

MINUTES
OF THE
LAND USE JOINT WORKSHOP NO. 6
OF THE
CITY COUNCIL AND PLANNING COMMISSION

March 1, 2006

1. CALL TO ORDER

The joint workshop was called to order by Mayor Jennifer Hosterman at 6:36 p.m.

Those in attendance were as follows: City Councilmembers Steve Brozosky, Cindy McGovern, Matt Sullivan, Jerry Thorne and Mayor Hosterman; Planning Commissioners Ann Fox, Trish Maas, Mary Roberts and Jennifer Pearce. Staff members present were: Nelson Fialho, City Manager; Michael Roush, City Attorney; Jerry Iserson, Director of Planning and Community Services; Janice Stern, Principal Planner.

Planning Commissioners Brian Arkin and Phil Blank were absent.

2. Land Use Workshop No. 6: Properties in the West Side of Pleasanton and other areas (SR 06:065)

Jerry Iserson presented the opening remarks.

Janice Stern presented staff report.

Jennifer Pearce indicated the total acreage on Attachment 3 was different from the total acreage in the staff report and asked about the discrepancy.

Ms. Stern said they were taken from GIS and should be comparable.

Ms. Pearce then asked for clarification of the taking of property, specifically the two houses on the slope of the Lester property.

Ms. Stern responded that if there is a remaining use for a site, it is not considered to be a taking of a site; for instance, if there can be one or two units or grazing uses left. It also depends on how a rule is applied. If the 25% rule is applied eliminating areas on just one property, it might be suspicious looking. However, if it is applied to all properties within a class, then that is defensible.

Ann Fox believed most of the land zoned public and institutional in Pleasanton is already developed. She wondered if staff had identified all existing vacant parcels that are zoned public and institutional? She referred to Child Care Links and noted the number of children going outside the city for childcare and the possible numbers of children coming from future housing developments who will need to use childcare facilities. She wondered what amount of public and institutional land should be reserved for the future needs of childcare facilities?

Ms. Stern said those calculations have not been done as yet. There are alternatives for uses like childcare in terms of where they can be located, such as in commercial districts. Staff has not done an analysis of all of the needs of all of the uses that could go into public and institutional districts. There are several vacant parcels.

Ms. Fox asked if there were more than the three listed parcels of public and institutional land?

Mr. Iserson did not think so, but he noted schools, daycare centers, and churches are all allowed to go into residential districts as well. Staff has not felt a need to do an analysis of how much public and institutional land is needed because there are other options. In connection with applications for large family daycare, staff has been in touch with Child Care Links and is aware of the need for those types of facilities in Pleasanton.

Ms. Fox asked if a parcel is rezoned from public and institutional to something else, is there another sizable site that could be zoned public and institutional, other than the east side or quarry lands?

Mr. Iserson responded that there is the Zone 7 building that was vacated on Hopyard Avenue. Staff can prepare an analysis of the desirable amount of public and institutional land in the city if Council desires.

Trish Maas indicated she would have to recuse herself regarding a certain property affected by the 25% slope issues and asked if she could still ask questions regarding the 25% rule.

Michael Roush indicated according to the regulations of the Fair Political Practices Commission, she could not ask questions because that would be participation in the discussion concerning that issue. She could ask a question as a member of the public when the Council and Commission have that discussion.

Mayor Hosterman asked for clarification of the 25% slope issue.

Ms. Stern indicated that currently when one calculates residential density on a ten-acre site, whether on a slope or on flat land, all of the property is used in the calculation. For instance, if there is a low density residential designation on the site, a midpoint for that would be one unit per acre, or ten units on the flat acreages and ten units on the hillside terrain. Most hillside development is done as part of a planned unit development and the Council has a lot of discretion on what kind of development to be approved, so there is no obligation to approve units at the midpoint or higher. If there are constraints such as landslide, slope or seismic issues, the number of units could be reduced. There is a certain expectation on the part of the property owners in terms of the number of units which could be approved. The idea of eliminating the areas with 25% slope or more in calculating residential density will perhaps reduce that expectation on the part of the property owners. In general, the subject parcels without applying that rule have a potential of 98 units. When the rule is applied there could only be 64 units.

Steve Brozosky referred to the 25% slope and thought at a previous meeting there had been discussion about whether to adopt that rule and he thought Council had decided not to take it into consideration. He wondered why this is back for just the Foothill district and not the whole city as previously proposed?

Ms. Stern said staff was looking at it for the Foothill district and there had been some discussion regarding the southwest hills. She did not think the rule would be applied just to the Foothill district. This is being used as an illustrative area. In terms of the southwest hills, she was unaware of where the discussions were, but she knew they were continuing.

Mr. Brozosky said there was discussion at a previous workshop between Council and the Planning Commission regarding the east hills. He believed there was a vote taken at a special council meeting of the Council to not exclude the 25%. Even though he was not in favor of it at that point, he was surprised to see it back on the agenda for this area.

Mr. Iserson replied that another reason it was brought back was because in the Planning Commission review of the Safety Element, that issue came up as part of that discussion. Since it was recommended for change by the Commission, staff felt this was an appropriate time to bring it back in conjunction with the Foothill road discussion. It could apply to any hillside location in the city.

Mr. Brozosky clarified that comments about the whole city could be made on this issue. He then referred to the term "potential development yield" and asked if that was implied to mean midpoint?

Ms. Stern said yes, except with regard to rural density residential, since that does not have a midpoint. It is only one unit per five acres.

Mr. Brozosky clarified that to go above one unit per five acres on rural density residential would require a general plan amendment as opposed to any place else in the city, where there is a range. As long as the units are below the maximum allowed, then a general plan amendment is not required. He referred to the Knuppe property and indicated several Councilmembers had met with the developer of the assisted living project in this previously approved PUD. He asked if those plans had changed or if there was a reason to rezone this property?

Mr. Iserson indicated it is his understanding the developer is moving ahead with the proposal. There has been discussion in terms of modifying that PUD. In order for the developer to build what is approved, it has to be in substantial conformance according to the conditions of approval. If there were a PUD modification, there would be a full public hearing before the Planning Commission and the City Council.

Mr. Brozosky did not think that required a general plan amendment and asked if there was someone from that property who is asking for a general plan amendment while this process is going on for a fall back position? He believed if a general plan amendment were approved for something that has already been approved for a non-lapsing PUD, there would be a non-conforming use if they continued with the PUD. Council cannot revoke the approval for the PUD.

Mr. Iserson said there is ways to revoke the PUD development plan if there is an interest in changing the project or the land use. A couple of years ago, there was a proposal brought by the property owner to consider medium density residential on that site. That did not go anywhere at that time. Over the years there has been considerable interest on the part of neighboring residents and property owners in terms of what gets developed there. It is an issue

parcel and there has been discussion about possible changes, which is why it is before this body to see if there is any inclination to make changes to it.

Mr. Brozosky asked if the property owner was interested in making changes or did staff bring this old information for Council and the Commission to think about the potential?

Mr. Iserson said the latter.

Mr. Brozosky felt if there is work going under the existing PUD and zoning, it would be wise not to change anything at this point.

Cindy McGovern also referred to the Knuppe property and said she understood that this type of retirement hotel could be considered commercial and not be counted towards the housing cap. If the developer changes to medium density residential, then the units would count against the housing cap. She said it sounds like they are moving away from assisted living, and asked staff if that was what was happening?

Ms. Stern said she was right about not counting assisted living units towards the housing cap and this is commercial zoned property. If it were changed to a residential designation, then the units would count towards the housing cap.

Ms. McGovern said when considering zoning changes on anything other than rural density residential, it would be helpful to know the full range of density, including the highest number of allowed units, and not just the midpoint. She referred to some terms in the report she had not heard of before, such as wild lands overlay, and asked for clarification.

Ms. Stern said there are other properties in the General Plan with that designation. These are lands identified as wild life corridors, valuable plant and wild life habitats, such as arroyos, the San Antonio Reservoir area, highly vegetated areas and other natural areas necessary to maintain significant populations of plant and animal species. It is an overlay designation which is additive to the underlying General Plan designation.

Ms. McGovern wanted a broad perspective of the community and felt it would be helpful to have something showing what percentage of land is still in agricultural and grazing, wild land overlay, or public health and safety. She asked when is a piece of property designated as public health and safety?

Ms. Stern said this is land set aside for the protection of the public health and safety due to geologic, topographic, fire or other hazards. This is un-developable land that does not have any density assigned to it.

Ms. McGovern said in other words, there is something on that property that needs to be carefully considered when development is proposed. Regarding seismic hazards, landslides, etc. she clarified that there is some criteria within the Public Safety Element that talks about issues and how to deal with them on all pieces of land in Pleasanton.

Ms. Stern referred to an extract of the General Plan, which referred to policies related to seismic safety, geologic hazards, etc. Generally it talks about the need to study these areas and to determine if there are active fault zones, their locations, and whether buildings should be set back a sufficient distance from the fault zones. It also talks about landslide areas and the

need to determine whether they can be safely built upon and so on. The regulations do not say these areas have to be excluded from the calculation of residential density.

Ms. McGovern felt the areas could be excluded based on the findings of the studies.

Ms. Stern said that was possible, but it would need to be carefully defined.

Ms. McGovern asked if the cost of land could be increased based on the zoning? If a property were public and institutional, it might cost less per acre than if it were zoned for residential.

Ms. Stern said that made sense, especially in commercial areas.

Mr. Iserson agreed that generally residential property is more costly. The property can be subdivided to get salable lots that bring more income than one large piece of land. Occasionally, there are churches or private schools that go into commercially zoned areas or residentially zoned areas. Private schools have been established in Hacienda Business Park.

Matt Sullivan asked for clarification of the residential designations.

Ms. Stern said low density is a maximum of two units per acre and rural density residential is one unit per five acres.

Mr. Sullivan clarified that if the 25% slope rule is used the possible units on the ridge along Foothill Road would be reduced from 98 to 64 units. He asked if all the low-density residential properties were rezoned to rural density residential, what would be the difference in units? He then inquired if the Yee property had some vested approval for part of it?

Mr. Iserson said the Yee property was approved for a PUD for a number of lots back in the 1980's. The upper portion approval expired and they came back with a tentative map for the lower portion along Foothill Road for six lots. They are on the books as approved legal lots, but the public street was never installed. The City should go through the reversion to acreage process since the public improvements were never accepted and the subdivision agreement has expired. Basically, they are no vested development rights.

Mr. Sullivan then referred to geotechnical issues and he felt the existing regulations were not effective in dealing with sensitive areas to minimize development in those areas.

Ms. Stern responded that these policies are addressing different issues than those that would exclude an area from density calculation. These policies are assuring safety in developing those areas, but are allowing development to proceed under certain circumstances. Whereas, the other policy being considered is to reduce the number of units on slopes to help maintain a more rural character.

3. MEETING OPEN TO THE PUBLIC

Mayor Hosterman opened the meeting to the public.

Marta Adams, 7199 Valley Trails Drive, felt that thirty units were too much for the church property. It would increase traffic and could affect property values. She believed the thirty units would be in condominiums or townhouses. She understood the church's need for funds, but

preferred to keep the property in public and institutional zoning instead of changing it to residential.

Ryan Richardson, 3621 Virgin Islands Court, agreed with the prior speaker and preferred to keep the church property as public and institutional. He would not object to a school, but did not want thirty homes or townhouses. He felt there should be a complete analysis of how much land is left for this in Pleasanton.

Bob Slack, 6900 Valley Trails Drive, pastor of the Evangelical Free Church, said there is no plan to build condos or town homes. He said the desire is to upgrade the existing church facility and to make it more energy efficient and more environmentally and aesthetically pleasing with more trees and less grass. The church wants to stay in that location and be a benefit to the community. Improvements would make a better place for weddings to occur and there would be benefits for the church because it would not be spending so much time, energy and funds to maintain the church. The request is to reserve 25-30 units to be reserved against the housing cap so that the church can convert six acres into a resource that could be used to maintain the three acres the church would keep and use to the benefit of the community. He said they had enlisted the help of Ponderosa Homes and a respected architectural firm to design a project amenable to all parties and of benefit to everybody.

Monty Bindra, 8319 Regency Drive, said Pleasanton Ridge is very special and adds much to the city and residents of Laguna Oaks. He requested if the properties west of Foothill Road are designated RDR (rural density residential) that they remain in that zoning. He also requested that any property of 25% slope be kept out of the calculation for density. He noted a development on flat land has a different impact than one built on a slope. Regarding the Austin property, which has an application for eight units, he preferred that the property remain RDR and that there be no general plan amendment to increase density through other means such as affordable housing. He felt five units would be acceptable for that area.

Joe Cunningham, 3599 Carlsbad Court, said there had been past efforts to put homes on the church property and the Valley Trails Homeowners Association has always been opposed to it. The Association has tried to work with the church and has not been successful. The Association wants the land to remain public and institutional. He noted the St. Claire church needed more land to expand; yet the Evangelical Church wants to reduce its size. Perhaps these two churches should cooperate. He asked if the Evangelical Church land has been tax free, do those back taxes have to be paid if the land is sold and is no longer public and institutional?

Susan Bovee, 4417 Valley Avenue, said she owns a townhouse next to the Guesthouse Inn and she felt her property was a buffer zone or feathering between the apartments behind them and the single-family homes next to them. She did not understand how 37 units in that small area could have any feathering or how that many units could be built in that tiny space.

Gill Woodruff, 8053 Horizons Court, indicated he lived in the Moller Ranch area east of the Joel property. He believed there were currently three units on that property and a proposal to add four additional units. The gated road to the existing three units is on a steep slope and the noise is of concern to him. He did not want the zoning to be increased from the RDR level. He said his primary concern was the access to the area and the steepness of some of the roads.

Sean Lemoine, 4574 Rover Rock Hill Road, asked why his family property was not listed on the staff report?

Mr. Iserson said part of the property has already been developed with some remaining acreage farther up the hill. He agreed it probably should have been in the report because there are slopes in the area greater than 25%. Staff will include it in the next analysis.

Mr. Lemoine asked how the 25% slope rule would affect their property?

Mr. Iserson said that analysis has not yet been done.

Mr. Lemoine indicated he had walked the property with potential developers and most of the slopes are more than 25%. He said he and his two brothers would like to build their homes on the family property. If the 25% rule is invoked, he believed that dream would not be possible and they would not be able to buy a home in Pleasanton, since most of them are now near \$1 million. He believed this was an unfair burden to the last seven or eight property owners in that area. The current zoning restrictions on Foothill Road are the most stringent in the country, not just the state. To add this on top of those restrictions seems like another way to eliminate lots without paying for it. If the regulation reduces lots from 98 to 64, he felt that is a 33% drop in property value. He did not believe other residents of the city would agree to slash their property values by 33%. It was ludicrous to think any development on Foothill Road would be at more than the midpoint of density. In the last ten years, no property has been developed above the midpoint and it took his family that long to get twelve units approved for flat ground. There is an elevation restriction at 670 feet and Foothill Road is at 400 feet, so there is only a 270-foot area in which to build. He felt the 25% rule would eliminate any type of development along Foothill Road. Adding a few homes at the base of the mountain will not detract from the rural character of Pleasanton.

David Pastor, 3613 Hawaii Court South, indicated the Evangelical Church is the newest building in that area. All the surrounding homes are older. He referred to a prior attempt to build homes on the church property and said one of the biggest problems with the property is the elevation. If homes were built on that center area, it would be like building a castle on a rock that looks down on the existing homes. He noted Ponderosa Homes usually builds big homes and that is not the character of the neighborhood. If Ponderosa could build small homes similar to those in the neighborhood, it might be possible to get an acceptable plan. However, most of the Valley Trails residents would prefer to keep the park, especially since the city has improved it over the last few years. He reiterated his desire that any housing be small and low and he did not think Ponderosa Homes would agree with that. He would like to see the city buy the property from the church.

Linda Marquardt, 3206 Belvedere Court, indicated the land west of Foothill Road is beautiful to look at and to see the cows. Not every city has that asset. It lends character to Pleasanton and she wanted to retain the rural feel. She agreed the property owners should be able to get retirement income from the land, but some arrangement needs to be made to get a balance. She did not think it would be appropriate to surround the Alviso Dairy Park with houses. It would be better to have pastureland with cows, so when the kids go to the Dairy, they can actually see cows. Foothill Road already has a lot of houses on it and there is a lot of traffic. She would not like to change the zoning to anything higher than it currently is designated. She suggested purchasing the surrounding land to extend the Alviso Park. If there are lots, they should be as big as possible with many trees planted to keep the rural feel. Her bottom line was the less development the better.

Christine Ellis, 3219 Belvedere Court, president of the Laguna Oaks Homeowners Association, said she has always been impressed at how Pleasanton has preserved the ridge and an almost undeveloped area. It seemed, as though Foothill Road was the edge of the city and from there on it was farmland and the Ridge Park. The Association recently learned that nine properties west of Foothill Road might be considered for development. She had assumed the Foothill Corridor Overlay would protect these areas. She hoped the Council and Planning Commission would continue to deter development in these areas west of Foothill Road, especially regarding the Austin property, in order to maintain the unspoiled rural beauty.

Margaret Tracy, 1262 Madison Avenue, Livermore, speaking on behalf of the Preserve Area Ridgeland Committee, complimented the city planning staff for the well-organized staff report. She wondered which of the listed properties had been under the Williamson Act and their current status. She believed the Lester property was one. The Committee supported the proposal to exclude slopes over 25% from the density calculation. In addition, there is support for not having more housing west of Foothill Road. The USGS information on Alameda County has maps showing landslide potential on Pleasanton Ridge. Most of the eastern side of the Ridge indicates landslide potential and she urged the planning staff to consult the USGS information regarding landslide potential west of Foothill Road. She felt it was important to the liability of the city for approving development with known landslide potential and known seismic activity. She believed the city assumed financial liability for any effects from an earthquake.

Mayor Hosterman noted that Mrs. Tracy was part of an organization that was founded years ago in an effort to save the ridge lands. If it were not for her good work and the other members of the organization, the ridge might not look like it does today.

Edwin Bogert, 4170 Angela, member of the Evangelical Free Church, agreed there had been problems in the past with trying to build relationships with the neighbors. The church has tried to make amends. It has a small congregation and it is difficult to maintain the nine acres of church property. He commented the church wants to keep three acres for public and institutional uses, including a private school or other services for the community. He wanted to be able to sell six acres to provide proceeds to build necessary new buildings for the church.

Dan Skinner, 2916 Yorkshire Court, said the Evangelical Free Church wants to stay in Pleasanton and serve the community. There are currently youth activities, a private school, piano recitals, and community childcare. He asked for the Council and Commission support for the church goals.

Jim Rowse, 860 Bonita Avenue, also a member of the Evangelical Free Church, said the church has been working on this for a long time and has tried to keep the neighborhood advised of the plans. The Property Ministry Team has spoken to various parties about the property. Ponderosa is an organization that has worked well in Pleasanton and is aware of the needs of the city in regard to homes. He felt they could develop the property in a way that would fit well with the neighborhood and provide funds for the church to grow its ministry. He believed that the proposed 25 homes on the church property would increase the value of the homes in the surrounding area. There is no plan for town homes or condos.

Richard Martinetti, 3640 Hawaii Court South, said Pleasanton is a popular place in the Bay Area and is well talked about. Everyone likes a nice place, but want to keep it small. However, if it is a nice place, people want to move there. He noted the increase in housing prices over the years. He talked about his work at the church with children. He has seen how

the church has difficulty maintaining the property since it is a small congregation. He supported development of some of the church property and felt it would improve the neighborhood.

Patricia Ratto, 3661 Gettysburg Court South, said she supported the development of some of the church property. She felt some of the opposition was because people did not have all the information. There will not be apartments or town homes. She said the park will remain and the church will be improved. The additional homes would add value to the neighborhood. She wanted to see something done with the property and felt the Ponderosa proposal was wonderful for the neighborhood. She appreciated the decisions made by Pleasanton Councils over the years and felt they had done a good job. She noted the Valley Trails Homeowners Association consisted of fourteen homes and she hoped it would grow with more people involved.

Brian Casey, 4414 Shearwater Court, indicated he owned the property to the north of the Guesthouse Inn on 2025 Santa Rita Road. He said there have been issues from that property but he has been able to work with the property owners to resolve problems. He was concerned about changing the property zoning to high density residential and the potential for affordable housing. He wanted to know what is considered affordable housing, restrictions to qualify, what is the exact plan for the property (two stories, condos, apartments), will there be rental restrictions, and what is better tax base for the city, residential or business. He asked for clarification of midpoint density. In summary, he wanted the property to remain in the existing designation with a single story. If there is a change in designation, he asked if conditions could be included to build an eight-foot cinder block fence, and to limit window exposure to his property.

Mayor Hosterman indicated the Guesthouse Inn occupied a two and half acre parcel and requested a midpoint density of 37 units. These are all potential developments that could be years in the making. As these applications come forward, the public will be notified and there will be ample opportunity for input.

Mr. Iserson indicated there is no specific development proposal before the city at this time. This is merely a request by the property owner to consider changing the land use from commercial to high density residential so they would have the ability to submit a plan. Once the plan is submitted, it would be rigorously reviewed by staff according to various criteria and would then have Planning Commission and City Council hearings. There is an extensive process that would provide answers to specific questions.

Raili Glenn, 10 Tehan Canyon Road, asked where the road would be located leading to a new residence on the Joel property? The present easement only covers three residences and she felt adding more traffic on that easement would violate her easement rights. She asked if the Moller property owners had been noticed of the meeting, since this would affect them as well? She said the Joel property had a greater than 25% slope and could not be developed. She asked why Council was even considering development here?

Bill Lide, 8001 Jorgensen Lane, addressed the Austin property proposal and felt it was a responsible proposal. The family has been working with the neighbors in a responsible manner and is continuing to do so. He also supported having cows and horses on the residual land that is not developed. He wanted the grazing land set aside in perpetuity. He wanted to take advantage of every opportunity to slow and quiet the traffic on Foothill Road.

Jeff Atherton, 8037 Jorgensen Lane, agreed with preserving the rural character of the Austin property. The Austin family has been working with the neighbors to maintain that feeling. He believed they were sensitive to the residents of Laguna Oaks and were trying to take advantage of the trees and the natural screen and to maintain visibility up the slope to the hills. Putting eight houses in a fairly narrow corridor as opposed to five houses on five-acre parcels that could be spread throughout provides a way to screen the houses and provides a way to preserve the open space available for grazing, 4H or other similar activities. He appreciated the Austin working as a good neighbor.

Cynthia Atherton, 8037 Jorgensen Lane, explained to the Laguna Oaks resident, that it is the Austin property, but Mr. and Mrs. Takens are the ones who run the cattle on the land. She said she has been impressed with the Austin family. They have walked the property and felt the proposed plan was the most reasonable for everyone involved. They have tried to cluster houses behind the Takens' residence so they are tucked away and that leaves a huge open space. They are also interested in keep livestock and working with 4H to maintain the rural feel. They are concerned about the view from Laguna Oaks and have tucked the development as far away as possible to preserve the most open space.

Charles Austin, 3449 N. 37th Avenue, Vancouver, B.C. Canada, indicated this property has been in his family since the 1920's. He thanked everyone involved in establishing the Alviso Adobe Park and preserving the heritage of the area. He wanted to preserve the view corridor and to keep cows in the area. At one time, the property stretched all the way to the fairgrounds. He hoped to retain the legacy of the rural area by clustering the homes, preserving the view corridor, keeping the cows so the kids coming to the Adobe would have an added experience. He looked forward to working with the city in the future.

Brad Hirst, 1811 Santa Rita Road #128, referred to the Austin property and the family's desire to preserve the legacy of the dairy industry by clustering the homes onto eight acres as opposed to five or six lots on five acres each. He believed that was a much better stewardship of the property and made it more accessible to more people, including the cows. They have been working with the neighbors on Jorgensen Lane for three years and have sent letters to sixty members of the Laguna Oaks subdivision with no response. The access to the proposed project would be off Old Foothill Road, not off of Foothill Road. There is sensitivity to Mr. Lide's concern about slowing traffic on Foothill Road and endorsement of that. He wanted to see the enhancement of the Alviso Adobe Park and there has been discussion with the Parks and Community Services Director regarding security of the Alviso Adobe Park parking lot and the amphitheater. He said the proposal is to change the general plan designation from thirty acres of rural density to eight acres of low density with a maximum of eight lots and convert 22 acres from rural density to permanent open space. He hoped to work with city staff to dedicate that land to the city and to expand that Park. He would like to see 4H activities there as well for the existing barn. A preliminary application was filed in January and he is waiting to hear from city staff and to meet with all the departments. He expected a complete application to be filed in April or May and to be before the Planning Commission some time in the third quarter of this year and before Council in the fourth quarter.

Mayor Hosterman indicated she had an opportunity to go to Washington D.C. to lobby for funding for the Alviso Adobe Park.

Mr. Hirst said if it was appropriate, he would like to have Congressman Pombo or anyone else from the Resource Committee to tour the Austin property as well as the 230-acre Castleridge property above it. There is a desire to see all that tied together some day.

Mr. Hirst then addressed the Yee property and asked to retain the rural density residential designation. Geotechnical, botany, and biological studies have been done and a preliminary application will soon be forthcoming. There is an approved PUD for 22 lots and the proposed application will be for six lots. There was reference earlier in the meeting to lots that are legal lots at the lower end of the Yee property. He said that is not owned by Dr. Yee.

Diane Lester Kolb, 11021 Dublin Canyon Road, indicated the Lester property has no known geologic issues or earthquake faults. The western hills and valleys are not visible to most of Pleasanton and the surrounding towns. The family has been in contact with the East Bay Regional Park District and is willing to work with them to address their needs for a staging area and connection to the park. The request of the family is for a general plan change to remove the public health and safety designation on the eastern strip of the Lester property, which has 16 acres of flat land and two existing houses. It is separated from the rest of the property by a creek and has been occupied by five generations of the Lester family for over 100 years. A previous planning director reviewed the property and felt it was a good spot for housing. She asked why this property is considered for changing designation to public health and safety? If the family is allowed a higher density, it would be encouraged to develop under Policy 32 of the General Plan Housing Element. They would build small housing units that were affordable by design. She has not heard of any other developers willing to offer affordable housing by design.

John Rennels, BART Property Development Division, 300 Lakeside Drive, Suite 1631, Oakland, thanked Council and staff for the support of relooking at the BART property for a change in use from office to residential. This station is a critical relief valve for the east station, which has major impacts in the way of access. The new station is being developed under a public/private partnership and in conjunction with the cities of Pleasanton, Dublin and the Alameda County Surplus Property Authority. They are cognizant of the desire for a quality development and the fact that this is the gateway to Pleasanton and the Stoneridge corporate, and soon to be entertainment and retail, center. They are mindful of the synergy and connectivity among the adjacent property owners. The Heinz representative had to leave, but left a letter for Mr. Rennels to read. In summary, on behalf of the ownership groups for Stoneridge Corporate Plaza and Pleasanton Corporate Commons, he expressed their approval for the new Pleasanton West BART station proposal. The addition of a major transit hub at this location would be an amenity to the tenants and visitors of the campuses, which number 5,000 people on a daily basis. The goal is to take commute alternatives to single occupancy vehicles and this would be a major step towards increasing the number of BART riders to these office campuses. Mr. Rennels noted one concern had been about the plan to build an at grade parking lot and subsequently putting in a parking garage. He indicated after conferring with the representatives of Windstar the design for the parking has changed to include a permanent quality-parking garage as desired by the Councilmembers. Windstar has also committed additional funds to study expanding the capacity. He confirmed that the proposed high-density transit-based housing is of first quality, market rate, and compatible with the Stoneridge area.

Eric Heffner, Windstar, 11149 North Torrey Pines Road #250, La Jolla, said he had brought boards and pictures of the proposed development but in the interest of time would forego that presentation. He related other projects of the Windstar Company, such as ones in Anaheim and Los Angeles, which are also transit-oriented developments. He believed the BART property is a premier suburban in-fill location for transit-oriented development. He was very pleased to be partnering with BART in the development. The Pleasanton/Dublin area will be the focus of transit-oriented developments and other communities will view it as a model. He

was excited about this seven-acre site on flat land, next to BART, and next to retail. He promised that his company would provide a high quality product.

Matt Sullivan clarified that the proposal was for 350 residential units. He asked if it was strictly residential or would there be a mixed-use retail component?

Mr. Heffner said there would be about 11,000 sq. ft. of retail, such as restaurant, coffee shop, or sandwich shop, to help the ridership using BART. No grocery store is contemplated. The service retail would not compete with the Stoneridge Mall.

Mr. Sullivan asked about development on the Dublin side.

Mr. Heffner responded there would be 210 condominium units along with a 150-room hotel and a 7,500 sq. ft. retail space (about the size of a restaurant).

Vanessa Kawaihau, 871 Sycamore Road, noted that at a Planning Commission meeting, a Commissioner mentioned there would be future public health and safety discussion to consider increasing the buffer zones on identified fault line areas from the current 50 feet to 100 feet and increasing the buffer zone for open water, not just arroyos, from 50 feet to 100 feet. She felt that would change some things in the southeast area and wondered if it would change anything on the west side? When staff comes back with a redefined land use for this area and other areas in Pleasanton, she wanted to see that, especially if rezoned properties have vested rights and/or identified densities in the Housing Element. As much as she liked the staff report, it did not identify which properties were set forth in the Housing Element.

Peter MacDonald, 400 Main Street, Suite 210, said three or four years ago he was contacted by Mr. and Mrs. Eliassen about buying a piece of property from Anita Gondolfo. He had discussions with the County, City staff, reviewed the General Plan, and ascertained exactly what was permitted under the 1996 General Plan. The Plan permitted five or six units. The property included 25-30 acres shown as rural density residential and they were on the city side of the urban growth boundary. There were 165 acres on the County side of the urban growth boundary, which were designated agriculture. After that review, he believed it was a stable General Plan and Council would not come back with big changes or down zonings. The Eliasens bought the property in reliance on the 1996 General Plan. They bought a home at the end of the preserve immediately adjacent to their property at 9476 Blessing Drive. Now there is a discussion of deduction of any lands with a 25% slope and deduction for any lands prone to landslide. He commented that five units on 193 acres is not over development, but if you reduce that down to three units, it would be a major reduction in what the Eliasons' based the purchase of their property on. That approach assumes Ben Tarver, Tom Pico, Brian Swift, and Wayne Rasmussen were unaware of the 25% slopes or of landslides. They were completely aware of those issues when they adopted the land use plan. That is why these properties were designated rural density residential instead of low or medium density residential. It was based on the geography of the parcels. He felt if the city comes back and changes the rules, effectively down zoning the property, it would have a major impact on people who have relied on the planning.

Mayor Hosterman indicated there were three more speakers, two Planning Commissioners and a City Councilmember, who have been required to recuse themselves from discussions of the 25% slope due to Fair Political Practices Regulations.

Trish Maas, 7942 Racoon Hollow Court, speaking as a private citizen, commended the Austin group on the offer of open space in perpetuity and urged the city to work with them. Regarding the 25% slope, she did not want it considered in regard to the west side of Foothill Road. Council has said it would not be looked at in another area of the city, so why do it on the west side. She believed the city would use due diligence as far as not allowing homes to be built in unsafe areas or that are not visually appealing from the flat lands. She did not want to add another layer of bureaucracy for these landowners, who have been waiting a long time to do what they want to do.

Mary Roberts, 1666 Old Vineyard Avenue, speaking as a private citizen, did not think the 25% slope regulation was the right approach. Perhaps a different zoning, like hillside residential, was a better solution. Council and the Commission could then work with the Foothill Overlay, seismic areas and the 25% slope. She believed the real goal was not to have a big development on the hillsides. Most of the properties on Foothill are not large developments, but are just a house here and there. She believed there were places where a house could be built. The Planning Commission has looked at lots on Foothill and reduced the size of a house, or changed the location of the house on a lot. The Commission has always forbidden construction on a ridge where sky would be visible behind a house. That has worked well on Foothill Road. She said there is a new development on Vineyard and the Planning Commission had carefully required single story houses along Vineyard. What was not expected was two story houses going up a hill. She believed there should have been a specific plan for the area west of Foothill. Unfortunately that cannot be done at this time. Many owners there are expecting to be able to develop their land. If the area is viewed as hillside residential and those regulations are strengthened, particularly with regard to design, she felt staff could adequately review the plans for problems such as geologic impacts, too much grading, or environmental impacts. However, in some instances, she felt it would be possible to build a home.

Cindy McGovern, speaking as a private citizen, believed that the 25% slope rule was a part of the General Plan until it was revised in 1996.

Mr. Iserson said it was part of the general plan on the West Foothill area before the Ridgeland Measure F was adopted, which changed all 25% slope area to open space.

Ms. McGovern commented that from some of the testimony it appears the 25% slope rule never existed in Pleasanton and that is not true. Until 1996 it was taken into consideration when looking at land use. The 25% slope should not be included in the net area for development within a piece of property. She felt Council needs to rectify something that was missed once Measure F was adopted. Measure F did not take into consideration all the ridgeland in the community. She felt the 25% rule should be put back into place. She asked if all the 25% slopes are now open space pursuant to Measure F and if not, why not?

Mr. Iserson responded that Measure F used the 670-foot elevation contour and everything above that was generally 25% slope and put into open space. Below that, there are pieces within parcels that are more or less than 25% slope.

Ms. McGovern reiterated her point that this 25% slope rule was part of the General Plan in 1996 and it was a mistake to take it out. She felt there were other ridge lands in this community that are just as important as that affected by Measure F and she would like to save as many as possible.

There were no other speakers.

There was a break at 9:17 p.m.

The meeting was reconvened at 9:30 p.m.

Mayor Hosterman thanked all those who attended the meeting and presented their input.

Trish Maas referred to the calculation of residential density for property and indicated she liked it the way it is and did not want to see it go any higher. She did not want to encourage higher density or smaller units for this area of town. She believed the Valley Trails proposal was an in-fill project and had confidence the city would do it in the right way. She did not want the large homes Ponderosa typically builds. However, the smaller the homes, the higher the density and the more people there would be. She felt it made sense to build homes similar to what already exists in the neighborhood.

Mary Roberts referred to the debate of large lots, small lots and affordable by design homes on the west side of Foothill. These are slopped properties and she did not think that could be done very well. There is also the urban growth boundary to be considered. The General Plan has a policy to have larger lots as you approach the urban growth boundary. Having a higher density, particularly along Dublin Canyon Road, would not be in conformance with the present General Plan. She felt it would encourage more development outside of the urban growth boundary, which would be a problem because it requires a vote of the people to change that. The Westbrook property is highly constrained because of the creek on one side and the freeway on the other side. She did not want small units on the Lester property. Regarding the Eliassen property, she referred to a letter from Mr. Eliassen in which he acknowledged he was allowed three lots. She commented that Wayne Rasmussen had walked the Vineyard Corridor properties and put dots on the map to show where it was environmentally safe to build houses. She felt that should be done in the Foothill area. She said the BART proposal was intriguing. She believed medium density housing would be appropriate for the church property. She reminded people that this is a workshop and there is a lot more time to review and discuss the proposed project. The only real discussion is on rezoning before the General Plan. She then referred to the Guesthouse Inn and restaurant and did not understand how any of the businesses has survived. She reiterated the fact there would be many public hearings and sensitivity to the surrounding neighbors. She did not know what was happening with the Knuppe property.

Ann Fox believed medium density residential should be split into two categories because there is such a wide range (2-8 units per acre). She felt better ranges would be 2-5 and 6-8. Most proposals seem to be in the 7-8 units per acre. She would like staff to review the Lester property and explain why it had a public health and safety designation. She wanted staff to look at what the proposed population is, the demographics, and what percentage of households will need two incomes based upon the projected cost of new housing. She would then like staff to work with Child Care Links to come up with what they believe should be the public and institutional land within the city. She preferred to have that macro review before looking at individual properties to change them from public and institutional to residential designations. She did not believe neighborhoods would approve having a 30-80 person child care facility, especially when she sees the concern about even a small family child-care home being increased to 8-14. Regarding the BART proposal, she felt it was necessary to have a grocery store and other mixed use near 350 units of residential. She wanted staff to create a land use designation of mixed use so it is easier to review high density residential, which is pure housing as opposed to those high density residential projects that have a component of retail as well.

She was unprepared to discuss different land use designations for the church on Valley Trails. She wanted a broad look at existing public and institutional properties before making a decision to change any to residential use.

Councilmember McGovern and Planning Commissioners Maas and Roberts recused themselves and left the room.

Ms. Fox indicated she believed it was a mistake to take the 25% slope rule out of the 1996 General Plan and was in favor of putting it back in.

Mr. Sullivan asked if any of the properties on the west side of Foothill Road were under the Williamson Act in the past or are they still covered by it?

Mr. Roush said the only one he could recall was the Garms Ranch, which was approved in the 1980's. Council made findings to take it off the Williamson Act contract. The project did not go forward and the property reverted to acreage. The Williamson Act was not re-imposed and eventually the property was sold to the East Bay Regional Park District. He was unaware of any other properties in that area that are subject to the Williamson Act. He saw a list within the last year or so that listed all the properties in Pleasanton subject to the Act and he did not remember any of those properties being west of Foothill Road. He would check a current list from the County to make certain.

Mr. Sullivan asked about the city's liability for allowing houses to be built in geotechnically unstable areas.

Mr. Roush replied that the city's liability in that case is no more significant than on any other project. For any questionable site, staff would require engineering mitigations to take place. That does not insure that a site could not be hit by a big slide, but generally the city's immunity is good if it has done everything the environmental analysis requires and the geological and soils report recommendations are followed. That would provide design immunity. In addition, those sites would be put into geological hazard abatement districts, which would have funds to do remedial work to prevent the slide in an open space area from coming down and damaging the streets or houses in the area.

Mr. Sullivan asked if staff had been able to compile the number of units allowed if everything was zoned rural density residential?

Ms. Stern said if everything currently designated LDR (low density residential) and made it RDR (rural density residential), the existing RDR is not changed. Instead of 98 lots, there would be 43 lots. If the 25% slope rule were imposed, then the 64 lots would be reduced to 23 lots.

Mr. Sullivan clarified if you use the 25% slope rule and change everything to RDR there would be 23 lots on the entire west side of Foothill Road. He indicated he was very concerned about additional development on the west side of Foothill Road for the same reasons people put an initiative on the ballot to protect the ridge. That did a great job in protecting the top of the ridge, but he felt there were huge holes in the measure. He would like to see a balance between further protection of the ridge, the environmental impacts of additional development, the visibility impacts, and the whole character of the rural nature of the ridge, balanced with maintaining some property value for those people who have zoning for development now. Some of the ideas mentioned at this meeting would help do that. The 25% slope rule should be

reviewed, even though it may not work across the board. He wanted a closer look at the existing General Plan language about seismic safety issues to see if it is strong enough. He has been frustrated over the last seven years with some of the measures to protect the ridge that were not used effectively, such as the West Foothill Road Design Guidelines, etc. He was in favor of rezoning the low-density residential areas to rural density residential and to look at this as a package. He referred to Mary Roberts' idea of hillside residential zoning and felt it made sense for this area. Each property should be reviewed individually using these guidelines, as a rule of thumb but there should be a specific plan for the rest of the lots. About five years ago, the Planning Commission reviewed the Foothill Road Guidelines and strengthened them then sent them on to the City Council for adoption, but nothing was done. Basically, he wanted to protect the ridge better than is currently being done. He did not support higher density housing west of Foothill Road. He supported the General Plan language that talked about lower density as the urban growth boundary is approached. There is a place for higher density housing elsewhere in Pleasanton and he supports it in the right places, but up on the ridge is not the right place. He supported using this philosophy to analyze the other listed properties on a case-by-case basis. He was interested in some of the things he heard regarding the Austin property, but he was also concerned about the increased density. He said he needed more information.

Jerry Thorne felt the 25% rule was troublesome because there are situations where that rule would not apply. There needs to be some way to do what Council wants to do without a categorical rule to restrict 25% slopes. There are places where development could occur in a safe manner that preserves hillsides. He opposed the 25% rule and preferred to review things on an individual basis.

Steve Brozosky believed there was some confusion regarding the 25% rule, whether building on a slope or including the land in calculation of gross density. There are provisions in the General Plan that prohibits building on 25% slopes. The discussions at the last several meetings deal with whether to count the total gross acreage of a property or to exclude the area that is less than 25% slope. He noted there are some small properties along Foothill that are zoned for residential use with everything else zoned agriculture. There are other larger properties in the city, which are all zoned differently. He liked the suggestion of Ms. Roberts about hillside residential zoning. The reason for discussing whether to include or exclude the 25% slope is to set good expectations for property owners on what they can expect to build. There are some properties that because of the zoning and if the 25% slope is not excluded, it would look like the developers can have more housing units than the city would actually approve. Property owners get frustrated with those situations. He believed the best approach was to zone property a certain way in the General Plan so when an application comes forward there is a general idea of what could be approved. He believed that would provide consistency and expedite the process. He wondered if the 25% slope rule was being discussed only in regard to Foothill Road or the whole city? Council has already said it would not apply to the whole city, so he did not want to look at it just for this one area. He supported reviewing projects on a case-by-case basis. If the 25% rule is not to be applied, he suggested that staff calculate the housing units based on both gross acreage and on acreage excluding the 25% slopes to provide a comparison. At this point, he was not ready to down zone any of these properties. He also did not want to use the 25% rule in one part of town and not the rest.

Mr. Sullivan said he remembered the discussion of 25% slope rule regarding the southeast hills and he believed the decision was to table the issue and be silent on it because there was a process in progress that should be completed before making a new rule. The issue was to be revisited at a later time.

Mr. Fialho responded that throughout these workshops no formal decisions have been made. There were only recommendations to staff. He recalled the discussion on the southeast hills and believed Council “punted” until completion of discussions with one of the property owners. The issue would be revisited at a subsequent workshop. Staff proposed to bring the issue of 25% slope regarding the southeast hills in the context of the next workshop. When the Council and Commission look at all the options for land use, it would be part of that discussion and feedback would be provided for developing the Land Use Element of the General Plan.

Mr. Sullivan indicated he would like to use the 25% slope issue as one of the tools to evaluate properties west of Foothill Road. There are specific Design Guidelines for the area west of Foothill Road that do not apply to the southeast hills or Hacienda Business Park. There is also the 670 foot elevation rule that applies only to that area west of Foothill Road. He would like to have various tools to analyze this area, which do not necessarily apply to the entire city.

Mr. Brozosky believed it was difficult to apply one rule that works throughout the whole city. Perhaps the 25% rule should be viewed as a tool to use that would make sense in some areas but not in other areas. Each project should be viewed on a case-by-case basis.

Mr. Thorne clarified his position was not concern about building on a 25% slope but more the fact that the rule reduces potential on some properties significantly. It is possible to do more on some of those properties and if the 25% rule prohibits that, he did not want to go there.

Mr. Brozosky also commented part of the issue involved small pieces of land. If you exclude that from something that has zoning for four or five homes, that is a lot different than property that may have 100-200 units.

Mr. Thorne reiterated his desire for case-by-case review rather than using a categorical 25% rule.

Mayor Hosterman tended to agree with Mr. Thorne, however because the ridge lands are so sensitive and such a precious amenity to the community, she felt it was important to employ whatever strategies available to ensure that any future development is done as sensitively as possible. She felt projects could be analyzed on a case-by-case basis and possibly allowed to be exempt from the rule if it were clear that an additional unit or two would make sense. She liked having the extra insurance in place and being able to not use it instead of having fewer rules and having to add constraints on an individual basis. She agreed with Mr. Sullivan and recalled the discussion on the southeast hills was that negotiations were in progress for a deal that could be supported by a particular neighborhood and could be good for the developer and citizens of Pleasanton. She remembered the conclusion was that was not the appropriate time to place that kind of constrain on that particular area because of the possible effect on the negotiations. She believed the issue was still on the table for future discussion after conclusion of negotiations.

Councilmember McGovern and Commissioners Maas and Roberts rejoined the meeting.

Mayor Hosterman continued that she was not interested in higher densities for the hillsides. She was only interested in variations in density on the flat lands and possible transit oriented development at the BART station. She was open to discussions of houses that are affordable by design, but that would also be on a case-by-case basis because of density concerns. She did not want to get something like apartments on the hillside. Finally, she reiterated that the Pleasanton Ridge and the southeast hills were the backdrop that makes the

valley and Pleasanton special and should be protected. She believed Council should carefully balance the pros and cons of possibly reducing individual property owner's opportunities to develop with what she viewed as providing a balance in the quality of life for the entire city of Pleasanton.

Mr. Sullivan expressed confusion regarding the Knuppe property. The developers indicated there is an approved project but they wanted to do something different and discuss it with the neighbors to get support. He wanted to see if that worked before making any decision. Regarding the West Dublin BART station, he indicated he very much supported transit-oriented development. At the Economic Vitality Committee meeting yesterday, it was recommended for the long-term sustainability of Pleasanton's economy and fiscal soundness that the city be able to transform the economy as time goes by. One of the suggestions was for a transit oriented, mixed use development at Hacienda Business Park. For those reasons as well as environmental reasons to build where infrastructure already exists and transportation and job bases exist, it makes a lot of sense to him. He was a little concerned, given the number of housing units left, that the project be viable. He wondered if there were enough units to build two transit oriented developments at both east and west BART stations successfully, or would the result be two developments that are only halfway successful. He was concerned that the West Dublin BART station development would be strictly residential units between the freeway and the mall with no place for the people to go for groceries. They would have to walk to Dublin or get in their cars and drive somewhere. That was not his concept of transit oriented, walk able development. Regarding the Evangelical Free Church, he did not support residential units on the property. The neighbors have made it clear for twenty years that they did not want residential development on that property. He felt it made more sense to put the limited number of housing units left under the cap in some other location, such as Hacienda Business Park or other places. He sympathized with the church and noted it could sell public and institutionally zoned land to raise funds for the church and said he was open to the park idea. But felt there were other ways for the church to get what it wants without doing something the neighborhood could not support. Regarding the Guesthouse Inn property, he did not think high density residential was good for that location. It did not fit with the neighborhood and would be more appropriate for other locations.

Mr. Thorne said in general terms, his vision for the way things would develop in Pleasanton was to have lower density out in the foothill area and increased density near the transit oriented development. He opposed higher density in the hills. Regarding the BART development, he agreed it did not make sense to encourage people to use BART to work and then force them into their cars when they get home to go get other things. Regarding the Church's application, he preferred to have a better understanding of the needs for public and institutional lands before changing that designation for the church property. Addressing the people in the neighborhood, he said Ponderosa Homes has a reputation for being able to work with neighborhoods to get solutions for both the neighbors and whoever is trying to develop their property. He referred to the housing cap and noted there is a limited number of things that be done within the cap. As one looks at the entire city, this may not be the best place to add housing. He indicated he has met with the Austins to review their project and he was quite impressed with it even though it is a couple of houses more than originally allowed. It is only eight houses and what they are offering to give to the city is unbelievable. He really liked the project and hoped it would be allowed to move forward. He was uncertain what was happening with the Knuppe project, so decided not to make comments until he had more information. Regarding the Guesthouse Inn, he also agreed the proposal was for too many units.

Ms. McGovern requested information on how much grazing and agricultural land is left in the community, as well as the amount of public and institutional land. She did not want to make any decisions about properties in that designation until she had that data. She did not want to make changes on the Westbrook property. She preferred to see some kind of plan before making a change to medium density residential. It is hard to analyze some of these properties without some kind of plan, such as on the Austin property. She asked why the Lester property included a public health and safety designation. She believed the plan for the Austin property was a good one. It maintains view sheds of the ridge, gives open space between housing that is already there, and it has an opportunity to augment the Alviso Adobe Park. Regarding the West Dublin BART station, she was interested in looking at transit-oriented development, but felt that 350 multi-family units were too many. She thought the problem of a grocery store could be solved with a 7-11 or similar store to provide eggs, milk or bread, etc. She liked the proposal because it was near a large shopping center. The existing housing, such as condominium townhouse, rentals, etc. is in the same realm as a multi-family development. She liked the fact that it is close to a new BART station and believed the plans could be work on to make a good project. She could not change the Knuppe property to medium density residential without seeing some kind of plan. The last time she spoke to the developers, it appeared they would reduce the number of units and continue with the assisted living project. They had talked to the neighbors, and were possibly going to reduce the height of the buildings to two stories, instead of three or four, to maintain the view shed for existing residents and to blend in more with the neighborhood. Regarding the Church property, she understood the need to have income to upgrade existing facilities. However, she did not want to change the zoning at this time. If the Church and Ponderosa were willing to work with the neighborhood, she would be willing to review a proposed plan. She felt the park portion should be dedicated to the city. She did not think the city had enough money to pay for the park. She is hoping there is enough money for the firehouse theater, the Veterans' Memorial Building upgrades, and other CIP projects. She was sorry the Lemoine and Merritt properties were not part of this presentation because she wanted a better understanding of the status of those properties. She asked staff for that information. She did not want the Lemoine children to have to move out of Pleasanton and felt the development on their property so far is an asset to the community. None of these properties include reference to rental and everything she has heard from the Economic Vitality Committee and the Housing Commission has indicated the most affordable properties in the city are rentals. She was looking for a place in the community to build rental units. (There was a comment from the audience that one of the proposals was for "market rate rental".) Ms. McGovern asked if, within the market rate rental units, there could be some affordable units? She wondered if there were areas in the community that could be redeveloped and if units should be reserved for that purpose. She felt with the addition of a theater and better parking downtown, she believed that would be a good location for redevelopment to increase density and to provide a walk able community.

Steve Brozosky was not in favor of increasing density along Foothill Road by building duets or high density residential. He believed the goal was to feather out density toward the urban growth boundary. He did not want higher density on the Lester property. He believed any housing on Foothill Road would be more expensive homes and it was not the place to build affordable by design smaller homes. He indicated he was excited about the Austin family proposal that fits in with the park. Even though the density is a little higher than RDR, he felt the units could be tucked in and the homes would not be visible. He felt some of the foothill zoning designations may need to be reviewed and not zone things as so many units per acre, but rather to analyze how many units could fit in certain clustered areas. He did not want to spread houses all over the foothills, but to cluster them in tucked away places. He has not met with other property owners, so it was hard to visualize what they wanted to do and he was not sure it

made sense to rezone areas yet. He agreed the BART station was a good place for higher density housing. It is an advantage that the property is on the I-680 corridor, which makes it easier for commuters up and down that corridor. He did not think it was necessary to have a grocery store in the area. There are other parts of town, such as where he lives, with no services and that doesn't seem to be a problem. He agreed some kind of convenience store would be sufficient. Another advantage is the fact that this development would provide a parking structure for the BART station, which is much needed. He then referred to the Knuppe property and indicated he did not want to change what is approved for the site. If the developer wants to reduce density, it can make the proposal and work with the community, but he reiterated they have a pre-approved plan. He was uncertain what to do with the Church property. He could see some housing that fits in with the existing neighborhood, but could also see potential for a Habitat for Humanity site. Instead of requiring inclusionary housing, he suggested the Church donate some land next to the site for a Habitat for Humanity project. This is the best type of low-income housing and he felt it would fit in with that neighborhood. He wanted a better description of what the Church is planning. Is it six acres to be sold, keeping three acres for the Church? Or could the Church keep three acres, two for public and institutional and another part for residential. Regarding the Guesthouse Inn, he did not support high density residential in that location. He wanted something to fit with the existing neighborhood that was single story. He supported Ms. Roberts's suggestion about hillside residential zoning for the Foothill area and then review what would make sense for the area in lower elevations.

Mayor Hosterman believed it was premature to talk about specific projects. She was more interested in discussing broader policy objectives at this point. She appreciated Mr. Hirst for coming to the meeting to review the Austin and Yee proposals. She was excited about the BART station proposal and felt it should be a true transit oriented development. However, at this time, the proposal is for 350 units between the BART station and the mall and in compensation, the city gets a parking structure now rather than five years from now. There needs to be more review of the actual project. Regarding the Church site, she could accept homes in one fashion or another on that property. However, she felt thirty units were too many. From what she had heard, she believed there would not be a lot of opposition from the neighbors depending upon what the homes looked like. She acknowledged concerns about building structures where people could look into existing yards, but if a project is brought forward with something less than thirty units and on a case by case basis, it may be possible to develop something that would give the congregation the funds to upgrade their existing facility. As far as all the other listed properties, on a broad-based discussion, she would be interested in talking further about re-instituting the 25% slope rule and then looking at the changed numbers. Then allow each property owner as an application is submitted to make the argument that additional units would not have an adverse impact on the land or on the community. If there is a compelling argument, they may get Council support. She then referred to the concept raised by Ms. McGovern, that instead of designating land use for the entire city and using up all of the housing cap units, that a certain number of units be set aside for consideration by future generations. It could be 200 or 400 units. She asked Council if it was willing to direct staff to include that in the picture for the final review on March 28. She liked the idea for the future populations of a changing community to make those determinations.

Mr. Brozosky thought Council had already discussed this reserve and would decide at the end of the workshops what the number should be.

Mr. Iserson said there was support for a reserve of 200-500 units, but nothing more specific was done. He asked if Council wanted more specific action or just to include the range in the final options.

Mr. Fialho believed the general consensus of Council from previous workshops was 200-500 units in reserve. He preferred the flexibility of presenting a range of options at the next workshop that includes that range. Depending upon where it is put, it might be 200, 300 or 500 units.

Mr. Sullivan supported the concept, but until the options are presented he did not want to commit to anything.

Ms. McGovern was still interested in the concept of study areas. She felt it provided more flexibility if certain numbers of units are not assigned to a given area.

Mr. Fialho thought the idea of the concept was to identify large areas of town for future study. You could identify potential uses within those study areas, such as commercial, office, industrial or residential. However, it is not possible to avoid identifying a range of residential units for some of those areas.

Ms. McGovern said her main problem is that whenever the midpoint is used in discussions, it automatically becomes the number landowners believe they are entitled to develop. She wanted a better way of planning to avoid that kind of expectation. She would like to see a better way to use study areas to increase flexibility.

Mr. Fialho indicated study areas are used and it is really another term for a specific plan.

Ms. McGovern asked if staff had talked to the East Bay Regional Park District about what types of properties on the ridge lands it was interested in trying to secure for enhancing the park.

Mr. Fialho indicated staff has had discussions with the District. However, they have not talked to them lately about new opportunities like the Alviso Adobe and the connection with the Lester property or whether or not there is trail access to connect to the ridge. In conjunction with the General Plan discussions, some time needs to be set aside for a meeting with representatives from the Park District, so Council can formulate a direction.

Ms. McGovern wanted to see where the staging sites were located and how they connected to trails, what other pieces of property the District may be interested in for expanding the Ridgeland's park. She asked if that was part of land use?

Mr. Fialho said it could be, but staff is trying to present options for land use. If too many more workshops are added, then it is not possible to get through these discussions in a timely manner. He felt there were ample opportunities to get to the information Ms. McGovern wanted through the Public Facilities and Open Space Element of the General Plan. That can then be layered upon the Land Use Element.

Ms. McGovern did not want that to be forgotten because it was a great amenity to the community.

Ms. Maas thanked Mayor Hosterman and the Council for the work they do for the community.

4. NEXT STEPS AND MATTERS INITIATED BY COUNCIL OR COMMISSION

Mr. Fialho indicated a workshop with the School District Board is scheduled for March 20 to discuss land use. Depending upon the outcome of that discussion, the Council and Planning Commission joint workshop will be rescheduled from March 28 to another convenient date.

5. ADJOURNMENT

There being no further discussion, the joint workshop was adjourned at 10:50 p.m.

There was no special meeting of the City Council.

Respectfully submitted,

Dawn Abrahamson
City Clerk