting Chairperson Fox wished to include Kevin Close's earlier remarks to the last paragraph of page 1 that if Heartwood Communities wanted to be considered as part of the *Happy Valley Golf Course* rather than of the ~~Greater Happy Valley Area~~, the Happy Valley Specific Plan will need to be amended.

Acting Chairperson Fox noted that the fifth paragraph on page 13 should be changed to read as follows: "Acting Chairperson Fox noted a memo *dated October 23, received on the dais* from Planning Director Jerry Iserson addressing the "blob" *and indicating a change in the staff's interpretation of the "blob" to be more of a precise location, rather than a general location, following a conversation with Wayne Rasmussen.*" She noted that the memo was not included in the packet and wished to ensure that the City Council understood this when it received the minutes.

Commissioner Pearce believed the date of the memo would be sufficient to identify the document and ascertain the content.

Ms. Decker advised that the minutes were generated from comments made during the meeting. She advised that the minutes were an account of what occurred during the meeting, and were not intended to be verbatim; nor can the record be changed to reflect a statement with more clarity if it was not actually stated as such at the time. She noted that staff would check the audiotape to determine what Acting Chairperson Fox actually said in reference to the memo.

Commissioner Blank noted that the item in question was a workshop and would not go to the Council.

Acting Chairperson Fox noted that it would eventually go to the Council and wished to clarify potential questions.

Commissioner Pearce advised that the third sentence of the first paragraph under Item No. 1 on page 16 should be modified to read as follows: “She believed the blob ~~conformed~~ *should conform* to the intent of the Specific Plan, which discussed ‘preserving natural features of ridgelines, hilltops, oak woodland creeks and steep slopes.’”

Ms. Decker advised that staff would check the audiotape to confirm that statement.

Commissioner Pearce requested that the last sentence of the first paragraph under Item No. 5 on page 18 should be modified to read as follows: “She appreciated the visuals presented by the applicants, and while she preferred that the neighbors not see the house at all, she realized that ~~would~~ *might* not be possible.”

Acting Chairperson Fox noted that with respect to the last sentence of the third paragraph on page 19 which reads “She noted that while she liked the project, she believed the projects should be consistent with the Vineyard Corridor Specific Plan with respect to hillside building...” she wanted it clarified that she was referring to the Reznick project and not the Sarich home. She requested that staff review the tape for confirmation.

Commissioner Blank noted that having the audio of the meeting available as a podcast would make such requests easier to fulfill.

Commissioner Olson recalled Acting Chairperson Fox stating that she really liked the project.

The minutes of October 25, 2006, were approved as amended.

## **8. MATTERS FOR COMMISSION'S REVIEW/ACTION**

### **a. Future Planning Calendar**

Acting Chairperson Fox requested that tentative dates be included on the Future Planning Calendar.

Commissioner O'Connor noted that the newspaper occasionally printed information on the schedule, which was not always accurate.

Ms. Decker noted that the Planning Department maintained a tentative but fluid schedule. For that reason, placing dates for the Planning Commission would perhaps raise expectations that projects were actually scheduled which may not occur due to unforeseen circumstances by either the applicant or new knowledge from staff.

**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**

No discussion was held or action taken.

**12. ADJOURNMENT**

Acting Chairperson Fox adjourned the Planning Commission meeting at 10:55 p.m.

Respectfully,

DONNA DECKER  
Secretary