

**Planning Commission Minutes
Community Chambers
Wednesday, May 26, 2010, 7:00 p.m.**

Commissioners Present: Mark Braly (Chairperson), Ananya Choudhuri, Lucas Frerichs, Rob Hofmann, Kris Kordana, Terry Whittier

Commissioners Absent: None

Staff Present: Mike Webb, Principal Planner; Lynanne Mehlhaff, Planning Technician

1. Call to Order

Chairperson Braly called the meeting to order at 7: 01 p.m.

2. Approval of Agenda

The agenda was approved by consensus.

3. Staff and Commissioner Comments (No action).

Mike Webb, Principal Planner, announced that the City Council appointed Ananya Choudhuri as a regular Planning Commissioner. There were still two regular openings for Planning Commissions that will remain open until filled.

4. Public Communications

There were no public communications.

5. Consent Items

- A. **Planning Commission Minutes of February 10, 2010**
- B. **Planning Commission Minutes of March 24, 2010**

Action: Commissioner Whittier moved approval of the February 10, 2010 minutes; Commissioner Hofmann seconded the motion. Commissioners approved by consensus except Commissioner Choudhuri who abstained.

Commissioner Whittier moved approval of the March 24, 2010 minutes with a second from Commissioner Kordana.

The motion passed by consensus with Commissioners Choudhuri, Hofmann, and Frerichs abstaining.

6. Public Hearings

A. PA #59-09, Willowbank Park Subdivision: Tentative Map #03-09, Revised Final Planned Development #03-09, Design Review #20-09, Revised Affordable Housing Plan #02-09, Development Agreement #08-09; (*Xzandrea Fowler, Planner*)

Public Hearing to consider the development of Parcel C, from the recently approved Willowbank Park Subdivision, with a nine unit single family attached residential subdivision; modifications to the approved property lines for lots 15 and 16; modification to the lot lines for the affordable housing units; reduction of two required affordable housing units in exchange for in-lieu fees; and the addition of Parcel D (proposed as additional open space adjacent to Parcel B). This would bring the total number of units within the Willowbank Park Subdivision to 29 units. The proposed changes would take place on approximately 1.09 acres of the vacant 4.48 acre site located on Mace Boulevard between San Marino Drive and Redbud Drive.

The proposed density would remain medium, four lots would be developed with for-sale affordable housing units, nine lots would be developed with townhouse units and 16 lots would be developed with single family detached units. The proposed townhouse units on parcel C would be two stories, with an optional third story sky room.

Mike Webb, Principal Planner, presented the staff report.

Chairperson Braly opened the public hearing.

Jason Taormino, applicant for the Willowbank Park project, described the project that the City Council had asked them to do. He requested a compromise on two issues. The first would be that they increased the size of Parcel B by 2,000 square feet because Lot #18 had a four foot backyard so they increased the parcel so it gives that lot more room. The second issue is regarding the lofts on the townhomes. They would like lots #17, #18 and #19 to have lofts because they are close to the greenbelt and also two of the other triplexes to have lofts. He stated the lofts were a great addition to the townhomes and wanted flexibility for the buyers to add a

loft if they wished. He said he could work with Planning staff to determine the flexibility with the lofts for buyers.

Mike Webb, Principal Planner, explained that the red parcel that the applicant has presented tonight has not been discussed. He said it would change the approved Final Map and there was no application for it, and could not be decided tonight.

Marlene MacDonald, Willowbank neighbor, had been to all the neighborhood meetings and was surprised to hear about the 3rd story lofts and decks. She did not think it was a good idea for the community and wildlife habitat buffer or viewshed in the area to have these lofts. It wouldn't be a benefit to the whole community.

Tim Ranstrom, homeowner in Willowbank, felt the third story lofts were out of character with the neighborhood. The neighbors agreed with the original density and these third stories will just add more people. The reason the City Council went with townhouses was to give more open space and a viewshed. The 3rd story will take that away. The applicant has tried to get the 50 foot buffer taken away and the Fish and Game Department has said no.

Bev Kafka, of San Marino Drive, had privacy concerns with three story lofts that would look into her yard. She said her neighbor was concerned with noise and light pollution. She pointed out that six months of the year the trees had no leaves and so people could easily see into her yard. She said noise out of a third story would affect the wildlife area as well.

Steve Kafka, of San Marino Drive, said he has seen the red foxes in the creek near his yard even with the construction screens that have been put up. He has seen a lot more of wildlife now. He suggested that the massive building would now occur on the wildlife area which needs the protection. He suggested moving the townhome lots down to the lower part of the development and put larger homes along the north side for the wildlife. It is too much urbanization on the wildlife/creekbed area.

Dave Taormino, developer, said the nine townhomes that you see was what the City Council ordered them to do. He said the lofts were an important aspect; people want innovation. The third story lofts make good sense and didn't intrude on the San Marino homes. He planned to ask the City Attorney if there really was a required 50' buffer by Fish and Game. He said there wasn't that much difference in the canopy all year round. He was concerned about what people were willing to buy for housing.

Steve Kafka said the trees on their side of the wildlife corridor were mostly deciduous trees.

Chairperson Braly closed the public hearing.

Commissioner comments (but not necessarily with consensus):

- Suggested that the outside units not have a loft but just the interior lots have lofts so as to give a graduated step down appearance for the neighborhood aesthetics.
- Emphasized with the neighbors on privacy but was leaning towards some lofts in the townhomes. Due to the minimal tree line scape, lots 23 and 24 shouldn't have lofts.
- Agreed with the staff report and said the red area proposed tonight should be forwarded to the City Council and to work with City staff to see if feasible to move the footprint of that one lot so as to increase the livability on that lot.

Action: Commissioner Whittier moved approval to forward this application to City Council with the stipulation that the Planning Commission approves the staff recommendation. He also recommended the developer could take the red area forward to City Council. Staff clarified that the red area couldn't be recommended for approval due to no application. Commissioner Whittier agreed with the FPD table as shown on page 11 which included the lofts as recommended by staff. Commissioner Kordana seconded the motion.

Chairperson Braly offered a friendly amendment that Planning Commission give the developer the option of lofts for lots #17, 18, and 19 and two lofts out of the three units in each of the other two triplexes for a total of 7 lofts. Commissioners Kordana/Whittier accepted.

Commissioner Frerichs amended the motion for the small backyard of Lot #18, by adjusting the front setback by moving the house forward to give it a larger backyard. Commissioner Whittier would not accept the amendment and wanted the developer to work it out with staff. Commissioner Frerichs added a friendly amendment that Lots #23 and 24 have no lofts due inadequate tree coverage for the neighbors. Commissioner Whittier wouldn't accept the amendment.

AYES: Whittier, Kordana, Braly
NOES: Choudhuri, Frerichs, Hofmann
The motion failed 3 to 3.

Commissioner Frerichs moved approval of staff recommendation with the changes of no lofts on lots #23 & 24; lofts would be allowed on #17, 18, 19, and 2 of the units of either #20, 21, and 22 and lot #25 as well. Also, lot #18 would be moved forward in the front as discussed but no less than 18 feet to the front from the street. The front setbacks could be worked out with the developer and staff.

Commissioner Choudhuri seconded the motion.

AYES: Choudhuri, Kordana, Frerichs, Hofmann, Braly
NOES: Whittier
The motion carried 5 to 1.

7. Business Items

A. Amendment to Floor Area Ratio Resolution; (*Eric Lee, Assistant Planner*)

Mike Webb, Principal Planner, presented the staff report.

Action: Commissioner agreed by consensus that the amendment to the Resolution No. 1-Series 2010, amending the Floor Area Ratio interpretation to add areas enclosed by courtyard and atrium walls exceeding seven feet in height, made sense and voiced approval.

AYES: Choudhuri, Whittier, Kordana, Frerichs, Hofmann, Braly
The motion passed unanimously 6 to 0.

B. Selection of Vice-Chairperson for the Planning Commission

Commissioner Whittier nominated Commissioner Kordana for Vice-chair and Chair Braly seconded the motion. Commissioner Hofmann nominated Commissioner Frerichs and Commissioner Choudhuri seconded the motion.

Chair Braly asked for a secret ballot by writing it down on paper.

The vote was a tie 3 to 3.

Staff and Commissioners discussed to wait until new Commissioners came aboard in the next month or so and have the selection process over again.

C. Commissioner Liaison Selection

Commissioner Whittier suggested waiting a month for additional appointed Commissioners to go through the liaison selection process. Commissioners and staff agreed.

8. Informational Items

A. Planning Commission Schedule

9. Staff and Commissioner Comments (continued).

Mike Webb went over the upcoming meeting schedule.

Commissioner Choudhuri said she got a request from the UCD APA Club for interest in shadowing Planners for a day. Staff said to forward on the email so staff could look at the schedule and information.

10. Public Communications (continued).

There were no public communications.

11. Adjournment to the next regular Planning Commission meeting to be held on Wednesday, June 9, 2010 in the Community Chambers (23 Russell Boulevard).

The meeting was adjourned at approximately 9:19 pm.