



PLANNING COMMISSION MINUTES

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

APPROVED

Wednesday, April 26, 2006

CALL TO ORDER

The Planning Commission meeting of April 26, 2006, was called to order at 7:07 p.m. by Chairperson Arkin.

Chairperson Arkin noted that this was the last meeting for Commissioners Maas and Roberts and presented them with City commendations in thanks for their dedicated and distinguished service. Commissioner Maas served on two City commissions for 17 years, including nine years on the Parks and Recreation Commission and eight years on the Planning Commission. Commissioner Maas thanked her family, including her oldest son Ryan and her husband Bob for their patience during her service; her son Nick could not attend. She noted that it had been a rewarding and exhilarating experience and encouraged Pleasanton residents to get involved in the community. Commissioner Roberts served for eight years on the Planning Commission and noted that being on the Planning Commission was challenging. She had learned a great deal and would miss her fellow Commissioners and staff members. She thanked Wayne Rasmussen for encouraging her to join the Planning Commission.

Sharrell Michelotti and Becky Dennis, former City Councilmembers, wished Commissioners Maas and Roberts well upon their retirement and thanked them for their skilled and dedicated service.

Chairperson Arkin welcomed the two new Planning Commissioners, Arne Olson and Greg O'Connor.

1. ROLL CALL

Staff Members Present: Donna Decker, Principal Planner; Marion Pavan, Associate Planner; Julie Harryman, Assistant City Attorney; Larissa Seto, Assistant City Attorney; Phil Grubstick, City Engineer; Mike Fulford, City Landscape Architect; Wayne Rasmussen, City Staff/Rasmussen Planning, Inc.; and Cory Emberson, Recording Secretary.

Commissioners Present: Commissioners Brian Arkin, Anne Fox, Jennifer Pearce, Trish Maas, and Mary Roberts.
Commissioner Maas left the meeting after the consideration of the Draft Bernal Property public hearing item.

Commissioners Absent: Commissioner Phil Blank.

2. APPROVAL OF MINUTES

a. April 19, 2006.

The minutes will be considered at the next meeting.

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.d., PUD-51, Generations Healthcare, Inc., would be continued to May 10, 2006.

5. CONSENT CALENDAR

Chairperson Arkin opened the first Consent Calendar, advising the Commissioners and the public that these items are considered routine and will be enacted, approved, or adopted by one motion unless a request for removal for discussion or explanation is received from the Planning Commission or a member of the public by submitting a speaker card for that item.

Chairperson Arkin stated that there were two projects, PCUP-164, Yu-Chin Chin, Young Ivy Academy, and PCUP-151, Mario Montalvo, Vision Food Service, for consideration and asked the Commissioners if there were any questions for staff. There were none.

Ms. Decker advised the Commission that there was a slight modification to both project conditions of approval. A new Condition No. 9 would be added to PCUP-164 and Condition No. 9 of PCUP-151 would be modified, both to indicate that the conditional use permit would lapse one year from the effective date of approval unless the applicant obtains a business license.

Chairperson Arkin asked if there were any members of the public who had questions related to either item.

Chairperson Arkin advised that a speaker card had been received for this item.

Vanessa Kawaihu, 871 Sycamore, noted that she supported the two businesses. She believed the parking situation at the corner of the Raley's parking lot was not fully addressed in the staff report. The planner did not look at the businesses in Building B, and there was a dance studio and an exercise studio in Building C; both businesses offered after-school functions for children. The corner of the parking cannot be used safely between the hours of 3:00 p.m. and 6:00 p.m. because of parents double parking.

Ms. Harryman stated that these concerns warranted pulling the item from the Consent Calendar agenda and considering it under the Public Hearings as the first item.

Commissioner Maas moved to remove PCUP-164 from the Consent Calendar and consider it as a public hearing item.

Commissioner Roberts seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Arkin, Fox, Maas, Pearce, and Roberts.
NOES: None.
ABSTAIN: None.
RECUSED: None.
ABSENT: Commissioner Blank.

The motion passed.

b. PCUP-151, Mario Montalvo, Vision Food Services

Application for conditional use permit to operate a food distribution service with vending machine/food product warehousing at 5776 Sonoma Drive, Suite B.

Zoning for the property is I-P (Industrial Park) District.

Ms. Decker requested that Condition No. 9 be modified to reflect that the conditional use permit would lapse one year from the effective date of approval unless the applicant obtains a business license.

Commissioner Maas moved to approved the Consent Calendar item with the modification of Condition No. 9, as requested by staff. Commissioner Blank seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Arkin, Fox, Maas, Pearce, and Roberts.
NOES: None.
ABSTAIN: None.
RECUSED: None.
ABSENT: Commissioner Blank.

Resolution No. PC-2006-18 was entered and adopted as motioned.

6. PUBLIC HEARINGS AND OTHER MATTERS

Chairperson Arkin requested staff to present a staff report for Item 5.a., PCUP-164, Yu-Chin Chin, Young Ivy Academy, which had been moved from the Consent Calendar to Public Hearings.

Item 5.a. PCUP-164, Yu-Chin Chin, Young Ivy Academy

Application for a conditional use permit to operate an after-school program at 5460 Sunol Boulevard, Suites 3 and 4, and to relocate “Where the Music Begins” (PCUP-141) from 5460 Sunol Boulevard, Suites 3 and 4 to Suite 1, within the Oakhills Shopping Center. Zoning for the property is C-N (Neighborhood Commercial) District.

Ms. Decker summarized this staff report. She stated that staff had evaluated the site parking and noted that the staff report included a request that the business utilize the parking at the rear of the facility instead of the spaces near the business. The applicants had agreed to this and have also agreed to stagger the starting and finishing times for the music classes; the tutoring school may or may not increase their hours of operation at a future date, at which time the Planning Director would determine whether the request should come before the Planning Commission. Staff recommended approval of this item.

Ms. Decker requested that a new Condition No. 9 be added to Exhibit B to reflect that the conditional use permit would lapse one year from the effective date of approval unless the applicant obtains a business license.

THE PUBLIC HEARING WAS OPENED.

There were no speakers.

THE PUBLIC HEARING WAS CLOSED.

Commissioner Roberts moved to make the required conditional use findings as listed in the staff report and to approve PCUP-164, subject to the conditions listed in Exhibit B of the staff report, as recommended by staff, with the addition of a new Condition No. 9 as requested by staff.

Commissioner Maas seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Arkin, Fox, Maas, Pearce, and Roberts.
NOES: None.
ABSTAIN: None.
RECUSED: None.
ABSENT: Commissioner Blank.

Resolution No. PC-2006-19 was entered and adopted as motioned.

Item 6.a. Consideration of the Draft Bernal Property Phase II Specific Plan, Draft Bernal Community Park Master Plan, and the Combined Final Environmental Impact Report for Both Plans.

Ms. Harryman recused herself from this item because she lives in close proximity to the Bernal Property and had appeared before the City Council on this item prior to her employment with the City of Pleasanton. Larissa Seto, Assistant City Attorney, would serve as the attorney on this item.

Mr. Rasmussen congratulated Commissioners Maas and Roberts on their contributions to the Commission and the community.

Mr. Rasmussen then summarized the staff report and described the background and scope of this project. He described the required documents with respect to the environmental impacts and the mitigations. The resolution for approval of the EIR includes a list of findings recommending that, with two exceptions, the potentially significant impacts of the project are mitigated by the Plan. The two significant impacts that cannot be fully mitigated are traffic impacts at the intersections of Bernal Avenue/I-680 southbound ramp and Owens Drive/Hopyard Road. Since the last Planning Commission meeting in February, staff took the Phase II Specific Plan and the Park Master Plan to the Youth Master Plan Implementation Committee, the Civic Arts Commission, the Parks and Recreation Commission, and the Youth Commission. The main comments from the Commissions were:

1. Add tennis courts to the Illustrative Site Plan of the Phase II Specific Plan and possibly to the Community Park Master Plan.
2. Add a swimming pool to the Illustrative Site Plan and possibly to the Park Master Plan.
3. Add a dog park to the Illustrative Site Plan and possibly to the Park Master Plan.
4. Allow equestrian trails to be developed within the Phase II Specific Plan area, perhaps located to the west of I-680.

5. Add policy guidance directing the future preparation of an art master plan for the Phase II Specific Plan area.

The following comments were also received from the Commissions regarding the Master Plan:

1. Reserve land in the northeasternmost portion of the Community Park for a potential connection of a driveway to Bernal Avenue from Subarea I.
2. Add a football/lacrosse field to the community park as an additional field.
3. Add a policy clarifying that the soccer stadium is to be shared with other field sports, such as football and lacrosse.

Mr. Rasmussen advised that the “Park and Recreation” definition in the Specific Plan specifically allows tennis as a potentially permitted use in a number of subareas. The possibility of permitting tennis courts at the top of Subarea 7 was discussed, and the term “passive recreation” may need to be expanded in this regard to allow tennis courts.

A discussion of the layout of the site with respect to the tennis courts ensued.

Mr. Rasmussen recommended that the Planning Commission conduct straw votes on the issues outlined in the staff report in order to help evolve the final recommendations for the two Plans. Staff recommended that the Commission adopt a resolution recommending that the City Council certify the Final EIR for the project as complete and adequate and approve the CEQA Findings and Statement of Overriding Considerations. Staff further recommended that the Commission adopt a resolution recommending that the City Council approve the Bernal Property Phase II Specific Plan, subject to certain changes resulting from the EIR process, and approve the Mitigation Monitoring and Reporting Program. Finally, staff recommended that the Commission adopt a resolution recommending that the City Council approve the Bernal Community Master Plan.

THE PUBLIC HEARING WAS OPENED.

Leonard Cooper, 6923 Lassen Street, noted that the Pleasanton Community Tennis Club had been established and that it would grow into an association. He had been elected as its first president and detailed the Club’s accomplishments, including its mission statement. He requested the Commission’s cooperation with the Youth Commission and Parks and Recreation Commission in recommending to the City Council that six lighted tennis courts be added to the Community Park Master Plan.

Hal Wilson, 5050 Blackbird Way, excerpted passages from his two-page presentation he had made to City Council in support of tennis courts at the Bernal Property.

E. John Ainsworth, 3271 Farmington Court, supported the inclusion of tennis courts in Phase II of the Bernal Property. He hoped that there would be enough tennis courts throughout Pleasanton for his grandchildren to play when they were 73. He noted that lighted tennis courts would be most useful to tennis players.

THE PUBLIC HEARING WAS CLOSED.

In response to an inquiry by Commissioner Fox regarding Pleasanton's equestrian trails and dog parks, Mike Fulford, City landscape architect, noted that there were several pedestrian/equestrian trails in town, although they were not used very much. He believed that equestrian trails would have value on the west side of the Bernal Property. He added that dog parks are separated into small dog (less than 20 pounds) and large dog areas.

In response to an inquiry by Commissioner Maas regarding whether an outdoor swimming pool could be considered, Mr. Fulford cautioned against including too many uses in the plans.

In response to an inquiry by Commissioner Pearce regarding whether there was a demonstrated need for a separate dog park, Mr. Fulford noted that staff has received numerous requests for additional dog parks. In addition, informal studies have indicated residents' desires to have a dog park in each quadrant of town. He noted that the existing dog park facilities have proven to be very successful and that they were being heavily used.

Chairperson Arkin polled the Commissioners on the straw poll items.

Summary of Specific Plan "Straw Vote" Actions

Tennis Courts

Commissioner Maas supported including tennis courts, which have become extremely popular. She would like to see a phased installation of lights, which would otherwise be harder to install later. She believed that even unlit tennis courts would be a great amenity.

Commissioner Fox would not include tennis courts and believed there were enough public and private tennis facilities in town.

Commissioner Pearce supported tennis courts and did not believe that an acre for six courts was unreasonable, given the amount of organized sports in the City. She believed that unlit tennis courts would be better than no courts at all.

Commissioner Roberts agreed with Commissioner Pearce and added that it was a good sport for adults.

Chairperson Arkin believed that phasing was a financial issue and supported tennis courts.

The straw vote in favor of adding tennis courts was 4-1, as follows:

Ayes: Commissioners Arkin, Maas, Pearce, and Roberts.

Noes: Commissioner Fox.

Swimming Pool

Chairperson Arkin noted that his son was on the Youth Commission and his wife was on the Board of Directors for the YMCA. He would like to see a pool inside one of the buildings but not a separate City aquatic center.

Commissioner Fox noted that the Amador Park was very crowded and that the Aquatic Center was in a tight location. She had heard complaints about the Center being closed to public swimming in the evenings due to swim team practices or lessons. She supported an indoor pool but not a full aquatic center.

Commissioner Maas noted that she was not sold on the location and believed people near Santa Rita Road would not be able to use it. She supported open space in the Bernal Property rather than a pool.

Commissioner Roberts did not want to add a pool to the Illustrative Plan or to include an outdoor pool. She indicated, however, that if the YMCA wanted to add one, she would support that.

Commissioner Pearce agreed with Commissioner Roberts that she was not in favor of an outdoor pool or adding one to the Illustrative Plan but would support one that YMCA may want to build.

The straw vote in favor of adding an indoor swimming pool to the potential Youth/Community Center facility was 2-3, as follows:

Ayes: Commissioners Arkin, Fox.

Noes: Commissioners Maas, Pearce, and Roberts.

The straw vote in favor of the YMCA adding a swimming pool was 4-1, as follows:

Ayes: Commissioners Arkin, Fox, Pearce, and Roberts.

Noes: Commissioner Maas.

Dog Park

Commissioner Maas supported including a dog park and believed it was nice for dogs to socialize with other dogs.

Commissioner Fox did not believe a dog park would be needed because dogs could be walked off-leash on the Ridge.

Commissioner Roberts commented that any passive recreation uses in open space could accommodate dogs.

Commissioner Pearce supported including a dog park.

Chairperson Arkin supported a dog park and believed that acreage could be found away from children for this use.

The straw vote in favor of adding a dog park was 4-1, as follows:

Ayes: Commissioners Arkin, Maas, Pearce, and Roberts.

Noes: Commissioner Fox.

Equestrian Trails

Commissioner Maas supported equestrian trails.

Commissioner Roberts believed that sports uses could scare the horses and suggested placing them on the west side of I-680.

Commissioner Fox agreed with Commissioner Roberts.

Mr. Rasmussen noted that a loop trail around the residential development on the west side could accommodate equestrian trails.

Commissioner Pearce suggested that equestrian trails be connected with pedestrian trails.

Chairperson Arkin supported the equestrian trails.

The straw vote in favor of permitting equestrian trails west of I-680 was 3-2, as follows:

Ayes: Commissioners Arkin, Maas, and Pearce.

Noes: Commissioners Fox and Roberts.

Art Master Plan

The Commissioners generally liked the idea of having an art master plan prepared for the Phase II Specific Plan area.

Commissioner Fox suggested that the Civic Arts Commission drive this issue with input from the Planning Commission for future preparation.

Commissioner Maas would like to see some art pieces but was unsure about the language provided in the staff report.

Commissioner Pearce supported an integrated arts master plan.

Commissioner Fox would like Subarea 7 to remain open for passive recreation.

The straw vote in favor of having an arts master plan prepared in the future for the Phase II Specific Plan area was 4-1, as follows:

Ayes: Commissioners Arkin, Maas, Pearce, and Roberts.

Noes: Commissioner Fox.

Summary of Park Master Plan “Straw Vote” Actions

Land for potential construction of a second driveway connection to Bernal Avenue

The Commissioners generally agreed with this item.

Commissioner Fox wished to include a crosswalk and traffic signal to make it pedestrian-friendly.

The straw vote in favor of reserving land for a potential driveway connection from Subarea 1 to Bernal Avenue in case a driveway is needed in the future was 5-0, as follows:

Ayes: Commissioners Arkin, Fox, Maas, Pearce, and Roberts.

Noes: None.

Football/Lacrosse Field

In response to an inquiry by Commissioner Roberts regarding sports fields, Mr. Rasmussen replied that the Parks and Recreation Commission is recommending that a second football/lacrosse field be added for plans, but not at the expense of any of the currently proposed sports fields.

Commissioner Maas supported adding the football/lacrosse field and retaining the soccer stadium for soccer use only.

Commissioner Roberts did not want to add another football/lacrosse field but supported retaining the soccer stadium for soccer use only.

Commissioner Pearce was not in favor of adding another field.

Commissioner Fox did not support adding another field, especially at the expense of passive recreation use.

The straw vote in support of adding a new second football/lacrosse field was 2-3, as follows:

Ayes: Commissioners Arkin and Maas.

Noes: Commissioners Fox, Pearce, and Roberts.

Soccer Stadium Shared Use

In response to an inquiry by Chairperson Arkin regarding whether the soccer players did not want to share the stadium, Mr. Rasmussen replied that they would like to have their facilities reserved for their particular needs and were concerned about the impact on the facility itself that would be caused by other sporting activities.

Commissioner Fox suggested an all-weather field that could be shared.

Mr. Fairfield noted that the City Sports Council receives great participation from all the sports. With the exception of dedicated soccer fields at Val Vista, every sports park in Pleasanton has shared fields. Because the fields are becoming so impacted, the seasons are running together, resulting in scheduling difficulties.

Commissioner Maas did not support field-sharing.

The Commissioners wanted to have the potential for shared use of the soccer stadium explored.

Commissioner Maas moved to recommend that the City Council: (1) certify the Final EIR as complete and adequate; (2) approve: (a) the CEQA Findings and Statement of Overriding Considerations, (b) the Bernal Property Phase II Specific Plan, subject to certain changes specified in Exhibit D of the staff report, and (c) the Mitigation Monitoring and Reporting Plan; and (3) approve the Bernal Community Park Master Plan. The Commission also directed staff to forward the Commission's straw vote recommendations to the Council. Commissioner Roberts seconded the motion

Chairperson Arkin believed the concept of an EIR for a park was an academic exercise, particularly when contrasted with 3,500 homes that at one time had been anticipated for the Bernal Property.

ROLL CALL VOTE:

AYES: Commissioners Arkin, Fox, Maas, Pearce, and Roberts.
NOES: None.
ABSTAIN: None.
RECUSED: None.
ABSENT: Commissioner Blank.

Resolutions Nos. PC-2006-20, recommending that the City Council certify the Final EIR for the Project as complete and adequate; PC-2006-21, recommending that the City Council approve the CEQA Findings and Statement of Overriding Considerations, the Bernal Property Phase II Specific, as amended, and the Mitigation Monitoring and Reporting Plan; and PC-2006-22, recommending that the City Council approve the Bernal Community Park Master Plan, were entered and adopted as motioned.

A recess was called at 8:52 p.m.

Commissioner Maas left the meeting at this point.

Chairperson Arkin reconvened the meeting at 9:05 p.m.

b. PUD-99-14, Kazuo Hatsushi

Application for PUD development plan approval of a new development consisting of 13 new and one existing single-family homes on an approximately 15-acre site located at 2756, 2770, and 2798 Vineyard Avenue, in the Vineyard Avenue Corridor Specific Plan Area. Zoning for the property is PUD-LDR and OS (Planned Unit Development – Low Density Residential and Open Space) District.

Chairperson Arkin advised that he would recuse himself because he had received a campaign contribution from a neighbor of the applicant, who has a financial interest in this project.

Commissioner Fox would act as Chairperson for this item.

Mr. Pavan summarized the staff report and described the background and scope of the project. Considerable neighborhood comments had been made about building heights and Emergency Vehicle Access (EVA). To facilitate the construction of Clara Lane, staff, the applicant, and Mr. Michael Aminian had met to secure the early dedication of the right-of-way to the City per the Specific Plan and the approved PUD Development Plan for Clara Lane and to construct it with the first phase of this project. Once Clara Lane is extended to Road A, the EVA reverts to use for emergency vehicles only. Staff anticipates having more detail for the Planning Commission with respect to the Tentative Map Subdivision. The impacts of building heights would be addressed by the neighbors. A maximum height of 25 feet would be conditioned, as reflected in the Specific Plan; setbacks were also addressed by the Specific Plan. Accessory structures would have a maximum height of 15 feet, more restrictive than detailed in the Specific Plan. Staff believed the guidelines had progressed, but a condition was added with more detail to further refine the guidelines. View analyses of the individual houses would be done with each house application. Approved or proposed surrounding houses would also be included in the view analyses.

Staff believed the project reflects the directions provided by the Planning Commission and meets the applicable standards of the Specific Plan. Staff recommended the Commission make the PUD findings as listed in the staff report and recommend approval of this project; the two additional conditions would be included regarding the EVA setback and the view analyses.

Commissioner Fox disclosed that she had met with the applicant before the application's first appearance before the Commission.

Commissioners Pearce and Roberts disclosed that they had also met with the applicant before the first Planning Commission appearance.

THE PUBLIC HEARING WAS OPENED.

Mori Hatsushi, applicant, 80 S. Buchanan Circle, Pacheco, thanked the Commissioners for their input and looked forward to fulfilling his father's dream.

Ralph Hughes, 4471 Stoneridge Drive, on behalf of the applicant, noted that he was available to answer questions. Mr. Hughes requested the opportunity to respond to comments at the end of the public testimony.

In response to an inquiry by Commissioner Pearce regarding whether the four houses would be built simultaneously, Mr. Hughes replied that they would not. The houses would be on custom lots, and most of the Phase I lots would go to family members, who would build the homes as soon as possible. He noted that one or two may be sold because a family member is attending medical school on the East Coast.

In response to an inquiry by Commissioner Roberts regarding cattle, Mr. Hughes confirmed that Mr. Hatsushi intended to raise two or three head of cattle.

Ron Lloyd, 854 Montevino Drive, noted that he and the applicant were unable to come to an agreement regarding the depth of the property and added that he did not support the EVA. He and Mr. Hatsushi agreed in principle on the amount of space as being 1,500 square feet and did not believe that would affect the development of 80,000 square feet of lots. He believed that staff's recommendation of this development would place a home as high as 25 feet, 17 feet above his lot level, and within 50 feet of his home, thereby obliterating the view from his house. He did not want an EVA with construction on it adjacent to his home. If the EVA is to stay, he suggested limiting the height of the home to eight feet above his home and dropping the grading on Lot 13 down to ten feet, which Mr. Hatsushi had considered. He would like the home to be limited to 3,000 square feet and to be pushed as far back south and east as possible on Lot 13 to increase their privacy. He requested that the setback on the front of Lot 13 be pushed farther forward to increase their privacy as well. He was also concerned about the speed of traffic and construction noise. He did not know that Parcel A would be made part of the Hatsushi home and had made numerous offers to buy that parcel from the City. He would like that accommodation to offset the impact on their property and was concerned about a negative impact on his property value. Mr. Lloyd also indicated that he had unsuccessfully tried to negotiate the purchase of a portion of the Hatsushi property that would provide an additional buffer.

Ira Madnick, 3095 Crestablanca Drive, believed the request that the roads not be built first to be very unusual. He requested that the development roads be built before the homes.

Ron Coté, 870 Montevino Drive, noted that he lived two homes from Ron Lloyd, and he and his family supported this development. He noted that many of the neighbors had signed a petition protesting the EIR dated October 7, 1992, with respect to the cul-de-sac entering the Hatsushi property. This entrance would be a blind intersection with rapid two-way traffic. The residents requested that they be involved in redesign meetings. He believed the road was dangerous enough without the additional development, and he was concerned about the impact on the neighborhood for the next five years.

Steve Andrews, 886 Montevino Drive, noted that he was not opposed to the development but was opposed to adding more traffic at the proposed intersection on Montevino Drive. He noted that Montevino Drive has had a long-standing problem with speeding traffic and was very concerned about the safety impacts.

Jeff Nespor, 837 Clara Lane, supported the Hatsushi project, but was firmly opposed to access through Clara Lane before the extension could be built.

Bob Philcox, 1005 Malaga Court, noted that he had lived in Pleasanton since 1954 and that this project seemed to be a good project. He believed this was a well thought-out development with generous lots. He believed the traffic was mitigated as much as possible and that the traffic flow would be fine once the units were built. He believed the applicants were good residents and citizens who had made positive contributions to the City.

Brian Sereda, 809 Montevino Drive, supported the development but believed it should be done within the context of the neighborhood. He noted that Montevino Drive was a very dangerous street and that much of the traffic consisted of service vehicles. He was very concerned about the safety impact of increased density on the street. He was also concerned about the City's liability with respect to the traffic.

Fred Musser, 1138 Mataro Court, spoke in support of this project. He noted that the applicants had come to Pleasanton in 1970 and that they had been in this location before the other homes had been built. He noted that the Hatsushis had endured the noise and dust from construction of hundreds of homes without complaint. He noted this was a typical infill development and that the issues had been discussed at length by the Commission and Council previous to this meeting. The conclusions were contained in the Specific Plan before the Commission, allowing use of the EVA on a temporary basis.

Mr. Hughes complimented the Planning Department through this process. He noted that the applicants had not asked for a single deviation from the General Plan or the Vineyard Avenue Corridor Specific Plan. He would like this matter to be moved to the City Council. He noted that Mr. Hatsushi wanted this development to be his legacy and that at age 75, waiting eight years to begin the project was too long. He noted that the neighbors supported the project in principle. He did not believe there any new facts that would require re-examination of the project. He noted that none of the speakers discussed hours of construction, which are Monday through Friday from 8:00 a.m. to 5:00 p.m., which is when the majority of the neighbors would be at work. No weekend construction would

take place, and, therefore, the EVA would only be used during those hours. He disagreed with the assessment that this was a dangerous street and noted that the major issues in any project were traffic, noise, and congestion, regardless of the scope of the project. He noted that if this were truly a dangerous street, a traffic study would have been performed stating that the mean average of traffic well exceeded 25 miles per hour (mph); the mean speed was 30-31 mph, which the City believes in within acceptable limits. He noted that there had been no traffic accidents between the Hatsushi and Lloyd driveways.

THE PUBLIC HEARING WAS CLOSED.

In response to an inquiry by Commissioner Roberts regarding construction traffic, Mr. Grubstick noted an unsafe condition would require flaggers on the street. There would be a stop sign at the EVA before traffic came out to Montevino Drive.

Mr. Pavan displayed various aspects of the project on the screen.

In response to an inquiry by Commissioner Fox regarding construction hours, Ms. Decker noted that the hours were more restrictive than what is allowed in the Vineyard Avenue Corridor Specific Plan, although staff provides the Planning Director the discretion to modify the hours to accommodate various circumstances.

In response to an inquiry by Commissioner Fox regarding traffic calming measures, Mr. Pavan noted that the installation of a signal to replace the stop sign to remove the choking point facilitated the freer flow of traffic and eliminated cut-through traffic. He was not aware of other traffic-calming measures at this time, but it could be reviewed by the Traffic and Engineering Departments.

In response to an inquiry by Commissioner Fox whether a temporary use permit or other time limit could be placed on the EVA for construction, Ms. Decker noted that page 48 of the Specific Plan states that “construction of housing, roads and other infrastructure and site improvements shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday.” Staff has conditioned this use to be more restrictive than the Specific Plan. She noted that page 11 of the staff report indicates that the EVA is only to be used until the construction of Clara Lane. She noted that there was concern that construction and fire equipment could navigate traffic-calming measures. However, the developer would be responsible for any damage to the road due to construction.

Commissioner Roberts wished to add the asphalt batch plant to the list of disclosures. She noted that the project next to Delco had single-story homes next to Vineyard Avenue, which she believed should be considered. She noted that the split-lot looked good from the street but looked huge from Vineyard Avenue.

Commissioner Roberts moved to find that the proposed PUD development plan conforms to the Pleasanton General Plan, the Vineyard Avenue Corridor Specific Plan, and the purposes of the PUD Ordinance; to make the PUD Development Plan Findings as stated in the staff report, and to adopt a resolution recommending approval of PUD-99-14 as shown in Exhibit A of the staff report and including the changes proposed by staff.

Commissioner Pearce seconded the motion.

Commissioner Fox proposed an amendment to Condition No. 3.a., Permitted Uses, to modify the definition of a small family day care as provided by State law.

Commissioners Roberts and Pearce accepted the proposed amendment.

Commissioner Fox wished to add a second amendment that there be a hard-end date for certain activities in the right-of-way, such as was done for the Valley Humane Society application.

Ms. Decker suggested that providing a certain date for the use of the EVA, if forwarded to the City Council, would be in conflict with the language of the Specific Plan as noted above.

Commissioner Fox requested that staff look into traffic issues with respect to Montevino Drive, speeds, and cut-through traffic.

Commissioner Roberts noted that it was a very steep street, and braking was required all the way down.

Ms. Decker noted that staff would include these concerns in the staff report, or in Matters Initiated by Commission Members. She added that the design guidelines would return to the Commission and acknowledged that the Commission was very concerned about them.

Commissioner Roberts suggested that a photo montage be created for Lot 13.

Commissioner Pearce liked this project, which was appropriate for the area, but was very concerned about the traffic and the EVA. She would like to see Clara Lane developed as soon as possible.

ROLL CALL VOTE:

AYES: Commissioners Maas, Pearce, and Roberts.

NOES: None.

ABSTAIN: None.

RECUSED: Commissioner Arkin.

ABSENT: Commissioners Blank and Maas.

Resolution No. PC-2006-23 was entered and adopted as motioned.

c. **PREV-560, Charles and Scott Austin**

Work session to review and provide comment on an application for preliminary review for an eight-lot cluster of single-family homes and permanent open space to be located at 3459 Old Foothill Road. Zoning for the property is A (Agriculture) District.

Mr. Pavan presented the staff report and described the scope and layout of the project. He noted that Judy Banks had expressed concern about the project, and her comments are included in the staff report.

Commissioner Roberts disclosed that she toured the property with Mr. Hirst and spoke with Judy Banks on the phone.

Commissioners Pearce, Arkin, and Fox stated that they toured the property.

THE PUBLIC HEARING WAS OPENED.

Charles Austin, applicant, summarized the history of this property and its place in his family's history. He described the proposed project and how they planned to integrate the homes and open space.

Brad Hirst, 1811 Santa Rita Road, Suite 128, representing the applicants, displayed the site plan and described the proposed landscaping. As a part of the project, they had agreed to grant 35 feet of land to all four of the Jorgensen Lane homeowners, providing an additional buffer for the neighbors. They would also dedicate an easement to the Castleridge property owners in order to memorialize the existing access to Old Foothill Road. They would also clean up some title work for Larry Mesa and Dan Garske as well as dedicate a public utilities easement. They would grant to the easement whatever permanent open space the City would accept.

Joseph Gorny, Gorny and Garcia Architects, noted that all eight homes would be custom homes. Their firm has been reviewing grading and site planning as they relate to the home designs. They would begin working with the landscape architect and civil engineer on related issues later in the week. He displayed the site plan and noted that they intended to orient the houses so that they do not appear in a straight line, stepping down the hill.

Chris Pattillo, landscape architect, noted that a light touch was crucial to this plan, and she intended to make the development unnoticeable. She noted that there was a superb heritage tree that they intended to incorporate and added that a simple wood fence was being considered. Additional fencing would be needed to keep cows and deer out, but it would be with muted colors and would be very difficult to see. They intended to use predominately California native plants. They would like to incorporate measures that would encourage property owners to use sustainable design measures into their homes.

In response to an inquiry by Chairperson Arkin regarding the kinds of species to be incorporated, Mr. Pavan noted that non-native species could be limited and the project conditioned so that the trees would be consistent and compatible with the surroundings.

Mr. Hirst noted that they would apply for a General Plan Amendment with a maximum of eight dwelling units on the eight lots, process a PUD, rezoning, PUD development plan, design guidelines, CC&Rs, a vesting tentative map, final map, and improvement plans. He anticipated this development to be completed in the year 2008.

In response to an inquiry by Commissioner Roberts regarding whether they would move the access road to the far end of the triangle, Mr. Hirst noted they had discussed that subject for years. He noted that Mr. Garske and Mr. Messa want it to remain where it is.

Cynthia Atherton, 8037 Jorgensen Lane, noted that she and her husband had been concerned about this property and appreciated their view of the open space. She complimented the applicants on listening to their concerns and believed their plan maximized the open space and minimized any visual impact from their home and Laguna Oaks. She wished to thank the applicants for their sensitivity to the neighborhood. They would like the open space to be maintained and for the grazing animals to remain there.

Christine Ellis, president, Laguna Oaks Homeowners Association (HOA), thanked the Austin family for their openness and the amount of information. The HOA was concerned about the visibility of the houses on the upper lot of the development, which can be seen from the Ridge. She hoped the colors would be muted and the profile and size moderated to reduce their impact. She noted that the landscaping design had mitigated many of her concerns. She was concerned about how the City would use the 23 acres and would like it to be permanently designated for Open Space.

Dan Garske, 3466 Old Foothill Road, thanked Mr. Austin and Mr. Hirst for their collaborative efforts and for working with the neighbors. He suggested that the City incorporate the triangle-shaped parcel.

Larry Messa, 3464 Old Footfill Road, noted that he liked the road where it was. He liked the creek and did not want to see any expansion near it. He supported the project and believed it would look very nice.

Bob Takens, 7560 Highland Oaks Drive, noted that the applicants were good neighbors and that his parents wanted to express their approval of the plan. He believed that this project would enhance the neighborhood and that it was sensitively designed.

Sandeep Duggal, 8019 Jorgensen Lane, complimented the applicants on their design and supported this development.

Bill Lide, 8001 Jorgensen Lane, noted that the applicants had been easy to work with and appreciated their preservation of the open space. He noted that the highest speed was at the south end of Foothill Road, right before his street; he was concerned about the safety

of that stretch. He believed the speeds should be addressed and brought into line with the surrounding streets at a maximum of 35-40 mph. He was concerned about the noise that could be generated by the traffic.

THE PUBLIC HEARING WAS CLOSED.

Mr. Grubstick noted that he would share his notes with the Traffic Engineer and the Planning Director. The Traffic Committee meets on the first Thursday of the month, and it was aware of the difficulties of Foothill Road.

Chairperson Arkin addressed the discussion points:

1. Does the Planning Commission conceptually support changing the Austin property's land use designation?

The Commissioners concurred that they did.

Commissioner Fox agreed with the speakers who wanted it to be dedicated with the condition of open space, not to do overflow parking for the park or to have structures and picnic tables. She also wanted grazing activities to be allowed.

Commissioner Roberts agreed that the open space should be preserved in perpetuity with a trust.

2. Is the Planning Commission comfortable with the overall site plan?

The Commissioners concurred that they were comfortable with the site plan.

Commissioner Pearce inquired why the other berm was eliminated. Mr. Hirst replied that as they worked with the second berm, they did not believe it was a good idea after all and that the home near it did not want to be shielded and lose the view.

3. Does the Planning Commission preliminarily support the proposed project's conformance to the West Foothill Road Corridor Overlap District?

The Commission concurred in its support.

4. What information will the Planning Commission wish to see to assist its decision on the question?

This question was not addressed.

5. The Planning Commission may wish to comment on possible viewpoints for the analysis.

Commissioner Pearce would like to see views from Foothill Road.

Commissioner Fox would like to see views from the cul-de-sac, the bottom of the private access road, and Alviso Adobe.

Chairperson Arkin would like to see the views driving north and south along Foothill Road, from the park, and from Jorgensen Lane.

6. Is the Planning Commission satisfied with the overall grading plan?

The Commission could not assess the grading plan at this time.

7. Additional Commission input.

Mr. Pavan inquired whether the Commission would like to see split-pad lots.

Commissioner Fox noted that she did not wish to see the homes stacked up on the hill.

Mr. Pavan noted that the applicant can superimpose the site plan on the grading plan to show the Commission that perspective.

Commissioner Roberts did not want to see any garishly colored houses.

Commissioner Fox would like to see a balance between open fencing and privacy for the homes. She would like to see a less formal, more natural landscaping plan for this rural area, with darker colors. She was somewhat concerned about the massing of the 8,000-square-foot development. She would like the home designs to come to the Commission.

Commissioner Pearce complimented the applicants on their receptive approach to this project and indicated that she liked the architecture.

Commissioner Fox liked the project and believed the dedication of the land was very generous. She strongly supported open space in perpetuity.

Ms. Decker noted that staff would return with comments on the open space question and the traffic-calming measures at a future meeting under Matters Initiated by Commission Members.

Commissioner Roberts liked the project very much and suggested naming the cows.

No action was taken.

d. PUD-51, Generations Healthcare, Inc.

Application for PUD rezoning of a 0.49-acre open area from P (Public and Institutional) District to PUD-MDR (Planned Unit Development – Medium Density Residential) District and for development plan approval for a two-lot single-family residential project to be located in the front of the existing convalescent facility located at 300 Neal Street.

Also consider a Negative Declaration prepared for the project.

This item is continued to May 10, 2006.

7. MATTERS INITIATED BY COMMISSION MEMBERS

Valley Plumbing Signage

Commissioner Fox inquired whether the PDA had approved the purple sign at Valley Plumbing. Ms. Decker replied that it was a historical sign, and the proposal was to place neon at the bottom, as allowed by Code.

8. MATTERS FOR COMMISSION'S REVIEW/ACTION

a. Future Planning Calendar

Ms. Decker advised that the Home Depot workshop was continued to May 24, 2006. It was possible that the Ponderosa workshop would also be continued to May 24, 2006. She advised that she would not attend the May 24th meeting but that Mr. Pavan and Ms. Stern would be in attendance.

Chairperson Arkin believed each workshop would take between two to three hours and requested that staff not schedule the Ponderosa Home and Home Depot projects on the same hearing date.

b. Actions of the City Council

There were none.

c. Actions of the Zoning Administrator

There were none.

9. COMMUNICATIONS

There were none.

10. REFERRALS

There were none.

11. MATTERS FOR COMMISSION'S INFORMATION

There were none.

12. ADJOURNMENT

Chairperson Arkin adjourned the Planning Commission meeting at 11:59 p.m.

Respectfully,

DONNA DECKER

Secretary