



PLANNING COMMISSION MINUTES

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

APPROVED

Wednesday, May 24, 2006

CALL TO ORDER

The Planning Commission meeting of May 24, 2006, was called to order at 7:00 p.m. by Chairperson Arkin.

1. ROLL CALL

Staff Members Present: Jerry Iserson, Director of Planning and Community Development; Julie Harryman, Assistant City Attorney; Philip Grubstick, City Engineer; Janice Stern, Principal Planner; Marion Pavan, Associate Planner; Sally Maxwell, Associate Planner; and Maria L. Hoey, Recording Secretary.

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

Commissioners Absent: Commissioner Jennifer Pearce.

2. APPROVAL OF MINUTES

a. May 10, 2006.

The approval of the Minutes was deferred to the end of 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

There were none.

5. CONSENT CALENDAR

There were none.

6. PUBLIC HEARINGS AND OTHER MATTERS

a. Conservation and Open Space Element of the General Plan

Review and provide comment on a Draft Conservation and Open Space Element of the General Plan.

Mr. Iserson introduced Janice Stern, Principal Planner, who presented the staff report.

Ms. Stern stated that conservation and open space are two General Plan elements required by State law and address the conservation of natural resources, such as water, soils, and minerals, and the preservation of open space lands for parks and recreation, the managed production of resources, public health and safety, and the preservation of natural resources.

Ms. Stern then presented a brief overview of the proposed revisions to the 1996 General Plan. She noted that these revisions were drafted using comments from public meetings which took place about two years ago and reviewed by staff from the Departments of Public Works and Utilities, Parks and Community Services, and Planning, as well as from other public agencies including the East Bay Regional Park District and Zone 7. She added that revisions for sections of the Element related to open space were also discussed with the Parks and Recreation Commission earlier this year.

Ms. Stern indicated that the background text was edited and reorganized to include updated information on the following:

- animals and plants;
- “Species of Special Concern,” which was added to the Element;
- land cover, with accompanying graphics;
- soil and water resources, including water quality and stormwater runoff requirements which have taken effect since the last General Plan, also with accompanying graphics;
- sand and gravel resources, with a number of gravel operations having exhausted mineral resources and moving out, and subsequent reclamation activities to create the chain of lakes concept, with graphics showing the chain of lakes and areas still in quarrying use;
- historic resources taken from the Downtown Specific Plan, with graphics showing historic neighborhoods in the Downtown;

- “Recreation and Open Space” section, which describes the City’s and the East Bay Regional Park District’s (EBRPD) open space areas within the boundaries of the planning area;
- agriculture and grazing, which includes information on the Williamson Act lands in which agricultural land owners agree to maintain the land in agriculture for a certain period of time in return for reduced tax rates, with accompanying graphics; and
- “Public Health and Safety” and “Wildlife Overlay” sections.

She noted that various types of open space lands and trails are shown on several new graphics and that two new sections, “Scenic Highways” and “Water Management and Recreation,” have been added to address the lakes activities resulting from the end of the quarrying use and being operated by Zone 7.

Ms. Stern then summarized the proposed changes in the Goals, Policies, and Programs:

- new goal on sustainability, which is directly related to preserving and protecting natural resources and open space;
- revised program relating to the preservation of wildlife and habitats and corridors under Policy 1;
- added programs for “Water Quality” to ensure the continued quality of water and aquifers;
- new programs under Goal 4 and Policy 6 relating to minimizing stormwater runoff and new programs under Policy 7 relating to the new “Clean Water Program” requirements;
- new Policy 11 and programs under a new section, “Open Space Parks and Recreation,” addressing preserving and expanding open space and access to open space, with the Parks and Recreation policies previously included in this Element being moved to Public Facilities and Community Programs Element;
- new goal and programs relating to open space trails, emphasizing the desire to have a comprehensive system serving multiple uses referred to in the EBRPD plans and the City’s Community Trails Master Plan, and encouraging new development to provide access to staging areas that can connect to existing public lands;
- new programs under “Agriculture and Grazing,” supporting viticulture, agri-tourism, and agricultural land presentation, and referring to the Tri-Valley Business Council’s working landscape plan; and
- deletion of the “Energy Conservation” section in view of the of the new Draft Energy Element of the General Plan.

Ms. Stern requested the Commission to provide input and direction in terms of what changes it would like to make prior to forwarding the Draft Element to the City Council.

Commissioner Fox distributed copies of the City of San Juan Capistrano’s “Community Design Goal 3: Preserve and enhance natural features.”

THE PUBLIC HEARING WAS OPENED.

Mary Roberts, 1666 Frog Hill Lane, thanked staff for doing a marvelous and very informative job, particularly with the trails section and the historic homes in the Downtown. She recalled that with respect to Program 10.6: “Develop zoning districts with open space uses appropriate for the adopted Open Space categories listed on the General Plan Map and that implement the policies and programs of the General Plan,” the Commission was very concerned with the 25 percent slope of the Open Space Hillside zoning. She noted that the only time this is mentioned is in the Conservation and Open Space Element and possibly the Public Safety Element, but not in the Land Use Element.

With respect to the Open Space Land section, “In order to encourage creative and flexible projects in rural areas where the City permits limited development, the City uses its Planned Unit Development zoning district,” Ms. Roberts noted that the Commission had previously discussed the deletion of the Rural Density Residential designation because it does not apply to conservation and open space and suggested that it be combined with programs where any open space and conservation areas are designated PUD. She pointed out that it can be confusing to homeowners and landowners who tend to believe that if they have a Rural Density Residential designation, they can build 100 homes.

Ms. Roberts commented that “Agriculture” is mentioned very briefly in the Vineyard Corridor Specific Plan and noted that there are several parcels in the flat area of the Vineyard Corridor that were required to put in vineyards, such as the Heinz and the Hahner properties. She added that the Commission also previously discussed mitigating this by forming an easement conservancy and that this Element should include that the Tri-Valley Conservancy does work with some of City lands, with easements in Ruby Hill and back-up easements in Vineyard Corridor.

Commissioner Fox asked Ms. Roberts if she had any proposal on how to include the Tri-Valley Conservancy in the language for Policy 12 regarding the preservation of permanent open space, all areas of outstanding scenic qualities. Ms. Roberts replied that she believed this language already exists in the Element and proposed the following: “Encourage developers to work with the Tri-Valley Conservancy to place easements on their properties for the purpose of permanent preservation.”

Ms. Stern noted that this is referred to in Program 12.4: “Encourage developers to dedicate scenic/conservation easements for private open space areas possessing exceptional natural, scenic, and/or vegetation or wildlife habitat qualities.” She stated that the Program does not specifically mention the Tri-Valley Conservancy but that it could be done.

Kevin Close, 871 Sycamore Road, inquired how any new language prohibiting the construction of houses on 25 percent slopes and areas prone to landslides would affect properties with existing PUD zoning and which already have a designated number of homes in the Housing Element. He provided the example of the upper portion of the Spotorno property, which was designated with 75 homes but was recently found to be

landslide prone. He inquired how this situation would be treated and if the designated houses would be moved to another area.

Ms. Stern noted that this Element addresses open space land rather than lands designated for development and that it would be unlikely that policies and programs in this Element would actually affect developable land.

Chairperson Arkin clarified that land use zoning is different from General Plan designation and that the updated General Plan would apply to future PUDs and would not affect existing ones. He added that the Spotorno property has a General Plan land use designation but not an approved PUD or land use zoning.

Mr. Iserson concurred with Chairperson Arkin that the Spotorno property does not have a PUD development plan approval. He explained that the Housing Element shows the property as having 75 units at the midpoint of the General Plan and that the City is not locked in to building that number of homes should some issues arise regarding land slides or 25-percent slopes that would prevent that number of units from being achieved. He added that the City does not have to approve the number of units at the midpoint; it has the discretion of approving any number of units on a PUD development plan, and should it approve fewer units than that identified in the Housing Element, it would keep track of the balance of the units which will need to be made up somewhere else in the City.

In response to Commissioner Blank's inquiry regarding whether the balance of units could be transferred anywhere in the City and not necessarily to property owned by the same owner, Mr. Iserson replied that the number of housing units is a general accounting matter and does not have to be in compensation to the developer.

THE PUBLIC HEARING WAS CLOSED.

The Commission then reviewed the Goals, Policies, and Programs and provided the following comments and recommendations:

Text

Page VII-2

Chairperson Arkin noted that mountain lions and bobcats were seen in the greenbelt area between Martin Avenue and Lake "I" by the Mohr Elementary School.

Page VII-3

Chairperson Arkin inquired why the Western pond turtle is considered a reptile rather than an amphibian like frogs. Ms. Stern replied that they are categorized that way.

Page VII-7

Commissioner Fox inquired why no reference is made to Arroyo Las Positas, which goes through the Staples Ranch, in addition to Arroyo del Valle, Arroyo Mocho, and Arroyo de la Laguna. Ms. Stern replied that she will check on why it was omitted from the text as it is included in the graphics

Page VII-11

Commissioner Olson suggested that in reference to the monitoring of diazinon in the second sentence, “would” sounds weak and should be replaced by “should” or “will,” which is more action-oriented. Ms. Stern replied that this section is a description, not a policy, and that the language could be modified.

Chairperson Arkin indicated that he would like to see language in the text as well as a policy addressing a desire to improve the taste of water in the City. Ms. Stern noted that this Element addresses water quality for the water resource and that water odor, taste, and hardness are discussed in the “Water Supply” section of the Public Facilities Element.

Commissioner Blank inquired if well water is also addressed in the Public Facilities Element. He stated that the City should be sensitive to the public testimonies regarding nitrates in well water exceeding Federal limits. He suggested that the policy on protecting and encouraging clean, good-tasting municipal water should also include well water. Ms. Stern indicated that well water is addressed in the policy section.

Page VII-13

Commissioner Fox stated that she would like to see a reference made to the Zone 7 Stream Management Master Plan, perhaps in the water runoff section. Ms. Stern indicated that the Master Plan, which is still in draft form, is mentioned in terms of the chain of lakes, which is the adopted part of the Master Plan.

Page VII-14

Commissioner Fox stated that mention should be made regarding two buildings in the City that are included in the National Historical Register of Historical Places: Kottinger Barn and one in the Fairgrounds, which may be the same as the home in Pleasanton Avenue.

Page VII-21

Commissioner Fox noted that the Iron Horse Trail which is currently being constructed from the BART Station to Santa Rita Road is planned to go along the sidewalks because there is no right-of-way approval for it to go through as a trail like in the rest of Alameda and Contra Costa Counties. She stated that no provision was made for trails when Hacienda Park was approved and buildings were constructed and encouraged the addition

of a goal or policy for the Trail to go off of sidewalks. Ms. Stern indicated that this Element addressed open space trails and where they connect and that the Iron Horse Trail is discussed in another Element. She stated that she was not certain running the Trail off of sidewalks could be achieved but that she would ensure that it is added in an appropriate place.

Page VII-22

Chairperson Arkin stated that he would like to see a discussion on maintaining an open space between Pleasanton and Livermore while driving on I-580. Ms. Stern advised that it is mentioned in the “Scenic Highway” section and added that it would be discussed in the Community Character as well. Commissioner Fox indicated that she would also like this Element to address the matter as she has received comments from citizens regarding this, and the City of Livermore’s General Plan addresses a greenbelt between the two cities by El Charro Road.

Pages VII-28 through VII-30

Commissioner Olson inquired why the entire text on these pages was stricken. Ms. Stern clarified that no text was stricken; the different sections were simply moved into their appropriate topic areas.

Goals, Policies, and Programs

Page VII-34/35

Commissioner Olson inquired if the terms “natural habitat area” and “natural public open space area” are the same and if they are defined anywhere in the document. He indicated that if they were different from each other, there should be a definitional process that leads to the distinction between the two such that there is clarity regarding what each term means. Ms. Stern replied that the two terms are different and that staff could come up with distinctive definitions. She noted that “natural habitat area” is defined earlier in the report and includes what animals can be found there and that “natural public open space” refers to public open space land, such as the Ridglands and East Bay Regional Park District properties, which are accessible to the public and where there is an attempt to preserve the land in their natural state.

Chairperson Arkin requested staff to bring the definitions back to the Commission.

Page VII-35

Commissioner Blank stated that the ordinance on tree preservation provides that developers who remove trees can pay into the urban forestry fund but are not obligated to replace the removed trees. He noted that the Planning Commission has consistently conditioned projects to replace trees that are removed in addition to paying into the fund. He indicated that he would like to see a General Plan goal or policy that would preserve

trees such that the total number of trees is not reduced. He emphasized that no amount of money can replace a heritage tree, and every tree that is removed must be replaced. Ms. Stern replied that this issue should be addressed in the ordinance and that the ordinance should be clear about preserving trees with no net loss of trees resulting from development.

Commissioner O'Connor commented that no amount of small replanted trees could replace heritage trees that are removed; it would take very long before they grow into heritage trees. He stated that the goal should be to not take the trees out.

Commissioner Blank emphasized that the goal of the General Plan with regard to preserving trees so there is no net loss of trees in any development should not be contradictory to the ordinance.

Ms. Harryman suggested that staff review the ordinance to determine if a conflict exists; if there is no conflict, the language could certainly be added to the General Plan, and if there is a conflict or if the ordinance is vague, it could be brought before the Commission for review.

Chairperson Arkin stated that he would like to add a policy to not have reverse osmosis, the process of basically filtering water and returning it into the groundwater system to be used later as drinking water. He noted that reverse osmosis was heavily debated at the 2002 election and that he would not want to have that issue back for future discussion.

Page VIII-39

Commissioner Fox requested a minor rewording of Policy 8.2 as follows: “Design ~~developments~~ *natural open space areas* adjacent to sand and gravel harvesting areas *and Zone 7 water retention lakes...* to include a protective buffer zone, similar to that on the east side of Martin Avenue, particularly north of Busch Road ~~and along the Stoneridge Drive Specific Plan Area~~ *that are open to the public for recreation purposes.*”

Ms. Harryman informed the Commission that, in reference to a conversation she recently had with Commissioner Fox regarding the buffer zone on Martin Avenue, negotiations are taking place with Zone 7 so it does not fence off the area and that a license agreement would be brought before the Council for that purpose. She noted that although this is not regulatory in nature as Zone 7 owns the property, the City would like to have this policy in place.

Ms. Stern clarified that the “Sand and Gravel” section refers to those areas that are active sand and gravel quarries rather than those that have transitioned out of sand and gravel into recreational uses. Commissioner Fox noted that Martin Avenue is no longer active and that Lake I is currently being utilized for groundwater retention.

In response to Commissioner Blank's inquiry regarding whether "individual buildings and sites" under Program 9.3 needed to be identified as either commercial or residential for clarification purposes, Ms. Stern replied that no distinction is being made between the two.

Commissioner Olson noted that the terms "Wildlands Overlay" and "Open Space" seemed to be used interchangeably and requested a definitional distinction between the two. Ms. Stern explained that the "Open Space" designation included several different types of open space such as for recreation or for grazing. She noted that some of those open space areas, particularly those that have steep slopes, have an overlay known as "Wildlands Overlay." She clarified that changing some areas from "Wildlands Overlay" to "Open Space" opens up more areas that would be subject to the policy and would retain a broader ability to acquire land where opportunities arose as opposed to narrowing them down to areas covered only by "Wildlands Overlay."

Commissioner Fox noted that Program 10.1 might be a good place to insert the Tri-Valley Conservancy section proposed by Ms. Roberts. Ms. Harryman suggested that the policy not be limited to the Conservancy but to keep it open to include other possible groups.

In response to Commissioner Fox's request that the stricken phrase "ridgeline preservation ordinance" be put back on Program 12.1, Ms. Stern replied that one already exists. Commissioner Fox stated that there is a "Hillside Development Guidelines" but the ordinance addresses only the Ridgelines on the west side of the City. She suggested that the City of San Juan Capistrano's Conservation and Open Space Goal 4 and Policies 4.1, 5.2, and 5.3, be integrated as follows:

Goal: "Prevent incompatible development in areas which should be preserved for scenic, historic, conservation, or public safety purposes in order to maintain community scale and identity."

Policies:

- Ensure that incompatible development is avoided in those areas which are designated to be preserved for scenic, historic, conservation, or public safety purposes.
- Ensure that new development integrate and preserve areas designated for scenic, historic, conservation, or public safety purposes.
- Ensure that no buildings will encroach upon any ridgeline designated for preservation.

Chairperson Arkin noted that he agrees with everything on the City of San Juan Capistrano document and asked staff to look into Commissioner Fox's suggestion.

In response to Commissioner Blank's suggestion that staff ensure the new language is consistent with the existing ordinance, Ms. Harryman replied that staff would treat this ordinance in the same manner as the tree ordinance.

Commissioner Fox requested that the following be added to Program 12.4: "Encourage developers to provide open space buffers in areas where there are conflicting land uses."

After the Commissioners completed their comments and recommendations, Commissioner Blank complimented Ms. Stern and the staff for putting together an outstanding piece of work with great quality for a first draft. Ms. Stern noted that Ms. Maxwell worked hard on putting the document together.

Chairperson Arkin concurred and indicated that the Element would now proceed to the City Council.

Commissioner Fox indicated that she would like to see the Element come back to the Commission, even as a Consent Calendar item. Ms. Harryman suggested that staff make the proposed changes and electronically distribute the final draft to the Commissioners for their review, and should any of the Commissioners have any issues, the document could be brought back to the Commission as a Consent Calendar item.

No action was taken.

Item 6.b., PUD-54, Threehand, LP/Reznick Property, and Item 6.c., PDR-520/PCUP-162, City of Pleasanton, were considered together.

b. PUD-54, Threehand, LP/Reznick Property

Application for Planned Unit Development (PUD) development plan approval to subdivide an approximately 20-acre site into eight-lots, consisting of seven single-family lots for custom homes and one lot for a City water tank. The property is located at 5 Windy Oaks Drive (formerly 1680 Vineyard Avenue) in the Vineyard Avenue Corridor Specific Plan Area and is zoned PUD-HR/OS (Planned Unit Development - Hillside Residential/Open Space) District.

c. PDR-520/PCUP-162, City of Pleasanton

Application for: (1) design review approval for a City water tank to be constructed on a portion of a 20-acre site located at 5 Windy Oaks Drive (formerly 1680 Vineyard Avenue) in the Vineyard Avenue Corridor Specific Plan Area; and (2) conditional use permit approval to allow the temporary stockpiling of approximately 7,000 cubic yards of excess soil from the City water tank project on the upper portions of 5 Windy Oaks Drive. Zoning for the property is PUD-HR/OS (Planned Unit Development – Hillside Residential/Open Space) District.

Mr. Iserson advised that since the presentation on the City water tank had already been done at the last Commission meeting, his presentation would focus on the Reznick PUD.

He then proceeded to describe the proposal, a PUD development plan for seven single-family custom lots and one parcel for a City water tank to be located within the Vineyard Avenue Corridor Specific Plan Area, with the Brozosky parcel to the west, the Roberts property to the east, and the proposed Neal Elementary School to the north. He indicated that the land use for the site is Hillside Residential and predominantly Open Space with one existing home that would be demolished.

Mr. Iserson noted that the applicant and the City worked closely together and came up with an agreement in which the applicant would dedicate the land for the water tank and the existing access road leading to it, and the City would build the tank and improve the road. He indicated that the road would be located slightly to the east of where it is shown on the Specific Plan. He explained that a major reason for this is the fact that the Specific Plan included policies encouraging the use of Old Vineyard Avenue as a trail, and relocating the road would direct traffic coming down from the development to go straight across Vineyard Avenue to the Thiessen Road roundabout that the School District has already constructed on its property, thereby eliminating vehicular travel on a section of the trail where there might be pedestrians and bikers. He added that the road is also sensitively located with respect to the intermittent drainage swale, and strict erosion control measures are in place to keep the drainage creek area free from erosion and debris.

Mr. Iserson then presented slides showing the site and the location of the different lots. He also described each lot, indicating the location of the pads on the lots and what grading might be required of them. He indicated that there was an issue with respect to building height. He explained that the Specific Plan requires houses above the 540-foot elevation to be one story and no more than 25 feet high; however, the PUD includes language that allows building height and other development standards to vary with the PUD as long as they meet the intent of the Specific Plan to limit visibility to the greatest extent possible. He noted that because most of the proposed homes, particularly those on the upper lots, would be well screened by trees, the applicant is proposing two-story homes with a maximum height of 27 feet on all the lots, with the additional criteria that the second floor would be limited to 20 percent of the area of the first floor and that the design of the second floor would have to be set into the roof of the building through the use of dormers and other design techniques.

Mr. Iserson then described the visual analysis done for the project, presenting aerial pictures and photosimulations from different viewpoints showing how the proposed homes would be screened. He noted that the one-story houses shown on Lots 6 and 7 would become two stories if approved for such. He also presented a slide taken from the Brozosky home in which the road cut into the hill and the slope bank were visible and noted that a condition was added that vines be planted on the retaining wall to help soften the view from the Brozosky home. He advised that staff is proposing that the design of each of the homes be reviewed by the Commission on a case-by-case basis to ensure that the additional height does not cause any visual impacts and that visual analysis be conducted for each lot at that point.

Mr. Iserson noted that the road was an issue that was of concern to both the Commission as well as the neighbors and stated that it was important to view the road in relation to both the project site and the water tank. He indicated that staff recommends that the road be kept at the existing grade and not be lowered as this would require more grading and cut as well as a higher retaining wall and would be a potential for more soil off-haul and tree impact. He stated that any visibility impacts on Lot 1 could be addressed by lowering the pad elevation by several feet on that lot.

Mr. Iserson then presented the issue of the emergency vehicular access (EVA), noting that the Specific Plan requires that this property provide an EVA, which would go up the steep slope at the back of the property, then down an even steeper slope on the south side of the ridge, connect with the Berlogar property, and provide a looped vehicle access way. He indicated that the Fire Department had expressed concern about the feasibility of constructing this road due to the slope and supports instead that a connection occur in the Lot 3 area by the property line of the Roberts home, then connect to the Roberts driveway and back to Old Vineyard Avenue. He explained that this proposal would be more feasible in terms of topography, and it would also provide two ways such that in case of a fire, residents would be able to get out of the area on one way and the Fire Department come in on another, thus avoiding any conflict. He stated that additionally, should a fire occur, it would be counter intuitive for residents of this development to assume that the best way to exit the area would be to go up the hill, the presumed direction of the fire. Mr. Iserson advised that preliminary discussions regarding the proposed EVA have been held with the Roberts and the applicants and that the condition on the EVA was modified accordingly to reflect the change.

Mr. Iserson stated that questions were raised during the review process regarding the project's conformity with the Specific Plan as it relates to changes made to the development. He explained that the Specific Plan allows for flexibility with regard to issues such as street alignment, house locations, and development standards. He advised that most of the changes were driven by the need to relocate the water tank for construction and engineering reasons, the infeasibility of the EVA shown on the Specific Plan, and conflicts between the original road location and pedestrian use of the trail. He noted that visibility issues would be addressed when the custom home designs are reviewed by the Commission. He indicated that staff finds the plan to be environmentally superior to the Specific Plan in terms of reducing grading and tree removal and that as such did not require Specific Plan amendment on these issues. He noted that the Commission had agreed to this assessment at the workshop for the project.

Mr. Iserson then referred to the memos handed out to the Commission, briefly summarizing the PUD and the water tank design review conditions that were being revised to respond to neighborhood issues: the PUD conditions included changes in the EVA and clarification of its mechanics to be secured by the Tentative Map; the Commission's review of custom lot house designs and consideration of two-story custom homes on a case-by-case basis; various disclosure statements; clarification on the timing of tree replacement in terms of plan and planting; construction hours to preclude work on Saturdays; preclusion of sports courts due to their visibility and potential noise impacts

they would create; and undergrounding of utilities. He advised that staff is still working out the details of the design guidelines conditions with the applicant; hence, consideration of the design guidelines was being deferred until the Tentative Map stage and the conditions referring to the design guidelines have been removed from the PUD conditions. Mr. Iseron noted that a condition was added to the water tank design review regarding the tree replacement plan and the planting of vines along the roadway to screen the retaining wall to soften the view from the Brozosky property. He suggested that findings be added to both the PUD and the design review for the water tank that would provide the rationale for approving plans that were slightly different from the provisions of the Specific Plan in relation to the fact that these changes are considered to be environmentally superior. He then recommended that the Commission approve the design review and conditional use permit for the water tank and recommend approval of the PUD to the City Council.

Commissioner Fox noted that an amendment to the Downtown Specific Plan was considered to allow a two-story building at 325 Ray Street and inquired why no amendment was being considered for this project in relation to the construction of two-story houses on the five lots located above the 540-foot elevation.

Mr. Iseron replied that the property owners next to 325 Ray Street had major concerns regarding visibility, privacy, and view impacts, and the two-story height limit was specifically worked out with the Downtown Specific Plan. He added that when the developer proposed a two-story building for the site, all those concerned found the design acceptable because the building would be set back considerably from the neighbors and the street. He pointed out that the number of feet in height being added to the building was fairly high, even if they would be limited to certain portions of the building; in addition, the Downtown Specific Plan did not include a built-in flexibility to allow any deviation from the one-story requirement.

Mr. Iseron continued that the Vineyard Avenue Specific Plan differs in the sense that it provides the flexibility that allows deviation on development standards on a case-by-case basis. He pointed out that although the houses being proposed for this PUD are two stories, the actual height increase would only be two feet, and other mitigations were being built into the project; hence, these changes could be allowed without a Specific Plan modification.

Commissioner Fox expressed concern regarding setting a precedent with this variation. She noted that she had indicated her preference for one-story houses above the 540-foot elevation when the Commission considered the two-story, 14,000-square-foot home being proposed on the Sarich property nearby.

Chairperson Arkin pointed out that Mr. Iseron had indicated that the Vineyard Avenue Specific Plan allows for this exemption on a case-by-case basis.

In response to Commissioner Fox's inquiry regarding whether the road ends within or outside the required 100-foot setback, Mr. Iseron replied that the road would end within

the required setback. He explained that the Specific Plan allows for this to occur where there is development within 100 feet subject to mitigation measures, and staff feels that this project complies with that general direction of the Specific Plan.

Commissioner O'Connor inquired if the mitigation measures would need the approval of a State agency, noting that one of the memos indicated that the City is waiting for responses from the agencies. Mr. Iserson replied that Staff had further investigated on whether the mitigations needed to be referred to the State agencies as indicated in an earlier memo, and staff determined that because the project site is identified as a developed area, the approval of the State would not be required; the City would be able to approve these mitigations. He noted that these approvals are already in place and that this is reflected in a more recent staff memo.

Commissioner Blank inquired about the ownership of several properties on one of the photosimulations. Mr. Iserson identified them as the future Neal Elementary School, the Greenbriar Homes/Hahner development to the west, and the Lin property to the east.

In response to Commissioner O'Connor's inquiry regarding whether the conditions precluded sports court or lights on them, Mr. Iserson clarified that sports courts were precluded.

THE PUBLIC HEARING WAS OPENED.

Commissioner Fox disclosed that she had met with Mr. Reznick at the project site.

Greg Reznick, applicant, stated that he had worked closely with staff and was largely in support of staff recommendations. He briefly summarized his project with a PowerPoint presentation, emphasizing his respect for the site, its topography and ecosystem, minimizing the impact on the site through road alignment and pad placement. He added that he believed his conceptual designs are consistent with the Specific Plan guidelines and that he worked closely in a collaborative effort with the City in relation to the road and the water tank. He noted that he tried to minimize the impact of trees, removing mostly non-native trees and preserving as many oaks as possible.

Mr. Reznick pointed out the urgency of considering the road and its specifications as the Purchase Agreement exchanges the road improvements for the land where the water tank would be located. He urged the Commission to approve at least the road in order that the exchange of the land for the services can be effected.

Mr. Reznick indicated that he accepted all the conditions as amended by staff, with the exception of Condition No. 7.d., and requested that the first sentence of the Condition be removed to allow development on approximately five feet of the slope bank of Lot No. 1. He concluded that he believed the plan, as submitted, represents a great collaborative effort between civic and private activities, creates a harmonious balance between nature and development, and would be a project the City will be proud of. He then introduced his project consultant, Mr. Lou Basile.

Lou Basil, Sainte Claire Custom Homes, 2021 The Alameda, Suite 275, San Jose, explained the request presented by Mr. Reznick's request to allow the expansion of the Designated Development Areas for Lots 1 and 3. He stated that the lots are limited in area and this additional space would give future owners an option, for example, to put in a garage. He noted that the neighboring house is approximately 300 feet away. The additional five feet would not affect the line of sight and would not create any more impacts to the slopes or the forest. He added that Lot 1 already has an existing three-foot vertical cut that is used as a fire-break.

In response to Commissioner O'Connor's inquiry on whether this would require cutting the pad further, Mr. Basile replied that some grading would have to be done. He added that no grading for any building would be done outside the Designated Development Area except for landscaping, which would be minor, or to create a fire protection area.

Commissioner Blank expressed concern regarding waiving the condition because he would not want to confine the future owners to building a garage in the additional space, especially since no specific house design has been approved for the site. Mr. Basile replied that the garage was just one option; the intent is to give the future owners the additional building area and the freedom to use it in whatever way they may desire.

Commissioner Fox indicated that she did not have a problem with granting the additional space.

Mary Roberts, 1666 Frog Hill Lane, noted that page 23 of the Vineyard Avenue Corridor Specific Plan indicates that design guidelines are there to assist developers in the preparation of their plans and are intended to be flexible so they do not need to be applied in cases where the City determines that that the implementation of a superior design solution can be achieved. She stated that flexibility did not mean the ability to move lots from the top of the property to the bottom or relocating the EVA. She added that allowing building to occur only within the designated development area is superior mitigation, whether the houses be one story or two stories, 25 feet or 27 feet high. She encouraged the Commission to make the superior findings for the project.

With respect to the modification of Condition No. 9 regarding the relocation of the EVA along the Roberts property and connecting to their driveway, Ms. Roberts noted that while this is not in any Tentative Map or any other existing map, it makes sense to put the EVA there. She indicated that she would like to see the exact location of the EVA and the utility easement on the Tentative Map and have the right to approve their location. She requested that language be added giving the Roberts the right to approve the location that would be dependent upon any tree removal and relocation of water and power lines. She added that they are working with Mr. Reznick with respect to a lot line adjustment that would need to be done at Final Map and that should any real problems arise, they would work it out at that point.

Ms. Roberts then informed the Commission that the property next to the proposed Neal Elementary School is owned by the Lin family. She stated that the property has a PUD and a development agreement for a certain number of homes and some vineyards. She noted that the original road plan prior to the construction of the School District road was to combine their two driveways to get across the road, if possible, onto Vineyard Avenue; however, the plan after the Lin property is developed is to have the Roberts' road go straight across the Lin development and then out to Vineyard Avenue.

In response to Chairperson Arkin's inquiry regarding the distance between the proposed EVA and the Roberts' property line, Ms. Roberts replied that it was approximately five feet. She reiterated that she wanted to ensure that not too many trees are removed as the trees were planted to screen their house. She indicated that she believed that their road is narrow but that it was fine and did not find any reason why the road design should not be approved.

THE PUBLIC HEARING WAS CLOSED.

In response to Commissioner Blank's inquiry regarding whether a plan existed to replace the trees being removed from the property, Mr. Iserson replied that there is a condition for a tree replacement plan that would require the applicant to plant six trees for every tree removed. He stated that the final tree replacement plan indicating the exact planting location, the species, the sizes, and other details will come back to the Commission for review at the Tentative Map stage.

Commissioner Blank expressed concerned, based on the photosimulations, regarding the visibility of the houses on Lots 1 and 2 and the insufficient screening provided by the trees on the other five lots after five years. He inquired if a tree replacement plan would come with the individual houses when they are reviewed by the Commission.

Chairperson Arkin commented that there were many houses on Vineyard Avenue that were not completely screened. He also inquired if the tree-planting plan to soften the view would come with the architectural review for each lot.

Mr. Iserson replied that the PUD condition requires the tree replacement plan to come back with the Tentative Map. He indicated that when the lot owners come for the review and approval of the siting and design of their custom homes, they will be required to plant a certain number of trees to provide the maximum amount of screening and visual mitigation. He advised that the tree replacement plan for the water tank will be approved by staff.

Commissioner Blank complimented the applicant for his hard work with the neighbors and with staff.

Commissioner O'Connor inquired if the tree replacement plan would come back to the Commission with the PUD or with the design review for each lot. Mr. Iserson replied that the plan would come back both with the Tentative Tract Map, which legally creates

the lots, and with the design review of the individual lots. He explained that this is a three-step process: the PUD development plan, the Tentative Tract Map, and the design review of the individual proposed homes.

Commissioner O'Connor further inquired whether the Commissioners would have the latitude to address the size of the tree replacement when it comes before them at the Tentative Tract Map or if the tree ordinance would simply be enforced. Mr. Iseron replied that the ordinance does not generally go into that level of detail. He continued that the plan typically requires a mix of tree sizes because the larger sized trees provide immediate impact and the smaller sized trees tend to grow faster than the larger trees and do better in certain cases.

Commissioner Fox noted that the staff report indicated there was a difference between the manner in which the applicant measured the height of the house and what staff was recommending. She inquired what this difference was, whether the photosimulations were based on the applicant's or staff's way, and what the net change might be.

Mr. Iseron indicated that what staff is recommending is derived from the Specific Plan, the traditional measurement in which the vertical measurement is from the lowest elevation of the building, where the house meets the finished grade, to the highest elevation of the building, as opposed to the applicant's measurement which defines the proposed finished grade as six inches below the top of the foundation. He added that quantifying the difference between the two measurements would depend on the amount of grading done and the design of the house.

Commissioner Fox commented that based on the Specific Plan's definition then, it would not make a difference if, from a neighbor's standpoint, the rear of a house, which is not visible from Vineyard Avenue, is measured at 32 feet high. Mr. Iseron clarified that this would depend on where the neighbor is standing in that if the neighbor's view shows the lowest and the highest points of the house, the neighbor would perceive the building to be that high. He added, however, that this may not occur considering the large amount of trees and the location of the few neighbors in the area.

Commissioner Blank moved to make the Conditional Use Permit findings as listed in the staff report, noting that this is an environmentally superior location for the water tank, and to approve Cases PDR-520 and PCUP-162, subject to the Conditions of Approval listed in Exhibit B of the staff report, as recommended by staff, with the modifications to the conditions listed in the various staff memos to the Commission.

Commissioner Fox seconded the motion and proposed an amendment to the motion that the landscaping for the retaining wall be fully irrigated to ensure that the wall is fully screened year-round.

Commissioner Blank accepted the proposed amendment.

ROLL CALL VOTE:

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

Resolution No. PC-2006-27 was entered and adopted as motioned.

Commissioner Blank moved to find that the proposed PUD development is environmentally superior and is consistent with the General Plan and the Vineyard Avenue Corridor Specific Plan, to make the PUD findings as listed in the staff report, and to recommend approval to the City Council of Case PUD-54, subject to the conditions of approval listed on Exhibit B of the staff report, as recommended by staff, with the modifications to the conditions included in the various staff memos to the Commission and the provision that Condition No. 7.d. be reworded to allow some expansion of the Designated Development Areas for Lots 1 and 3, subject to the approval of the Planning Director. Commissioner Olson seconded the motion.

Commissioner Fox indicated that she liked the development plan but could support the PUD only for two out of the five houses to be two stories. She stated that she could not support having all five houses above the 540-foot elevation to be two stories without first seeing the photo montage and the design guidelines for the homes. She added that she also had difficulty in making the finding that the PUD is consistent with the Vineyard Avenue Corridor Specific Plan.

Commissioner Blank stated that he was not concerned about whether the houses are one or two stories as long as there are no visual impacts, the neighbors are contented, and there are no environmental impacts. He noted that the designs are coming back to the Commission and that allowing for two-story homes does not mean that the Commission will have to approve the two-story designs if these are found to be inconsistent with the environment or if views impacts are present.

Commissioner O'Connor noted that a maximum floor area ratio is allowed for each of the homes, and the 20 percent to be included in the second story, which would be only two feet higher, would be deducted from the area of the pad itself, thus holding down the size of the footprint and consequently taking up less of the environment.

ROLL CALL VOTE:

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

Resolution No. PC-2006-28 was entered and adopted as motioned.

A recess was called at 9:15 p.m.

Chairperson Arkin reconvened the meeting at 9:25 p.m.

Commissioner Arkin then announced that the Commission needed to make one more amendment to the conditions of approval for PUD-54.

Commissioner Blank moved to amend Condition No. 9 to state that the exact location of the EVA connection to the Roberts' driveway shall be subject to the Roberts' review and approval.
Commissioner Olson seconded the motion.

ROLL CALL VOTE:

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

Resolution No. PC-2006-28 was re-entered and re-adopted as motioned.

d. PDR-529 and PUD-81-25-7M, Regency Centers (Don MacKenzie and Pete Knoedler)

Work session to review and receive comment on an application for a PUD major modification and design review approval to allow the construction of a Home Depot store and garden center, three multi-tenant retail buildings, one drive-through restaurant/retail building, and a Long's Drugs with one drive-through lane, totaling approximately 193,481 square feet in floor area, on a vacant 14.7-acre site located on the southeast corner of Stanley Boulevard and Bernal Avenue in the Stanley Business Park. Zoning for the property is PUD-C (Planned Unit Development – Commercial) District.

Mr. Pavan presented the project, which included revisions based on the input and direction provided by the Commission at the project's January 2006 work session. He demonstrated the revisions through a PowerPoint presentation, comparing the new design

with the old and showing the redesigned building architecture, the Long's Drugs that replaced the gas station and includes a pharmacy drive-through that is screened from Stanley Boulevard, the addition of a covered arcade along the frontage, enhanced entryways, and roof areas. He noted that the loop road along the back of the property has been eliminated. He then pointed out the other proposed stores and building pads and how they complemented the Home Depot building design. He called the Commissioners' attention to the detailing of the corner element to get their direction on whether eaves should be installed to match the rest of the building. He indicated that the design had been forwarded to Mr. Larry Cannon, the City's architectural peer review consultant, who found the design to be generally very good, with the exception that additional detailing needed to be worked out.

Mr. Pavan stated that traffic is an issue, and the applicant proposes to address the project's traffic generation and traffic situation at the intersection by adding lanes along Bernal Avenue and Stanley Boulevard. He advised that the traffic report is currently being prepared and would be presented at the public hearing for the project. He added that noise impacts would likewise be addressed at that hearing.

Commissioner Fox noted that the Commission had directed moving the Home Depot building 100 feet farther north away from Nevada Court, thereby creating a green belt between the Center and Congregation Beth Emek. She inquired if the building was moved and the greenbelt created in response to this directive. Mr. Pavan replied that the building has not been moved and advised that the revised site plan was reviewed by representatives from the synagogue, who indicated that the proposed plan was acceptable to them. He pointed out that the area where the truck turnaround is located has been completely landscaped to screen the corner of the project from view from the synagogue.

Commissioner Fox stated that at the last workshop, the Commission discussed that most big box stores are located close to the freeway as opposed to this proposed project, which would be located approximately three miles from the I-580/Santa Rita Road ramp. She inquired if staff or the applicant has identified another Home Depot store that is as far from the freeway as this one. Mr. Pavan deferred the question to the Home Depot architect who was in attendance.

Commissioner Blank indicated that he was not present for the first workshop and inquired if there were reasons why deliveries on Saturday morning were a concern but Friday evenings were not, considering that the synagogue conducted services both on Friday evening and Saturday mornings. Mr. Pavan replied that staff could look at the delivery schedules to minimize or possibly eliminate any impact to the synagogue and would address this issue in the staff report for the public hearing.

Commissioner Blank stated that he had received a lot of comments from the general public regarding having two Home Depot stores in Pleasanton and inquired if staff has addressed the economic viability of this situation. Mr. Pavan deferred the question to the applicant.

Commissioner O'Connor inquired if the City would have any latitude in directing the route of the delivery trucks, for instance, through I-580 or Stanley Boulevard or through I-680 and First Street. Mr. Pavan replied yes. He added that the City does not have any designated truck routes, per se, and that this would be addressed in the staff report for the public hearing.

In response to Commissioner Olson's inquiry regarding when the traffic study would be completed, Mr. Pavan replied that he did not have an estimate of when it would be completed.

Chairperson Arkin indicated that at the last workshop, the Commission requested that the traffic model run two scenarios: one with two Home Depot stores, and a second without the Johnson Drive store. He inquired whether this was being done, expressing concern that should the existing store close down, people from the west side of town would drive east to the Home Depot store at this site, thereby adding more traffic to Valley Avenue. Mr. Pavan replied that he was not sure if this was being done but that he would check on it. He then referred the Commission to Attachment 5 of the staff report, a letter from Greg S. George of Home Depot stating that the new store could co-exist with the Johnson Drive store.

Commissioner O'Connor inquired if it would be realistic to run a traffic model of the scenario which assumes the closing down of the existing Home Depot, considering that the building would not remain empty and without knowing what would replace it. Mr. Pavan replied that a traffic analysis could be run with this scenario; however, for it to be realistic, a determination would need to be made regarding what would replace it. He noted that home improvement stores have a relatively lower trip generation rate for AM/PM peak hours in comparison to a standard retail commercial facility. He added that he believed the PUD for Pleasanton Square on Johnson Drive specifically identifies the use of the site as a Home Depot store and would require a modification if another type of store replaced it.

Chairperson Arkin commented that the architecture was completely different than the other buildings in the area and inquired if staff took note of that. Mr. Pavan replied that staff recognized that Home Depot stores have a certain look to them and tried to accommodate that. He added that the Home Depot design matches the overall pallet of materials, colors, and detail of the other satellite stores, with the covered arcade utilizing the same composition shingle material and wainscot used by the other stores.

Commissioner Blank concurred with Chairperson Arkin's assessment.

Commissioner O'Connor noted that the north end of the building contained more architectural detail than the south end where the garden center was located, which looks very plain for a long distance. He suggested that the garden center include a more substantial entry similar to that at the contractor pick-up area. He also expressed concern about the locating orange roll-up doors in the front of the building.

Mr. Pavan suggested that the Commission discuss the architectural detail and recommend appropriate changes. He added that there is some flexibility with respect to the orange color of the roll-up door and that the Home Depot representative could address that.

Commissioner Olson noted that the architectural design was a tremendous improvement over the typical Home Depot store and that the letter from Home Depot pointed out the Corporation's reason for opening a second store in Pleasanton.

THE PUBLIC HEARING WAS OPENED.

Pete Knoedler, Regency Centers, stated that, as pointed out by staff, the service station was removed from the site plan and has been replaced by a Long's Drugs with a drive-through mainly for public convenience, particularly at night. He noted that the drive-through would have minimal traffic, a maximum of four to six cars per hour. He clarified that the drive-through pad was not planned to be a fastfood restaurant as mentioned in the staff report but would be a coffee establishment.

Mr. Knoedler advised that he and his staff were working closely with representatives from the synagogue and that the landscape area on Nevada Court has been expanded to serve as a buffer between the store and the synagogue. He noted that they were also working closely with staff with respect to the traffic report and that the initial indication from their traffic engineer indicated that their proposed mitigation would improve the level-of-service at the intersection from F to D, which would be within the General Plan guidelines. He added that all access off of Nevada Court had been eliminated in order to prevent any conflict between trucks or any kind of traffic and the synagogue.

Finally, Mr. Knoedler stated that their architect will give a brief presentation on the architectural design and, together with the representative from Home Depot, would answer any questions the Commission might have.

Chairperson Arkin indicated that he would like to include a condition that would prevent the drive-through from being a fast food restaurant. Mr. Knoedler stated that he was open to that suggestion.

With respect to the proposal to widen Stanley Boulevard to ten lanes, Commissioner Fox inquired if this is being done because they are projecting that many of the customers will be coming from Livermore via Stanley Boulevard, considering that Stanley Boulevard goes only to Livermore. Mr. Knoedler replied that they expected customers to come from Livermore via Stanley Boulevard, which is a more direct route to the store than Vineyard Avenue.

In response to Commissioner Fox's inquiry regarding the percentage of customers who would be coming from Livermore, Mr. Knoedler replied that the information is not available at this time but would come with the traffic report.

Dave Johnson, Johnson Lyman Architects, stated that in response to the Commission's comments at the last workshop, the new design has a scaled-down architecture that is pedestrian-friendly with a hometown feel to it. He described the design, noting the sloping roof elements, the trellis features, the decorative windows to break down the façade, and the plaza which is flanked by gable elements, and with a copula on the gable similar to that at Kolln Hardware, a landmark element of the history of Pleasanton. He indicated the importance of integrating Home Depot with the other stores in the center, and to break down the architecture and create a pedestrian experience, a diversity of materials was utilized, including a combination of hardboard siding, stone materials, trellises, and composition roofing, decorative fabric awnings, paths, and lights on the wall. He further pointed out that the landscaping is consistent with the existing landscaping at the synagogue and the fire station. Mr. Johnson then indicated that he would be happy to answer questions.

Commissioner Blank stated that the renditions show the corner of Stanley Boulevard and Bernal Avenue with people walking leisurely on a wide sidewalk, creating a pedestrian-friendly environment. He noted that neither Stanley Boulevard nor Bernal Avenue are streets along which people would be walking and inquired if the sidewalk would be wide enough to entice people to stroll on them. Mr. Johnson replied that the sidewalks would be of standard width.

Chairperson Arkin congratulated Mr. Johnson on a great job.

Frank Coda, architect for Home Depot, indicated that he has built Home Depot stores around the country for the past 20 years. With respect to having two stores in Pleasanton, Mr. Coda stated that the current store on Johnson Drive was built in the early 1990's with a capability of handling \$45 million in annual sales. He noted that it is a very busy store today with \$60 million in sales annually, and the reason for a new store is to relieve the pressure on this store. He added that there is no plan for the Johnson Drive store to close down; in fact, they had just renewed a long-term lease for the store. He indicated that the new store is planned to have an annual sales of \$40 million, which would come from the existing Pleasanton store as well as other stores located in Livermore and other neighboring areas. He pointed out that the new store fits well with their marketing strategy of bringing sales down to a level where the store associates can service the customers well.

With respect to other stores that are located away from the freeway, Mr. Coda stated that there is an existing store in Milpitas by the Great Mall, one has just been built in Brentwood, and there are a couple of stores around San Jose and in Santa Clara.

Mr. Coda stated that the building design is not like their standard store but is a custom design that expresses their collaborative effort and intent to incorporate the Home Depot store with the other stores as one shopping center. He added that this is not the final design and that they are still working on details such as the color and the materials. He indicated that they are still refining the elevation on the garden center, whether it should be a freestanding structure or part of the façade.

With regard to delivery, Mr. Coda indicated that Home Depot has its own trucks and distribution centers and can work with the adjacent neighbors to schedule deliveries outside the neighbors' sensitive times and using designated truck routes.

Commissioner Fox stated that she looked at Home Depot's financial information and noted that its average revenue is \$45 million per average store and up to \$75 million for superstores. For the purpose of determining the traffic volume that could be expected for Home Depot, she inquired how many customer visits would generate that kind of revenue per week, what their average purchase would be, and what percentage just come in to browse and not buy anything. Mr. Coda replied that on a weekday, there would typically be 3,000 trips or 1,500 cars during the off-peak hours, including pass-by trips. He noted that on weekends, they have as many as 3,000 customer visits or 6,000 trips, especially on Saturdays between 11:00 a.m. and 2:00 p.m.. He indicated that the actual numbers would be available with the traffic study. He pointed out that, as earlier mentioned by staff, a traditional neighborhood grocery store would have a higher trip generation rate than a Home Depot store.

In response to Commissioner Fox's inquiry regarding whether there were other Home Depot stores that are so close to residential areas in small cities with a population of 60,000 to 70,000 such as Pleasanton, Mr. Coda replied that their San Jose store backs up to a residential area, and a smaller store in Colorado Springs is also located close to a residential neighborhood. He stated that Pleasanton is fairly large, and the proposed store has a good buffer in comparison to some of their other stores.

Chairperson Arkin noted that the building façade and some of the architecture are flat and have no detail; he would like the design of the storefronts to not look like a big box. He requested that some perspectives be included at the next Commission presentation. Mr. Coda clarified that the design has not been finalized and that they will be working on the finishes. He agreed to bring some side elevations to the hearing.

Commissioner Blank indicated his support for Chairperson Arkin's comments on the architecture.

Commissioner O'Connor noted that the parking for the center appears to be four vehicles per 1,000 square feet or one per 250 square feet and expressed concern about parking for the rest of the complex. He indicated that if some of the high-intensity uses such as restaurants and fastfood facilities, which would have a higher parking ratio of five per 1,000 square feet, are not limited, the parking lot can be get full very quickly.

Mr. Knoedler replied that they want to ensure that their customers are able to park conveniently and would like to have sufficient parking for the entire center. He added that they would work with staff to limit restaurants so customers would not have to go around looking for parking.

Dave Bouchard, 434 Vineyard Place, indicated that he was in favor of the project. He stated that because the center will be fairly close to where he lives, it would be a convenience for him and his family, and possibly for other residents of the southeastern section of Pleasanton, as he would not have to drive across town to go to Home Depot or Long's Drugs. He added that he appreciates what has been done across the street with the gas station and the car wash, the convenience store and the fast food restaurants because with the rising cost of gas, he does not have to drive too far to get to these places. Mr. Bouchard noted that there are very few pieces of land left in the City as it approaches buildout, and from the economic viewpoint, the highest and best uses should be sought for these lands. He pointed out that the amount of revenue that would be generated by other uses such as a grocery store would be less than what Home Depot could bring in; they would also generate a lot more traffic. Mr. Bouchard further noted that the project would provide a true gateway to Pleasanton at this intersection. He added that its pedestrian-friendly character would provide a safe passage for school-age children coming from the Vineyard Avenue area on their way to the waterslides.

John Corley, 699 Peters, representing the property owners, Mr. Frank Auf der Maur and Mr. Konrad Rickenbach, stated that they were responsible for creating the traffic problem in the area because they built Bernal Avenue from the Arroyo to Stanley Boulevard as well as the railroad undercrossing which created the intersection of Valley Avenue and Stanley Boulevard. He indicated that he would like the records to show that when they sold the property to the synagogue, they informed the synagogue representatives that the plan anticipated Nevada Court to circle through the property and end up in Utah Street to serve the commercial use planned for the property. He stated that the developers for Home Depot have worked closely with the synagogue and have agreed to have no access to Nevada Court; however, should this project not come through and they come back in the future with another developer for the site, the synagogue would not be upset if Nevada Court goes through because their representatives are aware the street was planned not as a driveway for the synagogue but to serve the other uses in the area.

Robert Green, 3263 Vineyard Avenue #114, read his letter to the Commission indicating his opposition to the project. He stated that the traffic in the area has always been bad even before the gas station and the fast food restaurants were built because people were using Stanley Boulevard as a cut-through street to go to Livermore and Tracy. He added that the addition of Home Depot and other commercial uses would create greater problems and would cause traffic to back up on Santa Rita Road all the way to the freeway and from Hopyard Road to Valley Avenue.

Kelly Fasman, 174 Trenton Circle, indicated that she lived 1,000 feet from the proposed Home Depot, which would be a destination point. She noted that while she liked and shopped at Home Depot, she did not want to live next to one. She stated that this is not the right location for Home Depot as the area would not be able to withstand the traffic that would be generated by the store. She requested the Commission not to ruin her quality of life by approving the project and urged that a full-blown Environmental Impact Report (EIR) be required for a project of this magnitude.

Bob Russman, 2459 Via de los Milagros, stated that he has lived in Pleasanton for 13 years and is a member of Congregation Beth Emek. He thanked the Home Depot representatives for keeping the synagogue informed throughout the planning process and for working closely with them on various issues they had concerning the project. He indicated that their original concern of delivery trucks and customers accessing the shopping center directly from Nevada Court, thereby causing safety issues for their school children, was resolved when Home Depot moved the proposed entrance from Nevada Court to Bernal Avenue. He added that Home Depot likewise agreed to landscape the area along Nevada Court to mitigate noise and view impacts that may interfere with the synagogue's sanctuary activities.

With respect to traffic patterns around their building, Mr. Russman noted that it would be hazardous to turn onto Nevada Court from Bernal Avenue or to drive across Bernal Avenue from Nevada Street to Nevada Court. He added that it would be dangerous to walk across the intersection and suggested that a traffic light be installed at the intersection of Bernal Avenue and Nevada Street/Nevada Court. He also indicated that the possibility of a loop road would convert the cul-de-sac into a major thoroughfare, creating noise and safety impacts that would necessitate a major alteration to their ingress and egress, their school, and their services. He expressed confidence that with proper planning and good faith, they could co-exist with Home Depot and continue to provide education to their children and services and programs to their members.

Naomi Jones, 4017 Schween Court, indicated that she lived off of Kolln Street and Valley Avenue. She stated that the current traffic situation in the area is already unbearable and described the various traffic issues she and her family encounter daily on their way into and out of their home. She indicated that she liked and shopped at Home Depot but that adding one in the area would cause an even greater traffic problem. She noted that widening Stanley Boulevard and Bernal Avenue will not improve the problem because it does not address the traffic on Valley Avenue, the route most people would take to get to Home Depot. She added that there would also be noise and safety issues with big trucks going to the store and making the intersection dangerous for pedestrians and bikers. She stated that the only way to possibly alleviate the problem is to connect Stoneridge Drive to El Charro Road to Stanley Boulevard as indicated in the General Plan in order that some of the traffic going to and from Livermore may use that route.

Heidi Massie, 4183 Hall Court, stated that her backyard backs up to Valley Avenue between Kolln Street and Stanley Boulevard, which she feels is the most congested area in Pleasanton. She indicated that she does not oppose development on the vacant lot because that would be unrealistic since that site would have to be developed, but she opposed the Home Depot and Long's Drugs project because a big box development is not appropriate for the site, considering the traffic problem that already exists at that intersection. She noted that weekends are the only days when traffic is light, and having the center there in addition to the waterslides, the Ponderosa development on Busch Road, and developments in Livermore would take that away as well. She noted her disappointment that projects have been proposed and completed without traffic solutions in place and suggested several traffic-calming measures for the area: install

solar-powered speed limit signs such as those in front of Amador High School at the approach of Kolln Street on both directions; require a 500-foot clearance on either side of the crosswalk at Kolln Street so that cars have to stop back farther away from the crosswalk; paint "Look" signs on the crosswalk to remind children to look on both sides before stepping off the curb; and install speed buttons into the asphalt on Kolln Street between Mohr Avenue and Valley Avenue to remind motorists to slow down. She noted that improvements on the I-580 corridor and the extension of Stoneridge Drive will not occur soon enough and urged the Commission to address these traffic issues before allowing any development to go through on the site. She reiterated that she was not in favor of any big box development and would prefer smaller retailers and requested that trucks be redirected to come through Isabel Avenue to Stanley Boulevard.

Nancy Storch, 3193 Chardonnay Drive, speaking as a member of the Committee for Sensible Development in Southeast Pleasanton, stated that she was not able to speak at the January work session but that the Committee had sent some letters to the Commission the past few days. She indicated that her home backs onto Vineyard Avenue, three blocks from the side of the proposed development. She commented that one thing that has been overlooked is how the development fits into the larger context of the use of nearby properties south of Stanley Boulevard and east of Bernal Avenue, such as the Shadow Cliffs Regional Park, the BMX park, California Splash waterslides, the PG&E substation, and the synagogue, in addition to the 400 seniors living in the mobile home park south of the site and residential neighborhoods on Stanley Boulevard and Vineyard Avenue. She noted that Home Depot is designed to serve and generate more vehicular traffic, which is in conflict with the current and expected increases in recreational use at Shadow Cliffs. She further noted that while the project claims to be pedestrian-friendly, it has added three uncontrolled driveways at one traffic signal site to bring vehicles into the shopping center and has reduced the existing bike paths and walkways that people have been using to get to Shadow Cliffs. She pointed out that there is a lot of pedestrian and biker traffic in the area going towards Shadow Cliffs on weekends, the time when the largest number of people will be using Home Depot. She suggested that the project be modified and make allowances for cut-through pathways to protect the safety of pedestrians and bikers.

Mr. Knoedler stated that with respect to improvements on Valley Avenue, there are existing constraints such as the overcrossing.

Chairperson Arkin brought up a point made by Ms. Storch that children will cut through the property to get to Shadow Cliffs and noted that they would probably be going through the back side of the property. He asked Mr. Knoedler what the environment might be like in that area, and if that would be problematic, how would the cut-through issue be handled. Mr. Knoedler replied that they would discourage the use of the back area for safety and security reasons because they are secluded. He stated there the development would have walkways throughout the shopping center that would lead out to Stanley Boulevard and added that he would discuss this matter further with staff.

THE PUBLIC HEARING WAS CLOSED.

Commissioner Blank inquired if all the permitted uses on Exhibit C of the original staff report would be included as part of the entitlement when the project comes back as a formal application. Chairperson Arkin explained that the uses are included in the existing PUD that covers the entire Stanley Business Park.

Mr. Pavan explained that a modification is necessary to allow the neighborhood commercial uses and the satellite stores facing Bernal Avenue and Stanley Boulevard. He indicated that the uses that staff would recommend to the Commission has not yet been determined and that staff will look at the permitted uses and eliminate those uses that would be inappropriate for the site.

Commissioner Fox inquired if the 3,000 trips per weekday and 6,000 trips per weekend for Home Depot alone would be equivalent, at 10 trips per household, to building 300 to 600 homes at the corner of Valley Avenue and Stanley Boulevard. Mr. Pavan replied that he would be unable to answer at this time. He continued that trip generation for AM/PM peak hour impacts is based on the Institute of Transportation Engineers (ITE) numbers, and in that context, a home improvement superstore such as Home Depot would have an AM trip generation rate of 1.5 trips per 1,000 feet and 2.9 trips per 1,000 square feet. He added that a comparison of Home Depot and the equivalent number of residential homes can be done.

Commissioner Fox recalled that in 2003 when the Commission considered the carwash and gas station at this location, a determination was made that no additional traffic would be attracted by those businesses as people stopping to gas up were already driving on that road. She inquired if an EIR would need to be done for Home Depot in order for it to go forward since it would be putting traffic in a place that is already gridlocked.

Mr. Pavan replied that an EIR would not be necessary because the project includes mitigation measures in terms of widening streets and creating through and turn lanes. He explained that in the case of the service station, the project was relatively small so it was not feasible for that applicant to be able to do any changes at that intersection. He noted, however, that Home Depot is a large project and, consistent with the scope of project, should be responsible for mitigating traffic impacts to fix the traffic situation at the site. He added that the environmental study for the project would be handled as an Initial Study and Negative Declaration.

Commissioner Fox noted that Stanley Boulevard would be widened from eight to ten lanes and Bernal Avenue at the south leg would be widened from six to eight lanes. She inquired if this would be constrained by the one-lane bridge on the other side and if a new bridge would have to be built. Mr. Pavan replied that the City has reinstated the permit approvals to construct the bridge, which should begin in 2007.

In response to Commissioner Fox's inquiry if the bridge would have four lanes on either side, Mr. Grubstrick replied that the new bridge would mirror the existing bridge and would have a total of four lanes.

Commissioner Olson commented that assuming that the 3,000 trips coming to Home Dept are a net increase in traffic appeared to be fallacious because there is already a lot of traffic in the area. He stated that it did not seem appropriate to reason that because Home Depot is there, the traffic is a net increase since some of those vehicles are stopping on their way home or to work. He then inquired if it would be historically possible to run a traffic study at that intersection with the assumption that Stoneridge Drive extension is in place.

Commissioner Blank indicated that he would not be in support of that since the Planning Commission and City Council had unanimously agreed in the past to remove Stoneridge Drive extension from the General Plan.

Commissioner Fox noted that the Council had directed staff to take Stoneridge Drive extension out of all the models.

Mr. Iserson stated that the model that would be done for this project would be “Existing Traffic Plus Approved Development Plus Project” and that a “Buildout” traffic model would not be done. He explained that if a “Buildout” traffic model would be utilized, Stoneridge Drive extension would have to be included as it is currently included in the General Plan. He added that typically, the “Existing Traffic Plus Approved Development Plus Project” model is done for new projects, and since Stoneridge Drive extension is not in the project, it would most likely not be included in the model.

The Commissioners then provided their input and direction to staff and the applicant.

Commissioner Olson stated that the property is prime for development, and as the City reaches buildout, sustainability comes to mind. He recommended that projects be put in place that will continue to generate revenue for the City over time and benefit the community. He indicated that he was in favor of the proposed Home Depot and that traffic is an important issue that needs to be addressed. He requested staff to look into the possibility of building a bike path or some kind of trail path from the end of Nevada Court along that edge of the property to Shadow Cliffs so children can get to the recreational facilities without having to pass through the parking lot at Home Depot.

Mr. Pavan replied that from the design standpoint, the staff discourages the public use of service areas behind large retail developments because those areas are not safe for pedestrians or bikers as they have no storefronts or activities, delivery trucks use that area, and there is no ongoing public monitoring that parking lots would have. He indicated that it would be preferable to place the bike or trail path through the parking lot at the front of the stores.

Chairperson Arkin recommended that staff work with the applicant to address the issue and come back with their design.

Commissioner Fox stated that the project is a high-intensity use and should be located by the freeway. She noted that traffic would be attracted to this area and that while she could support a Long's Drugs since this is a neighborhood use, she could not envision a big box superstore with eight to ten lanes three miles from the freeway. She indicated her agreement with the comments made regarding the pedestrian and biker situation on Kolln Street and Valley Avenue and recommended that they be referred to the Traffic Committee. She added that with the Iron Horse Trail coming to Valley Avenue from Santa Rita Road and children crossing Stanley Boulevard to go to the Shadow Cliffs location, she would like to see an elevated pedestrian bridge to carry biking and pedestrians traffic across the widened Stanley Boulevard rather than having them cross a major arterial. In terms of the architecture, she stated that the Home Depot store still looks like a big box compared to the rest of the center and agreed with Chairperson Arkin that the arched doors need to be removed and the huge blank mass in front broken up to make the store look more attractive. She indicated that staff needs to look into mitigation measures to address the traffic along the Valley Avenue and Santa Rita Road area such as taking out the train overcrossing to widen the underpass on Valley Avenue.

Commissioner O'Connor indicated his agreement with the recommendations made by the other Commissioners with respect to a safe passage for children and the architectural elements. He stated that he would also like to see proposals on how to limit some of the intense units which can increase traffic to the area as well as result in parking shortages. He requested staff to look into traffic-calming measures for Valley Avenue, whether it be to widen the bridge or adopt some of the suggestions made by the community such as installing elevated speed limit signs and speed dots and moving stop signs back from crosswalks. He further recommended that staff look into what can be done to direct 18 wheelers away from Sunol Boulevard and First Street and limit delivery trucks for this project to major arterials such as Isabel Avenue and Stanley Boulevard and away from Valley Avenue and residential streets.

Commissioner Blank commended the good relationship existing between Home Depot and the synagogue and requested that delivery truck schedules be sensitive to the synagogue's activities, particularly the Friday night services and Sunday school. He expressed agreement with Commissioner Olson's comments but indicated that he is not prepared at this time to endorse the project until he sees the final design of the project. He noted that the architecture is definitely moving in the right direction and that the project is beginning to look more like Pleasanton. He stated that the design of the smaller stores look good and agreed with Commissioner Fox's comments that the Home Depot store needs more design creativity, particularly where the garden center is located, and that the arched doors needed to go. He recommended that staff look carefully into the uses for the peripheral stores and limit the list to low traffic-generating uses. Finally, he requested that staff define traffic routes for trucks and have Home Depot commit to having their delivery trucks follow that route.

Chairperson Arkin expressed appreciation for the Commissioners' comments. He indicated that with respect to the architecture, he believed the applicant would be able to come up with a design that he could support. He stated that he would really like to have a

traffic model with the scenario where the existing store on Johnson Drive closes down and see what it does to the traffic at this location and how many vehicles would be coming from the west side of town down Valley Avenue to get to Home Depot. He reiterated that he needed the data from the traffic models with all the scenarios in order to see what the impact would be before he can make a decision on the project.

Commissioner Blank commented that should that store close down, people who live on that side of town may decide to drive north to Orchard Supply Hardware in Dublin rather than drive through the traffic to the east side, in which case it would be difficult to quantify the traffic numbers. Chairperson Arkin replied that he was certain the Traffic Division would know how to handle that scenario.

Chairperson Arkin then indicated that he would like to see a condition for the coffee place pad that would preclude any fastfood restaurants or a vending mechanism for grills at that location. With respect to the closing of the other store, he stated that in a session of big box stores that he attended at the Planners Institute conference in Monterey, some cities have come up with mechanisms to try and protect themselves from the blight of having big vacant buildings. He noted that while the letter from Home Depot indicated that the first store would not close down, the City has no guarantee that it will not happen in the future.

Commissioner Blank commented that WalMart recently adopted a new strategy after finding out that the total sales of stores operating close to each other in the same municipality are greater than the sales of stores operating individually. He noted that Home Depot is the second largest retail store in the country with WalMart being the first.

Commissioner Fox requested staff to work with the applicant and identify Home Depot stores that are located three miles or more from a freeway in Northern California cities comparable to Pleasanton that might also be close to a mobile home park or within 1,000 feet of a medium density residential housing neighborhood. She indicated that she would like to visit these sites and see an example of a store similar to what is being proposed at this site.

No action was taken.

2. APPROVAL OF MINUTES

a. May 10, 2006

Commissioner Fox requested that the sentence on paragraph 7 on page 11 be modified to read as follows: “Commissioner Fox disclosed that she ~~spoke~~ *communicated* with Pam Hardy, *and one of the Selway family members and had provided the Principal of Mohr Elementary, and one of the Selways with the staff report and the alternative plans prepared by Pam Hardy and staff.*”

Commissioner Fox also requested that the second, fifth, and seventh sentences of paragraph 6 on page 15 be modified to read as follows: “She noted that the City Council approved ~~a~~ *the sidewalk on Cameron Avenue in conjunction with when the bike path on Martin Avenue was approved in 1997.*” ... “She noted that most parent drove their children to school because they were not comfortable having the children walk *without sidewalks.*” ... “She agreed with traffic-calming measures within reason and believed that a curvy road with no sidewalk would be more dangerous for pedestrians *since children would be hidden in the bends of curves.*”

Commissioner Fox further requested that the sentence on the fourth paragraph on page 17 be modified to read as follows: “Commissioner Fox ~~would go along with whatever the neighbors preferred~~ *liked Alternative 4 with the sidewalk or the staff recommendation of the meandering sidewalk as a second choice.*”

Commissioner Blank requested that the sentence on the fifth paragraph on page 12 be modified to read as follows: “Commissioner Blank ~~believed that~~ *questioned whether* the Martin Avenue residents would ~~not~~ be able to obtain the undergrounding....”

Commissioner Blank noted that the section on the straw votes on pages 16 and 17 did not completely reflect what occurred at the meeting. He recalled Chairperson Arkin suggesting that a straw vote be taken, which is reflected in the minutes, and each Commissioners then spoke. He noted that the minutes mention that Commissioner Pearce was in favor of a path, but no mention is made about his own vote. He indicated that he said he was in favor of a path and recollected that Chairperson Arkin was also in favor of a path; Commissioner Fox said she was not; and Commissioner Olson also said no, which is reflected in the minutes. He added that he believed that there were three “yes” votes and two “no” votes and pointed out that two of the “yes” votes were not reflected in the minutes. He suggested that staff listen to the tapes to verify the votes.

Ms. Harryman stated that she believed the votes were 2 “yeses” to 3 “noes” with Commissioner Peace voting in opposition to rather than for the path. Commissioner Blank noted that the question was if they wanted to have a path at all, and the minutes reflect that Commissioner Pearce was in favor of a path in front but not in the back.

Commissioner Fox stated that Ms. Decker indicated that she would have a synopsis of the votes and would forward the document to the Commissioners. She added that she believed Ms. Decker mentioned that the Police Department recommended a path facing the front of the street as they would not be able to patrol a path at the back.

Chairperson Arkin recalled that a concern was expressed at that meeting that the straw votes were not being recorded. He stated that he would like to see a summary of the straw votes in table form at the next meeting.

Commissioner O’Connor stated that he was an Alternate at that meeting and indicated that he is also in favor of a path.

7. MATTERS INITIATED BY COMMISSION MEMBERS

Sprinkler System for New Residential Construction

Commissioner Blank stated that at the last meeting, the item on sprinklers for residential construction was planned to be on the agenda for this meeting, but Ms. Decker requested that it be rescheduled because of the heavy agenda. He noted that the item is not on the Future Calendar report and would like to have it scheduled for the next agenda

Mr. Iseron stated that the Commission has had a lot of heavy agendas recently, in addition to the priorities that staff is attempting to get through. He indicated that he would remind Donna to include the item on a future agenda.

8. MATTERS FOR COMMISSION'S REVIEW/ACTION

a. Future Planning Calendar

There were none.

b. Actions of the City Council

Bernal Property Phase II Specific Plan

Commissioner Fox inquired if the City Council added the Commission's suggestions to include a dog park, tennis courts, and swimming pools at the Bernal Property.

Mr. Iseron replied that the Council decided not to get too specific and felt that those kinds of uses were covered under the Parks and Recreation general uses. He added that while the features were not added, they were not precluded by the existing language, and the Council felt that they could be better addressed when the individual areas came back with the Master Plan.

c. Actions of the Zoning Administrator

There were none.

9. COMMUNICATIONS

Documents Forwarded to Commissioners

Commissioner Blank requested that there be some homogeneity in the method in which documents are distributed and that he preferred Word documents to pdf ones. Staff indicated that it would not always be possible because the method would depend on the source of the documents.

Commissioner Olson asked how the Commissioners felt about the distribution of packets to their front porches. Commissioner Blank indicated that he would prefer to receive

electronic copies or the Commissioners could be given that option. After Mr. Iseron explained that certain documents such as project plans and communication from the general public could not be sent electronically, the Commission agreed to maintain the status quo.

Commissioner O'Connor inquired if staff could limit the amount of documents given to the Commissioners immediately before the meeting as there is not enough time to read through the documents pertaining to agenda items, and he did not want the public to think that the Commission had not taken a look at what they have to say. Mr. Iseron replied that it is not always possible because of materials received at the last minute but that staff would try to do that.

10. REFERRALS

There were none.

11. MATTERS FOR COMMISSION'S INFORMATION

There were none.

12. ADJOURNMENT

Chairperson Arkin adjourned the Planning Commission meeting at 11:24 p.m.

Respectfully,

DONNA DECKER
Secretary