MINUTES

REGULAR MEETING OF THE PLANNING COMMISSION, CITY OF HAYWARD
Council Chambers
Thursday, September 20, 2001, 7:30 P.M.
777 "B" Street, Hayward, CA 94541

MEETING

The regular meeting of the Hayward Planning Commission was called to order at 7:30 p.m. by Chairperson Halliday, followed by the Pledge of Allegiance.

ROLL CALL

Present:	COMMISSIONERS	Zermeño, Williams, Sacks, Bogue, Caveglia, Thnay
	CHAIRPERSON	Halliday
Absent:	COMMISSIONER	None

Staff Members Present: Anderly, Camire, Carlson, Conneely, Garcia, Looney, Weisbrod, Patenaude

General Public Present: Approximately 65

PUBLIC COMMENT

Chairperson Halliday discussed the tragic events of last Tuesday. She noted that the job the Planning Commission and the citizens of Hayward have to do, might seem mundane in comparison, however, it is important for the City to continue to move forward.

AGENDA

1. **Referral by the Planning Director of Administrative Use Permit Application No. 2001-0106 – Kathleen Schnepple (Applicant); Estate of Edward J. Sharon (Owner)** – Request to Allow the Keeping of Livestock (Three Female Chickens) at a Single-Family Residence. The Property is Located at 27426 Mitchell Place, on the East Side of Mitchell Place between Carson Drive and Chambosse Drive

2. **General Plan Amendment (I) GPA 01-110-04** – Request to Amend the General Plan Designation from Industrial Corridor (IC) to Retail and Office Commercial; **Zone Change (II) ZC 01-190-07** – Request to Amend the Zoning District from Industrial (I) to Neighborhood Commercial District (CN); **Site Plan Review (III) SPR 01-130-24** - Site Plan Review for Neighborhood Shopping Center. **Ramon J. and Denilo J. Catbagan (Applicant); Sherman L. Balch (Owner).** The Project Site is Located on the West Side of Stratford Road between Industrial Parkway West and Pacheco Way

3. **General Plan Amendment (I) GPA 01-110-02** – Request to Amend the General Plan Designation from Industrial Corridor (IC) to Low-Medium Density Residential (LMDR); **(II) Zone Change (ZC 01-190-05)** – Request to Amend the Zoning District from Industrial (I) to Planned Development (PD); **(III) Vesting Tentative Map Application Tract 7320** - Request for a 91-Lot Subdivision for Cluster Homes. **Ravi Nandwana, John Rassier & Sherman Balch for Ryland Homes (Applicant); John Rassier, et al, Balch Investment**

Group (Owner). The Project Site is Located at the Northeast Corner of Industrial Parkway West and Stratford Road

4. **Referral by the Planning Director of Site Plan Review 2001-0121 – Laura Spano for Verizon Wireless (Applicant); Hanford Hotels (Owner) –** Request to Construct, Operate and Maintain an Unstaffed, Wireless Telecommunication Facility at the Executive Inn. The Property is Located at 20777 Hesperian Boulevard, in the Airport Terminal - Commercial (AT-C) Zoning District

5. **Use Permit Application No. 2001-0105 – Phil Acton for East Bay Motorsports, Inc. (Applicant); Mahesh K. Puri (Owners) –** Request to Establish a Yamaha Recreation Vehicle Dealership and to Allow an Ancillary Parking Lot in a Residential Zone District. The Property is Located at 27156 Foothill Boulevard in the General Commercial (CG) and Medium-Density Residential (RM) Zoning District

6. **Planned Development No. 01-120-02 & Tentative Map Tract 7315 – American Housing P.M.C. (Applicant); Dinesh and Rashmi Sawhney (Owners):** Request to Subdivide a 1.0± Acre Parcel into 9 Single-Family Parcels and Change the Zoning from RS (Single-Family Residential) to PD (Planned Development) District. The Property is Located at 571 Harris Road in the Harder-Tennyson Neighborhood

7. **Zone Change/Site Plan Review Application No. 2001-0135/00-130-10 & Tentative Tract Map 7215 – Warraich Construction (Applicant/Owner):** Request to Rezone from High-Density Residential (RH) District to Planned Development (PD) District and Subdivide a 16,000± sq. ft. Parcel to Construct Six Townhouses on Separate Parcels. The Property is Located at 308 Valle Vista Avenue at the Northeast Corner of Dixon Street

PUBLIC HEARINGS

1. **Referral by the Planning Director of Administrative Use Permit Application No. 2001-0106 – Kathleen Schnepple (Applicant); Estate of Edward J. Sharon (Owner) –** Request to Allow the Keeping of Livestock (Three Female Chickens) at a Single-Family Residence. The Property is Located at 27426 Mitchell Place, on the East Side of Mitchell Place between Carson Drive and Chambosse Drive

Planner Weisbrod referred to his report of the meeting of September 6, 2001.

Commissioner Caveglia asked about the status of the hearing. He said that since the public hearing was closed at the previous meeting, no further comments from the public would need to be heard because he watched the tape of the last hearing and could participate in the discussion and make a decision. He stated that it was a simple issue. The City allows this use so the Commission should grant this Use Permit. He **moved**, seconded by Commissioner Sacks, to find the proposed project Categorically Exempt from the California Environmental Quality Act (CEQA) guidelines and approve the use permit subject to the findings and conditions of approval.

Commissioner Bogue said he disagreed with the motion. If it were so simple, it would not require a use permit. He noted that the neighbors were overwhelming against it. He added that it is crossing the line from pets to livestock.

Commissioner Caveglia commented that he feels it is soothing to know there will be three red hens scratching around in his town. Were the Commission attempting to ban dogs, the response would be overwhelming. He added that perhaps people need perspective. There should be more tolerance between neighbors, and they should try to get along. There are serious problems in the City of Hayward, and chickens are not one of them.

Commissioner Williams noted his previous comments that the three hens are harmless, but the neighbors have expressed the grief they cause to the neighborhood tranquility. He commented that having these chickens is harming the neighbors. It will result in a problem in the neighborhood and as a consequence he would not support the motion.

Commissioner Zermeño noted that this is an urban setting and should not allow chickens.

Commissioner Thnay said that a lot of things are allowed in the City. This would not have been a problem if the applicant had worked at being a good neighbor. He strongly urged the owners to be excellent neighbors and keep the chickens clean. Being a good neighbor is the key.

Commissioner Sacks indicated that Commissioner Thnay pointed out Condition 6. To her, this will take care of the problems. She supported the motion.

Chairperson Halliday said this is a difficult decision, particularly with so many of the neighbors signing a petition against allowing the chickens. She indicated that there might be a lot of chickens raised in the City of Hayward without a use permit. She added that humans need animals for comfort and solace.

The motion **carried** by the following vote:

AYES:	COMMISSIONERS Sacks, Caveglia, Thnay CHAIRPERSON Halliday
NOES:	COMMISSIONER Zermeño, Williams, Bogue
ABSENT:	None
ABSTAIN:	None

2. **General Plan Amendment (I) GPA 01-110-04** – Request to Amend the General Plan Designation from Industrial Corridor (IC) to Retail and Office Commercial; **Zone Change (II) ZC 01-190-07** – Request to Amend the Zoning District from Industrial (I) to Neighborhood Commercial District (CN); **Site Plan Review (III) SPR 01-130-24** - Site Plan Review for Neighborhood Shopping Center. **Ramon J. and Denilo J. Catbagan (Applicant); Sherman L. Balch (Owner).** The Project Site is Located on the West Side of

Stratford Road between Industrial Parkway West and Pacheco Way

Project Planner Weisbrod described the property and its surroundings. There is no direct access to Industrial Parkway West and, because of its size, it is an unlikely parcel for industrial uses. He described the prepared building design and size. He said staff is recommending that the project be restricted to wall signs only. He said the appearance of the structure ties in with the neighborhood. Staff recommends approval.

Commissioner Bogue discussed the trash enclosure.

Project Planner Weisbrod said the original proposal was to place them in the corners of the parking lot. However, staff was recommending that it be inside the building and the dumpster would be rolled out to the street.

Commissioner Sacks asked about the location of the driveway onto Stratford.

Project Planner Weisbrod said Pacheco Road would probably be used infrequently. There should be no problem closing it, if desired.

Commissioner Thnay discussed the closing of the driveway onto Pacheco Road, which would leave only the driveway onto Stratford. He thought this would create problems with the ingress and egress from Industrial Parkway West. If there were an accident at the entryway, there would be no way out of the lot. He commented that it might be better to have the Pacheco Road access than not to have it.

The public hearing opened at 8:07 p.m.

Anthony Varni represented Mr. Balch, the applicant. He said his client was confined to the hospital. They were pleased with staff recommendation. He said they had with them various consultants who would be available to answer questions.

Chairperson Halliday asked should the housing project following this on the agenda was not found appropriate, whether the shopping center would still be developed.

Mr. Varni explained that three years ago the property was sold, but the City thought there was a need for a neighborhood center in the area. Mr. Balch bought the property back for three times the selling price. He believes that he can not pay for it without the residential area included in the project. He commented that the commercial center is something the City wanted. It would not be economically feasible without the residential project. With approval of residential, they would definitely build the commercial.

Commissioner Bogue asked whether these could be tied together in the actions of the Commission.

Planning Manager Anderly said the Commission should act separately on the two items.

Skip Pearson requested consideration of a monument sign.

Ed Evangelista, homeowner on Welford Lane, and a Civil Engineer, said he had no objections except to the noise and traffic which would affect nearby residents. He noted that it is a good development but there will be impacts to residents. He said he would prefer closing the Pacheco driveway.

John T. Rassier, speaking for the applicant, commented that if a Starbucks is contracted for the center, it would need to open earlier than 7 a.m.

Heidi Kammeyer who lives in the mobile home park at Georgian Manor, said this center would be greatly appreciated, and expressed her support.

William R. Dean, Jr., also from the mobile home park, said he could see no reason why this small shopping would have a problem with a 10 p.m. closure. He said he would strongly approve of the center.

Commissioner Williams commented that for most businesses, being open from 7 a.m. to 10 p.m. is a long time.

Ed Mullins representing the Chamber of Commerce noted that they have been very digilant in protecting the Industrial zoning. However, given the location of the property, this use is probably a very good one. If it could not be developed during the recent economic boom, it would be far more difficult in economic hard times. He said they urged approval.

Chip Pierson, architect of the project, discussed the location of the Starbucks on the site and said it is actually the closest to Industrial Parkway West. It is as far away from the residential as possible. He then discussed the condition regarding the trash enclosure, which was moved from front parking to the back. He said they would like not to have to tuck it into the building. This would limit their space and make it difficult to keep clean. He asked that they be allowed to keep it outside the building. He agreed that Starbucks would need an earlier opening but might close by 9 p.m.

Planning Manager Anderly noted that staff opposed the outside location for the trash enclosure, and noted that a variance application would have to be made to allow the enclosure in the setback as requested.

Commissioner Williams expressed concern in placing further restrictions on small businesses as to the hours. He suggested they were micromanaging by setting the times for the Center.

Commissioner Bogue asked whether the trash enclosure could be brought into the confines of the building without bringing it inside one of the structures.

Mr. Pierson said they could enclose it and make it look like it's a part of the building.

The public hearing closed at 8:45 p.m.

Commissioner Caveglia **moved**, seconded by Commissioner Williams to recommend approval to the City Council subject to the findings and conditions of approval.

Commissioner Thnay commented that it is a good project and will well serve the homes in the area. He noted that a soundwall would be a disservice to the neighborhood. He suggested that they plant trees that would provide a canopy cover along Pacheco. He said that overall it is a good project.

Commissioner Zermeño commented that this was a nice in-fill project.

Chairperson Halliday agreed that she liked the project. She commented that closing the driveway on Pacheco would be okay. They would rely on staff analysis. She would also support the staff recommendation for the trash enclosure. She would favor the hours of 6 a.m. to 9 p.m.

Commissioner Bogue said he, too, would support the motion. This will be an asset to the neighborhood and it fits the property. He commented that there are very few services on Industrial Parkway. He was impressed with this application.

The **motion passed unanimously.**

3. **General Plan Amendment (I) GPA 01-110-02** – Request to Amend the General Plan Designation from Industrial Corridor (IC) to Low-Medium Density Residential (LMDR); **(II) Zone Change (ZC 01-190-05)** – Request to Amend the Zoning District from Industrial (I) to Planned Development (PD); **(III) Vesting Tentative Map Application Tract 7320** - Request for a 91-Lot Subdivision for Cluster Homes. **Ravi Nandwana, John Rassier & Sherman Balch for Ryland Homes (Applicant); John Rassier, et al, Balch Investment Group (Owner).** The Project Site is Located at the Northeast Corner of Industrial Parkway West and Stratford Road

Project Planner Weisbrod described the property and the location. He commented that this is along the industrial corridor and that there is very little industrial land left in the City, particularly along the I-880 corridor. In describing the development, he noted that staff would recommend, if approved, parking bays throughout the development. He commented that the project is not pedestrian friendly and suggested the park be located more central in the development.

Commissioner Bogue asked about the additional park area and how the cost would affect the present Stratford residents.

Commissioner Thnay asked for a comparison of the density to the Cannery Area. He expressed concern about the streets being maintained as private by the homeowners. He said it is an equity issue.

Commissioner Williams asked how, with the limit of industrial and need for housing, do we satisfy all the needs.

Planning Manager Anderly discussed the schools in the area. She noted that Tim Clarry, a representative of Hayward Unified School District, said this year there is adequate space for students but they had no projections with further development in the area on setting goals for school facilities. She noted that HARD supports the request to add onto the park.

The public hearing closed at 9:17 p.m.

Anthony Varni, representing Mr. Balch, explained the investment and history of the Stratford Village. He commented that there are several major problems in developing the site for commercial use. First, it has no access from 880 going north. Then the Dyer triangle was developed, which is in close proximity to this property. He then gave a list of companies presented with proposals to develop the property. He noted that Mr. Balch is the largest industrial builder in Hayward. If anyone could have built a project on this site, the Balch Investment Group could have. He said they hired the best people to design and develop this project, which is very well thought out.

Commissioner Caveglia asked what the selling price of the homes would be. He was told $500,000.

Mark Rutherford, Dahlin architects, discussed their concepts and desire to make this an asset to the existing neighborhood. He commented that the design of the cluster projects is to incorporate the concept of older neighborhoods. In response to commissioner comments and questions, he discussed the details of the architectural designs.

Chairperson Halliday called for a five-minute break.

The public hearing opened at 9:55 p.m.

Bob Miller, a resident, brought with him a petition signed by 25 Georgian Manor residents who support the project. He commented that this is a better option than the commercial proposals or light industrial.

Zetta Ravekes said the residents approve of the change. They do not want industrial on this parcel.

Bruce Finley said he is in favor of this project. He said he moved to the area based on having the second phase be residential.

Yolande Schaffer said this development would help to continue to provide a safe neighborhood.

Paul Schaeffer said he thought this is one of the most modern and well thought-out of plans.

Joe Catalano said good neighborhoods make a good City. He added that the Commission would not regret approving this project.

Tom Sanborn, a developer, said he worked with staff 10 years ago. He commented that this is a logical addition to Stratford Village.

Hobart Gay said they have wrestled with plans for a good subdivision.

Arnal Nastor said that as a homeowner, they would like residential development.

Barbara Albrecht indicated that they would certainly prefer this to any industrial project on the site.

Leah Chelemedos said this is an extension of the beauty and livability of their property.

Ed Mullins, speaking as a representative of the Hayward Chamber of Commerce and as a resident of Hayward, said he was aware of the history of the property. He said they would support rezoning for residential. He added that they like this project. He noted that the boundaries of the industrial area were drawn in a rough manner. With Stratford Village built there, residential makes sense. He noted also that Mr. Varni indicated how difficult this property was to market. He added that it might be time to face reality.

Jack Balch explained their position as an active industrial/commercial builder in the City. He said they have not been able to develop this property for industrial uses.

Commissioner Sacks expressed concern that the list of prospects Mr. Varni read was all commercial, none were research and development, none were for a Business Park, and none were industrial.

Mr. Balch explained that it is difficult and not practical to build a speculation project with all of the conditions set by the City.

John Rassier explained that this project is Stratford 2, the second part of the original project. He commented that a retail center at this location would engender 15,000 cars a day, affecting the quality of life in the neighborhood. He noted that they were trying to complete a very special place in Hayward. It will be the kind of place Stratford I is. He urged the Commission to look at the details of the project.

The public hearing closed at 10:20 p.m.

Commissioner Bogue commented that it was an interesting plan to complete the project and complete the neighborhood. Originally, Stratford I was pushed into the industrial area. He noted that one incremental step after another residential development is infringing on the industrial space in the City. This area should still be attractive for a business park. He said he was not in favor of rezoning the property for residential development. He **moved**, seconded by Commissioner Caveglia, to deny the General Plan Amendment, the Zone Change and the Vesting Tentative Map.

Commissioner Thnay said this is a very complex issue. He said he thought there were over-riding reasons to vote for a zone change. There is already encroachment on the industrial area by Stratford I and now residents in the area want more of the same things. It might be beneficial for a lot of reasons if the City could retain this as industrial. But, he said the owners have spent too many years on marketing the property and have not been able to find an interested industrial or commercial developer. He commented that it does complete the project. From a spatial viewpoint, this project makes sense. He said it may be too dense, with 91 homes and with a reduction in the density, it might be a good project.

Commissioner Williams said time is a factor. We have had a good economic run. He asked what type of industry would go there, particularly now that the economy is on a downturn. If Hayward needs housing, this project would complete housing on Stratford Road. He noted that industry is just not coming back and it may be time for Hayward to get the big picture. He suggested looking at the past projects of these applicants. They have made Hayward a top priority.

Commissioner Sacks said she would agree with Commissioner Bogue. She said she reviewed the Neighborhood Plan for the Tennyson/Alquire area. She commented that we need to protect our industrial space.

Commissioner Zermeño said he would vote for the motion. However, if the project had fewer homes and more open space, he might support it.

Commissioner Halliday said she would agree with Commissioner Williams. She said she was originally thinking she would oppose the project. If the project were to go forward, she would like to see it made more pedestrian friendly. She noted that it would make sense to approve this application since it would be adjacent to residential. She added that she did not know if there would be a lot of hope for industrial development on this site in this tough economic climate.

The motion **carried** to deny the General Plan Amendment, the Zone Change, and the Vesting Tentative Map by the following vote:

AYES:	COMMISSIONERS Zermeño, Sacks, Caveglia, Bogue
NOES:	COMMISSIONER Williams, Thnay CHAIRPERSON Halliday
ABSENT:	None
ABSTAIN:	None

4. **Referral by the Planning Director of Site Plan Review 2001-0121 – Laura Spano for Verizon Wireless (Applicant); Hanford Hotels (Owner) –** Request to Construct, Operate

and Maintain an Unstaffed, Wireless Telecommunication Facility at the Executive Inn. The Property is Located at 20777 Hesperian Boulevard, in the Airport Terminal - Commercial (AT-C) Zoning District

Continued at the applicant's request.

5. **Use Permit Application No. 2001-0105 – Phil Acton for East Bay Motorsports, Inc. (Applicant); Mahesh K. Puri (Owners) –** Request to Establish a Yamaha Recreation Vehicle Dealership and to Allow an Ancillary Parking Lot in a Residential Zone District. The Property is Located at 27156 Foothill Boulevard in the General Commercial (CG) and Medium-Density Residential (RM) Zoning District

Associate Planner Pearson described the lot and premises. He noted that no additional parking is required. The conditions would require the removal of the roof sign. He commented that the applicant wanted to replace the chain link gate with metal gate for security, but it does not meet the City standard. Although staff recommended the application for approval, the applicant has submitted a letter for changes in certain conditions.

In response to Commissioner Williams questions regarding the removal of the sign on the building, Planning Manager Anderly said that with a change of use requiring a use permit, the City Sign Ordinance must be invoked and roof signs are prohibited. Since the Goodwill store at the present location did not change the interior of the building, nor require a new use permit, they were not required to remove it.

The public hearing opened at 10:49 p.m.

Phil Acton, applicant, said Yamaha approached him with this location. He noted that they prefer their dealerships be at least 10 miles apart. This gives Hayward an edge over every other city within a 10-mile radius. As the owner of the building, they will keep up appearances. They are planning a face-lift for the building, with an interior showroom. This, in turn, will upgrade the appearance of the neighborhood.

John Seals, attorney for the applicant, commented on two items, conditions 8 and 24. He argued for keeping the roof sign and the existing security gate location. He noted that the other issues could be worked out with staff.

Robert Sakai, attorney, discussed specifically the sign issue. When Goodwill chose not to do anything to the building, they were allowed to keep the sign. This applicant is proposing to fix up the building, and is being punished with the removal of the sign. He said they need the sign to help them recoup their investment. Their reputation needs to be established. This is a project Hayward needs. The applicant is making a significant investment in Hayward.

Rex Warren spoke in favor of the use permit. They are spending a significant amount of money to start a new business in Hayward. He commented that this should be encouraged.

Ed Mullins, representing the Chamber of Commerce, said they think this is a good proposal and they would support it.

The public hearing closed at 11:02 p.m.

Commissioner Bogue said he was looking at the conditions regarding the security gate. If the gate were closer to Foothill it would be dangerous, but a gate needs to be on the property. It helps to prevent people from going behind the building. He **moved**, seconded by Commissioner Williams, to approve the staff recommendation, with the addition that the roof sign may remain with the proposed time and temperature module and that the security gate may remain as shown on the plan.

Planning Manager Anderly stated that the Sign Ordinance only allows time and temperature on banks, and savings & loans.

Commissioner Sacks asked about American Motorcycle when it was discussed recently. The Commission required removal of their roof sign within 18 months of approval of the use permit.

Commissioner Williams noted that attracting business is important to a business. This is an owner-operated building. He commented that the Super 8 Motel has a monument sign. This business will be worthwhile.

Commissioner Caveglia said he was eager to vote for this proposed new facility but not with the sign exemption.

Commissioner Thnay commented on the irony of requiring the removal if you change something for the better. He commented that the Sign Ordinance is a good thing. However, it might be better to have more options. This project will be a really great thing for Hayward.

Commissioner Zermeño said he would support the application.

Commissioner Halliday asked if there is any way the front parapet could be designed so that it could have signage on both sides.

Associate Planner Pearson responded that it would be difficult as the project is already on the property line.

Commissioner Bogue said he was in support of the sign. He said he was not willing to remove that request from the motion, although he was willing to remove the request for the time and temperature module. He agreed to amend the motion to require the sign to be removed within 18 months. This is the same requirement made for the other motorcycle business. This was agreed to by Commissioner Williams.

The motion passed 6:1, with Commissioner Caveglia voting "No."

6. **Planned Development No. 01-120-02 & Tentative Map Tract 7315 – American Housing**

P.M.C. (Applicant); Dinesh and Rashmi Sawhney (Owners): Request to Subdivide a 1.0± Acre Parcel into 9 Single-Family Parcels and Change the Zoning from RS (Single-Family Residential) to PD (Planned Development) District. The Property is Located at 571 Harris Road in the Harder-Tennyson Neighborhood

Associate Planner Pearson gave the staff report.

The public hearing opened at 11:34 p.m.

Commissioner Caveglia asked the applicant about the median house price for the project. He was told it would be $400,000.

Chairperson Halliday commented that she really liked the porches.

The public hearing closed at 11:38 p.m.

Commissioner Caveglia **moved,** seconded by Commissioner Zermeño to approve the staff recommendation with these additional conditions *"1. Prior to issuance of a building permit, detailed landscape plans, irrigation plans and specifications shall be prepared by a licensed landscape architect and submitted for review and approval by the City. Landscape Plans must be approved by the City Landscape Architect and City Engineer. Mylar originals of the approved landscape plans shall be stamped approved and signed off by the City Landscape Architect and City Engineer. Approved original mylars shall be left on file with the Department of Public Works. (For small scale projects where review could be done with the turn around time for building permit review.) 2. Construction Administration services shall be provided by the project Landscape Architect. Services to include: a. Observation of irrigation system before burying pipes. b. Observation of plant material upon delivery to site. c. Observation of layout and placement of plant material at time of planting and completion of placement of soil mix. d. Observation for Maintenance Period Commencement. e. Observation for Final Acceptance"*

7. **Zone Change/Site Plan Review Application No. 2001-0135/00-130-10 & Tentative Tract Map 7215 – Warraich Construction (Applicant/Owner):** Request to Rezone from High-Density Residential (RH) District to Planned Development (PD) District and Subdivide a 16,000± sq. ft. Parcel to Construct Six Townhouses on Separate Parcels. The Property is Located at 308 Valle Vista Avenue at the Northeast Corner of Dixon Street

Associate Planner Camire made the staff report. She described the six townhouse units located 800 feet from the South Hayward BART station. Associate Planner Camire stated that since the project is located near BART, site design changes were made to encourage use of public transit that included direct sidewalk access from each unit, increasing uncovered parking by four spaces and increasing the side yard setback to 20 feet and increasing the amount of group open space. Minor changes to the building design include relocation of an end entry to Valle Vista and the provision of distinctive entries.

The public haring opened at 11:44 p.m.

Gary Dotson said he owned apartments next door. He expressed concern with the location of the dumpster. He commented that working with the Planning Department and the developer had satisfied his concerns. He commented that he would now support the development.

In response to Commissioner Caveglia's question as to the selling price, he was told they would be sold for $300,000.

The public hearing closed at 11:47 p.m.

Commissioner Caveglia **moved**, seconded by Commissioner Sacks, to approve the staff recommendation with the same two additional conditions as previously noted. *"1. Prior to issuance of a building permit, detailed landscape plans, irrigation plans and specifications shall be prepared by a licensed landscape architect and submitted for review and approval by the City. Landscape Plans must be approved by the City Landscape Architect and City Engineer. Mylar originals of the approved landscape plans shall be stamped approved and signed off by the City Landscape Architect and City Engineer. Approved original mylars shall be left on file with the Department of Public Works. (For small scale projects where review could be done with the turn around time for building permit review.) .) 2. Construction Administration services shall be provided by the project Landscape Architect. Services to include: a. Observation of irrigation system before burying pipes. b. Observation of plant material upon delivery to site. c. Observation of layout and placement of plant material at time of planting and completion of placement of soil mix. d. Observation for Maintenance Period Commencement. e. Observation for Final Acceptance"*

ADDITIONAL MATTERS

8. Oral Report on Planning and Zoning Matters

Planning Manager Anderly thanked those commissioners who went to the recent Smart Growth Workshop. She then reminded members of the upcoming Tuesday Joint City Council/Planning Commission meeting on September 25.

9. Commissioners' Announcements, Referrals

There were no announcements or referrals

ADJOURNMENT

The meeting was adjourned by Chairperson Halliday at 11:51 p.m.

APPROVED:

_____

Francisco Zermeño, Secretary
Planning Commission

ATTEST:

_____

Edith Looney
Commission Secretary