

**MINUTES OF THE  
PLANNING COMMISSION REGULAR MEETING**

March 6, 2012

A regular meeting of the Planning Commission for the City of San Ramon was called to order by Chair Kerger at 7:00 p.m., Tuesday, March 6, 2012 in the Council Chambers 2222 Camino Ramon, San Ramon.

**ROLL CALL**

**Present: Commissioners, Benedetti, Sachs, Wallis, Vice Chair Viers, Chair Kerger**

**Absent: None**

**Staff: Phil Wong, Planning Director; Debbie Chamberlain; Division Manager; Ryan Driscoll; Assistant Planner; Cindy Yee; Associate Planner; Lauren Barr; Senior Planner; Michael Roush, Interim Deputy City Attorney; Luisa Amerigo, Recording Secretary**

**Audience: 20**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PUBLIC COMMENTS OR WRITTEN COMMUNICATION**
- 5. ADDITIONS AND REVISIONS -None-**
- 6. CONSENT CALENDAR**  
**6.1 Minutes from the February 7, 2012 meeting. Approved**
- 7. CONTINUED ITEMS AFTER CLOSING OF PUBLIC HEARING -None-**

**8. CONTINUED ITEMS – OPEN PUBLIC HEARING**  
**8.1 San Ramon 2012 Zoning Ordinance Text Amendment (TA 10-410-001 and IS 12-250-001). Staff Report by: Cindy M. Yee**

Cindy Yee, Associate Planner gave a summary and provided background information on the 2012 Zoning Ordinance Update and the purpose of the update. Ms. Yee stated that since the public hearing on February 7, 2012, a few additional minor clarifications have been made to the 2012 Zoning Ordinance Public Review Draft. These additional text changes have been identified in an errata sheet attached to the Planning Commission Resolution Number 02-12 as Exhibit C.

Chair Kerger opened the public hearing. There being no speakers Chair Kerger closed the public hearing.

Vice Chair Viers asked for clarification on why the City Attorney's office would be involved in the Zoning Ordinance. Ms. Yee replied that as part of the Zoning Ordinance update we request that the City Attorney's office makes sure that any of the changes we are making are legal and that there are no conflicting statements within the document.

Chair Kerger stated that the Use Tables shown in Division 2 identifies if a particular use is permitted by right requires a use permit or a zone clearance. However, it appears that a zone clearance may be required even for a permitted use and, does the Zoning Ordinance provide a threshold or guidance as to when you might require a zone clearance and when are they triggered.

Debbie Chamberlain, Division Manager replied that in Division 2 there are items identified as permitted use which is shown as a P in the table, UP for a Use Permit which is a Planning Commission review and MUP, Minor Use Permit which an Zoning Administrative review and ZC is a zoning clearance. When a zoning clearance is issued for a permitted use, we are verifying the proposed project complies with the Zoning Ordinance. For example, we want to ensure that when a non-retail use goes on the ground floor of a mixed use project that it is not exceeding the 25% non-retail standard. The zone clearance process is how we document that review and compliance with that requirement.

Chair Kerger recommended that the meeting be continued to get a better understanding on the zoning clearance and asked Ms. Chamberlain for an appropriate time line. Ms Chamberlain replied June 5

Commissioner Sachs commented there were a few commercial properties that required an exemption. Ms. Chamberlain replied yes.

Vice Chair Viers asked if there would be any negative ramifications if the meeting was extend to June 5. Ms. Chamberlain replied no.

Commissioner Benedetti asked for clarification on the process of the public hearings. Ms. Chamberlain replied that on June 5 if the revised language is acceptable, the Planning Commission could make a recommendation to the City Council. The City Council has a two-step process where they introduce the Zoning Ordinance and at the second hearing, they adopted it.

Chair Kerger asked was there anything else needed to continue the meeting. Ms. Chamberlain replied that the meeting would have to be continued as an Open Public Hearing so the meeting would not have to be re-noticed to June 5.

It was moved by Commissioner Sachs and seconded by Commissioner Vice Chair Viers that the Planning Commission continue the 2012 Zoning Ordinance Text Amendment (TA 10-410-001 and IS 12-250-001 to the date stated in June.

AYES: Commissioners, Sachs, Vice Chair Viers, Benedetti, Wallis, Chair Kerger

NOES: None

ABSTAIN: None

ABSENT: None

## **8.2 North Camino Ramon Specific Plan (SP 09-800-001). Staff Report by: Lauren Barr**

Lauren Barr, Senior Planner gave a background summary of the proposed North Camino Ramon Specific Plan. The Project area is approximately 295 acres bounded generally by the City limits to the north, Executive Parkway to the south, Highway 680 to the west, and Alcosta Boulevard to the east. Mr. Barr added that this is long range planning and intended to be a flexible plan using smart growth concepts.

Chair Kerger opened the public hearing.

Roz Rogoff – San Ramon resident stated that the size of the proposed project was a concern. Ms. Rogoff further stated that the plan should be broken into two sections north and south. Ms. Rogoff expressed a concern in the increased number of housing units. Ms. Rogoff added that she would like to see more upscale retail stores and to limit the size of stores and reduce the height of the buildings. Ms. Rogoff further added that she also had a concern with the traffic associated with the project. She further added if the plan is changed how does it affects the Environmental Impact Report.

Jeff Rackmil – San Ramon resident stated that he is against the proposed plan. Mr. Rackmil added that even though the HOV ramp project is not part of the proposed plan to think of the ramps as a way to mitigate traffic is short sighted.

Jonathan Winslow – ZKS Real Estate stated that he is in favor of the plan. Mr. Winslow added that he has encouraged the City to be flexible and letting the market dictate where uses go in the plan.

Pat Baran - San Ramon resident stated that she is not in favor of the proposed project. Ms. Baran expressed her concerns about traffic, and the proposed housing. Ms. Baran also submitted a letter from Ms. P. Komperda, which was read into the record.

Jim Gibbon – San Ramon resident sated that North Camino Ramon Plan should be revised. Mr. Gibbon further expressed his concerns about the traffic impacts and height of buildings.

Michael Cass – Danville resident stated that the North Camino Ramon Specific Plan is a good plan. Mr. Cass stated that live/work units should be considered which would also reduce traffic. Mr. Cass added that senior housing should be considered.

Kevin L’Hommedieu – San Ramon resident stated that he is against the proposed project. Mr. L’Hommedieu further stated that he has concerns with the increased housing and additional traffic.

Jim Blickenstaff – San Ramon resident stated that the plan has many useful functions but it’s not compatible with the area. Mr. Blickenstaff added that traffic would be a concern in the area and building height.

Joanne Hollender – San Ramon stated she is against the project. Ms. Hollender further stated that she has concerns with the potential traffic impacts and parking issues. Ms. Hollender added that the project is a good concept but we need to have pedestrian crossings at Bollinger to Crow Canyon Roads.

Chair Kerger closed the public hearing.

Commissioner Sachs commented that the parking policies and assumptions need to be looked into further. Commissioner Sachs added that affordable housing is also a concern and would like further clarification. Commissioner Sachs also added why are we trying to hit a home run related to the Sustainable Communities Strategy, perhaps we should let it develop rather than getting out in front. Commissioner Sachs further added that removing a portion north of Crow Canyon should be considered.

## **9. PUBLIC HEARING – NEW ITEM**

### **9.1 Draft Environmental Impact Report (SCH 2010092014) for the North Camino Ramon Specific Plan (SP 09-800-001). Staff Report by: Lauren Barr.**

#### **Verbatim Minutes**

Grant Gruber, Project Manager with Michael Brandman Associates gave a brief PowerPoint presentation on the North Camino Ramon Specific Plan Draft Environmental Impact Report.

Chair Kerger opened the public hearing.

Chair Kerger stated that a late communication was received from the Department of Toxic Substances Control and would be placed in the record.

Debbie Chamberlain Division Manager stated: Through the Chair if I might just clarify that, the testimony taken now is strictly on the EIR. But we do have a separate public comment on the specific plan itself. So there are two public hearings being held tonight so the speakers understand that the speakers are speaking on the draft.

Chair Kerger stated: This is on 9.1, which is the EIR correct.

Pat Baran San Ramon resident stated: Well I have difficulty separating the two. If you need to shut me up you can and I can talk later. I have difficulty in my mind separating the Environmental Impact Report from the plan itself I think they interact. Can I start?

Chair Kerger stated: You certainly can if it has to do with the Environmental Impact.

Pat Baran stated: Because what I am addressing and I think what other people I know, addressing is what we see is the impact of this proposed change so to me it is the Environmental Impact. But like I said, I have trouble separating it from the plan itself. But it is the impact of the plan that my concerns are is that alright.

Chair Kerger stated: I have a Planning Commissioner that is a bit.

Commissioner Wallis stated: Do I look that way? Chair Kerger: Yes, yes.

Commissioner Wallis stated : Ah no, I think what our staff was trying to say is that on 9.1 the issue isn't what the affects of the plan are going to be. But we have a draft environmental impact report which says here what we foresee the effects of the plan to be, and the question in this particular part of the proceedings is does that report adequately address the impacts that are set forth in the plan. So what really has to do with was the report adequate not whether the plan as a whole.

Pat Baran stated: I think that the report is flawed.

Commissioner Wallis stated: Ok but that is what we want to hear.

Pat Baran stated: The Environmental Impact Report is flawed in my view.

Chair Kerger stated: Ok but what we need you to tell us is which part of that impact report do you feel is flawed.

Pat Baran stated: I will.

Chair Kerger stated: And what areas you're concerned about.

Pat Baran stated: Ok and then if I need talk on the other section I can talk in that section to.

Chair Kerger stated : I will let you do that.

Pat Baran stated : Ok. Thank you. Anyhow, my name is Patricia Baran and I live at 2209 Tahiti Drive in San Ramon. Lived there since 1978 some of all have seen me before and were in Country View homes, which is if you think of the intersection of Crow Canyon.

Chair Kerger stated : Ms. Baran do me a favor and everyone else that comes up here you speaking to the Commission.

Pat Baran stated: Ok.

Chair Kerger stated : And not to the audience

Pat Baran stated: Ok.

Chair Kerger stated : We want to see your face.

Pat Baran stated : Ok.

Chair Kerger stated : Alright thank you.

Pat Baran stated: It's ah if you of the intersection at Crow Canyon and Alcosta Country View homes is the next street up. So we are very very close to the specific area. And I

have reviewed the plan and I have reviewed the impact report and addressing the environmental impact report, I noticed that it said ah that there would be regarding transportation there would be less than significant impact on transportation by the implementation of this plan. And this plan compared with the present day would mean a million plus additional square feet than what are there now and it would mean 1500 housing units that are not there now. So I am looking at now verses the future ok and the impact report says transportation less than significant impact and its says noise less than significant impact by implementing this plan. Ah, in my view as a person that has lived there for a very long time there is going to be very significant impact to ah transportation and to noise when this plan is implemented And so for those reasons I feel that the impact report is flawed. It is does not, I speak as a person a person not a person writing the report and I say it is going to be much more than significant impact there is going to be a significant impact and when I read the impact the environmental impact report it talked about well we will restripe this lane and will take care of traffic problems by restriping this lane.

Chair Kerger stated : So your biggest concerns are transportation and noise.

Pat Baran stated: Traffic and noise are my biggest concerns.

Chair Kerger stated: Alright.

Pat Baran stated and when I looked at my records, I see that I have spoken before I spoke back in September 2010 about those concerns. So I have spoken before and I spoke recently to the Council meeting. I also but to go into specifics I can do it at a later time. I also have a letter that one on of my neighbors gave me that wants me to read to the commission tonight also.

Chair Kerger stated: And that is about the EIR? The Environmental Impact Report or is it about the project.

Pat Baran stated Well it is about the impact if this plan is implemented and the negative impact it is going to have.

Chair Kerger stated: She is concerned about the project not about the environmental impact.

Pat Baran stated the negative impact the plan would have. And I have now just pointed out I consider to be two flaws in the Environmental Impact Report.

Chair Kerger stated Ok. So I will also put you down for the next one.

Pat Baran stated Thank you very much I appreciate it.

Chair Kerger stated: Yep, thank you. Joanne Hollender

Joanne Hollender stated: Good Evening, my name is Joanne Hollender I live at 3424 Java Drive in San Ramon. I lived in San Ramon over 33 years I lived here when Alcosta Blvd did not go through Crow Canyon Road through. I seen what this city has looked like in the beginning I can see what it can look like now and I can what the plan looks like from the plan. Environmentally I guess is my real concern I have absorbed a tremendous amount of transportation issues just recently. I am retired from the City of Santa Clara after working 20 years there I know what is when you talk about planning. But I also know about reality about day to day living in a city such as San Ramon. Seeing the traffic and the noise I have had to call Building ordinances for leaf blowers blowing at 3:30 in the morning to clean a parking lot and you can talk to your code enforcement man to confirm that.

I am concerned about the high density, high density without square footage of office space is going to impact the traffic, the noise level the inability to get through town. The quality of life will go down it will not improve I have seen that. The traffic lights don't work the lane traffic lanes they just Crow Canyon is backed up during lunch time, morning and evening. You can't from here to there I have to take an alternate route to get to Costco because I cannot come to Crow Canyon I live in Country View just off Crow Canyon Road. It is very difficult now the reality is quite different from what you have in your environmental report. I assure you reality is quite different and more is not necessarily better.

I don't know what the objective is of San Ramon but being that we back up to Danville, and Danville is not very corporative in wanting any of our traffic we have to deal with it. I think we need to look more closely at this issue those environmental report are not written by people who live here day to day so I appreciate your time I hope you give this consideration it is a very important it impacts of all of living in San Ramon and quality of life. I do not want to move because it goes downhill just because we want more. Santa Clara is that way and let me tell you it is a mess people are moving out and I San Ramon to be that way down the road. It is a great city and don't want to see it ruined. So thank you very much for your time.

Chair Kerger stated : So let me see if I understand. You too are also concerned about the traffic and about the nose.

Joanne Hollender stated and the density.

Chair Kerger stated: And the density of the project.

Joanne Hollender stated: Yes.

Chair Kerger stated: Ok.

Commissioner Wallis stated: Can I ask a question?

Chair Kerger stated: Sure

Commissioner Wallis stated: Density referring to the project as a whole or residential or?

Joanne Hollender stated: Primarily office ahh but ah again I have been told by the planners that there is going to be reverse commuting and what not and people will be going out and people will be coming in and that will be adding to actual conjunction but I disagree with that. I see that everyday now how packed it is with the commuters that come into San Ramon which I think is about 30,000.00 people a day. Being home all the time now I see it and to really appreciate that difference. The weekend is such a difference you can get around town because we do not have all these people. It is not going to be well taken with all this commercial space primarily space. Thank you for your time.

Chair Kerger stated: Jim Blickenstaff:

Jim Blickenstaff stated: Good Evening Donna and Planning Commission.

Chair Kerger stated: Did you turn your cell phone off Jim?

Jim Blickenstaff stated yeah.

Chair Kerger stated: You did? Now you did.

Jim Blickenstaff stated : It better not go off.

Chair Kerger stated: Not while you're up here.

Jim Blickenstaff stated: Um, I'm glad we have a couple of 3 more weeks to comment on the draft EIR. This is just too very rough summary where the EIR is and where they need to go. I'll to make a distinction here to keep it on the EIR matter because there is a vaguely (vagueness) when you talk about impacts and when you talk about projects. Umm traffic turns out to be a big issue here.

It is the big issue and an EIR cannot it is insignificant it is huge and there is a history here that relates to traffic that the EIR well advised to evaluate. It starts with Dougherty Valley and the Settle Agreement that gave entitlements to traffic capacity at key intersections. Traffic out of Dougherty Valley and then from there we went to a Civic Center with development agreement and a lawsuit that has to do with traffic issues that tie to those same key intersections and will add traffic numbers in a significant way to that coming down the road from Dougherty Valley. Well have Bishop Ranch in general as it expands adding to traffic of ahh that is not there yet but it is going to be there.

Then we have the North Camino Ramon Plan that will had hugely to traffic and just because the delta between what maybe be on paper from the old plan and what this plan may allow is small. The delta between what is there now and what this plan would change in terms of increases of square footage of five plus million and housing and 1500 etc is enormous so that kind of impact you need to look at in terms of the change of where we are now. Not just traffic from the North Camino Ramon Plan but from the traffic all those three other categories I mentioned before.

They are all accumulative and there will be quite severe and, and to the extent that they degrade the quality of life I think that is almost a given I do not see a solution to it. But in terms of the solutions the city is looking at we have to be very cautious about one's solutions and that is the Norris Canyon HOV off ramps. There is a huge resistant to the impacts those have had in southern and western San Ramon from the resident now it is starting to be felt. It is justifiable there for a lot negative impacts that will have on the neighborhoods and ambiance of the community. And to the extent that North Camino Ramon ahh excuse me Norris Canyon Off Ramp HOV off ramps would be a mitigation to the traffic we see coming down line. I think you want to move very cautiously on that not just defer it to Cal Trans or CCTA ahh but look at alternatives if you want to call them that where there are no HOV off ramps. Because I can see that would end up being well hopefully from my point of view that will end up happening we will not have that kind of impact on the neighborhoods as Bishop Ranch issues that have to do with traffic.

The EIR needs to look at traffic the way I mentioned earlier and also in terms of mitigations that do not intrude these off ramps on Norris Canyon. There are couple of there issues I have but I can utilizes 8.2 items to cover those and then the other thing it's kind of off the cuff there will be a letter from San Ramon for Open Government before the 26 of March.

Chair Kerger stated: Ok, I expected that but let me ask you one question this HOV and the Cal Trans project has been out there for quite some time. How many of those public hearings did you go to and voice your opinion to the impact to the San Ramon community.

Jim Blickenstaff stated: I went to the scoping session. You remember Measure J.

Chair Kerger stated: I, Absolutely

Jim Blickenstaff stated: Caldecott tunnel, Highway 4 , all these issues and when you went down there was small print on San Ramon but people were voting on Caldecott tunnel expansion with Measure J there will looking oh good we getting off ramps to San Ramon. If you package things together and it sometimes, it is disingenuous when you come back and say oh why weren't you voting for the off ramp to San Ramon?

Chair Kerger stated: And I ask that because I, I really respect you're critiquing the EIR's because I think we learn from you and question I mean we looked. I don't want people thinking that you're just coming and not doing due diligence. Because I think that nine times out of ten Jim Blickenstaff does the due diligence and does look at it.

Jim Blickenstaff stated: Well thank you for saying that I try.

Chair Kerger stated : Well, I know. But I just want others to know. Not so many that come up do that. I appreciate the fact that you do.

Jim Blickenstaff stated: Well sometimes it gets on people's radar a little later than others.

Chair Kerger stated: Well you and I did Dougherty Valley for how many years.

Jim Blickenstaff stated: Forever we still doing Dougherty Valley.

Chair Kerger stated: Thank you.

Jim Blickenstaff stated: Thank you.

Chair Kerger stated: Does anyone else have questions of Mr. Blickenstaff.

Jim Gibbon stated: Good Evening Planning Commissioners my name is Jim Gibbon I live at 410 Gregg Place. I want to talk about the traffic study that is in the EIR. Its studies existing conditions and proposed conditions and then project a lot of mitigation to show that the proposed is less significant than any impact. The problem with that is that it disregards and doesn't even mention the study the Environmental Impact Report that was done for City Center. As if the City Center was in a different County. The City Center was a project it was a EIR done for it.

It was an actual project that has two million square feet of retail and five hundred homes. You would think with this EIR they would even mention the impacts and the complimentary impacts together in terms mitigation but no, this project appears to be in a different hemisphere.

Is it a matter of like Dougherty Valley whoever gets there first gets the bacon and all other projects have to stall and stop because traffic is so bad. Or do you actually get a traffic study that talks about the accumulation of approved projects.

I'm not talking about a Specific Plan I am talking about an approved project that Alex Mehran indicates that he is going to build. And this is going to complicate that building because you have approved another plan that adds another three or four million square feet of space and another 1500 units. Not even taken into consideration a plan that was actually feasible that is actually going to be built. And then take on top of that the Dougherty Valley agreement that you're violating the Dougherty Valley agreement without even mentioning the conditions of the Dougherty Valley agreement in this EIR.

If you take the City Center the Dougherty Valley agreement is over that project. Tells you exactly the mitigation so that Dougherty Valley is not impacted or the traffic is over burdened by Dougherty Valley. Dougherty Valley agreement says that if you put so much traffic on Crow Canyon and Bollinger heading into the freeway if you put so much traffic you have to stop Dougherty Valley from being built because of its impacts on Bishop Ranch.

This project has similar impacts on Bishop Ranch and their existing Bishop Ranch ability to function is going to be impacted. But not where in this EIR does it mention Dougherty Valley agreement which Alex Mehran signed on to because he knew there were going to be stoppages if you over built. Second thing is that you're proposing 1500 housing units in this project along with 500 housing units in City Center and no schools and no mitigation for it and no traffic study for it and no solution to that. And you already know that Dougherty Valley is already impacted which is impacting the schools in San Ramon. The traffic study talks about this is what we have right now in a down economy and this what we are going to have and how we are going to mitigate it. One of the mitigation on City Center was bicycles on Iron Horse Trail guess what the same mitigation applies to this there are not even mentioning the City Center as the mitigation ah bicycles for City Center and now they are using the same bicycles for this project. I think you need to be skeptical about a project that an EIR that basically negates and neglects what you already approved. You would think you would want some understanding some and some comparisons and I thank you.

Chair Kerger stated: Jim let me just see if I understand you have actually three issues here. You have the fact you don't believe the traffic study is adequate. It's flawed.

Jim Gibbon stated: It does not cover.

Chair Kerger stated: It does not address the City Center.

Jim Gibbon stated: That's right.

Chair Kerger stated: Correct. The other thing is the next item that I or issue is the violation of the Dougherty Valley Agreement or not addressing it. The third item is that there are no school provisions of with the number of housing units that are being proposed.

Jim Gibbon stated: And I think that is an environmental issue.

Chair Kerger stated: I, I just want to make sure that we are all on the same page.

Jim Gibbon stated: Ok.

Chair Kerger stated: So that when we respond to these we have everybody's down there. And I am going to try to do this with everyone and that is why I repeat what I am saying. So, I understand what you're saying and so do the consultants and staff so thank you. Ok.

Chair Kerger stated: The next person I have is Michael Cass.

Michael Cass stated Good Evening Chair Kerger and members of the Planning Commission. Thank you for the opportunity to comment on the EIR associated with the Specific Plan which is before you this evening.

Chair Kerger stated: I see that you live in Danville on Fostoria Way which is right on the border.

Michael Cass stated: Correct, I live directly northeast of the project.

Chair Kerger stated: ok. Great.

Michael Cass stated: First I would like to commend you I think a lot of the things you're proposing are great improvements. I think you're efforts to go more pedestrian oriented relying on more transportation are a great thing. Saying that I do have some concerns I would like to bring before you this evening. First I would disks the notification that has transpired associated with the item before you. You've been this is the first hearing for the EIR however you have had multiply meetings, workshops, etc associated with the specific plan as a whole. This is the first notice that I have received for this item and this is an item that has been going through review for a couple of years.

Chair Kerger stated: Let me get clarification about your residencies and how far we go. This is something that I will ask staff about. Go ahead.

Michael Cass stated: Ok. Based on that what I ask is not for you to stop the process but what I ask you to do is actually extend the 45 days comment period to allow a reasonable period of time. My other reason why I am actually requesting that is that the notice that I did receive has a very specific boundary with the specific plan which directly correlates.

Chair Kerger stated: Ok now you are confusing me. First you said you did not get notice now you're telling me the notice you got wasn't specific enough.

Michael Cass stated: Correct, which I am just about to clarify.

Chair Kerger stated: Ok.

Michael Cass stated: So the concern I have with the notice that was provided includes a map of the project area associated with the specific plan. There are improvements if you go into the specific plan and into the environmental impact report namely the proposed Alcosta Blvd extension that extends from Crow Canyon to Fostoria where I reside

Chair Kerger stated: Where you live.

Michael Cass stated: Yes. In speaking with a member of your planning staff earlier today I was informed that was an extension that was actually incorporated as part of the General Plan. I pulled up your General Plan map to inform myself so I can speak educated before you this evening and your planning staff member is correct. That is an improvement that you are already showing that already has been some analyses. However there is a discrepancy the Specific Plan and EIR speak to a road extension which includes some bike some class two bike lanes. However if you look at the same General Plan that was referenced it does not include those bike extensions. So what I am putting before is I think a fairly substantial flaw analysis that done to date with the environmental impact report in terms of the key impacts of that proposed road and bike way extension and the additional impacts namely transportation and congestion it will place on Fostoria Way within the Town of Danville.

Second issue that I have beyond that is in regards to Iron Horse Trail at the Fostoria Way crossing which is right at the city and town limits there is any area where the crosswalk goes across the street and the San Ramon and Danville side of the trail do not align. There is a lot of J walking occurs and unsafe condition. If you are to have that road extension there would be additional traffic in that area and that existing unsafe condition.

What I recommend that you do is you look at improvement within the Iron Horse Trail on the San Ramon side you could realign the trail within that right of way so it would a direct cross rather encourage individuals to J walk. What I also recommend that you do associated with those impacts in that area that you put together a conceptual cross section that would show the change from a two-lane street to a four-lane street with bike lanes of either side as well as parking. I do not believe there is ample right of way in that area to accommodate all of those improvements and that portion of Fostoria Way is a private street not public street. The concern I would have with those proposed improvements in addition what I previously mentioned has to do with the North side of Fostoria Way is private guest parking associated with area I live. If you would make those improvements, we would no longer have guest parking which would have a trickle effect on the surrounding neighborhood.

Chair Kerger stated: Let me make sure that I understand and I really want some clarification from you about notification. Because first you said you did not get noticed and then you said you got a notice had map so talk to me so that's what I heard.

Michael Cass stated: That's not quite what I said so I want to clarify that.

Chair Kerger stated: So that's why I am asking. So please clarify it.

Michael Cass stated: What I indicated that this was the first notice that I received for a process that has been going on since 2009 and understand this is the first hearing that you have had on the DEIR and the EIR isn't separate from the rest of the process and so I am questioning the transparency.

Chair Kerger stated: Ok, I hear you. Ok the next thing and thank you for that clarification. The next thing I have is the road way and bike extensions ok, that was the other issue then you're talking about the realignment of the Iron Horse Trail and the Iron Horse Trail staff needs to or consultant needs to say let me just say I travel Iron Horse Trail a lot in through the whole trail the area your being specific about is not unique and so I do not know and staff will have to tell us who responsibility who is in charge who's preview is the Iron Horse Trail I don't think we own it we don't I think it is somebody's else. To realign anything I am just saying that I would like clarification of that.

Michael Cass stated: Can I comment on that.

Chair Kerger stated: You may comment after I finished with the other items. I'm sorry I am getting old and I have a train of thought if I lose something it is going to be gone. So your recommendation alignment and the conception and you're talking about right of ways. Correct me if I am wrong you're talking about right of ways for the trail correct. You think there is ample right of way on both sides of it to be able to realign it is that what you're saying.

Michael Cass stated: Yes.

Chair Kerger stated: Then my next question to you, which is vital what is your profession.

Michael Cass stated: I am a planner.

Commissioner Wallis stated: I just want to clarify something. As I understood part of the concern you had was on the proposed extension of Alcosta to punch it through to Fostoria and that was including not just the road but also bike ride right of ways and whether the impacts of that had adequately been discussed in the EIR and also the proposed widening of Fostoria from the proposed Alcosta extension down whether there was sufficient room for both traffic and bike ways along the existing route. I just want to make sure I understand that.

Chair Kerger stated: Ok. Now you said there was something else you wanted to add.

Michael Cass stated: You raised the issue that the Iron Horse Trail is outside San Ramon preview and I completely understand and often times with EIR there will be discussion about mitigations that local jurisdiction as well as other jurisdictions could do or that could conditionally required if there were to be a adjacent project put before you. So even if it's not your responsibility I encourage you incorporate that as a mitigation at this time.

Chair Kerger stated: I hear ya, I hear ya.

Michael Cass stated: The example that I would give is that road is not within your area either so you should treating them consistently.

Chair Kerger stated: Ok. Let me see if I have anybody else. I have Pat. Roz you did not want to talk on the EIR. Is there anyone else who wishes to speak on the EIR. Go ahead Jonathan.

Jonathan Winslow stated: I don't have a card for this. I have a question I have not read very far on the EIR so I apologize about asking this question but I am confused. What I understand the EIR as I understand it address the impact of the Specific Plan compared to what is already approved not as to compared to existing.

Chair Kerger stated: Jonathan let me explain something to you what we are asking for public comment is for the public to tell us what they don't like about the EIR and for us I would be happy to have staff talk to you and discuss what those differences are.

Commissioner Sachs stated: Madam Chair I would like to hear his comment I just want to hear what he has to say unfiltered and we can decide the relevant of what he is saying.

Jonathan Winslow stated: What I am saying is that it is not clear to me so maybe what my comment is that I like it to be clear. I am not asking you a question because I know you will not respond.

Chair Kerger stated: I did not understand your question.

Jonathan Winslow stated: It is not clear to me and partially from the past several months and listening to questions from the public it's not clear if the EIR or Specific Plan but we are talking about the EIR here addresses the change from what existing to what is in the specific plan or what's already planned and approved in comparison to the Specific Plan.

Chair Kerger: That is something the consultant can address.

Jonathan Winslow stated: As a follow up to that Mr. Gibbon was saying was the traffic study compared to the existing to existing to what is in specific plan that seems different from the EIR to what has already been approved.

I think the EIR is looking is at the impact to what is approved already and the specific plan. Mr. Gibbon was saying that the traffic study compared to the existing to what is in specific plan so I have not read the traffic study I don't know it just seemed like a conflict.

Chair Kerger stated: Ok anyone else. I close the public hearing. Now we will accept additional written comments through March 26.

Debbie Chamberlain stated: That is correct there are also comments from the Commissioners we would be glad to accept those tonight also. Ah, but after comments from the Commissioners the formal motion is we would close the public hearing and continue to accept written comments until March 26.

Chair Kerger stated: Mr. Sachs do you have any comments.

Commissioner Sachs stated : Um for the consultants I, if you could provide me some clarification with traffic on this and I will just go through some of these that I have. I am looking at your specific plan area projected project development on 3.2-44 and it is a very basic table, which gives a very basic overview number which shows the vehicle miles traveled and the existing miles traveled are computed to be 394,812. Under the proposed plan you would have almost a double of that to 766,510. You showed a 95% increase in vehicles miles traveled. You list that as a potential significant impact, which I find to an accurate statement. You list a mitigation measure, which confused me on this on the following page.

You list a mitigation measure AIR-4 on 3.2-51 and when I read that mitigation measure, I don't see the relevance to mitigating a doubling of traffic in that area. So you can provide me some inside on that. AR4 talks about residential projects and health assignment risks. I want to talk and get some clarification on the next meeting about traffic levels on this plan. Because some of the comments we heard tonight from the public about traffic I think, I show some of the concerns in looking at some of these specific numbers. Traffic, you give let's take a look at 3-12-72 and I am going to compare that over to let me find it.

Chair Kerger stated 3-12-2

Commissioner Sachs stated: I am going to compare it with 3-12-57, 57 existing plus project conditions so you basically are taking into account what we have now and you add the project into it and it's the intersection level of service. In what you see is a degradation of level of service on 1,2,3,4,5,6,7,8,9,10,11,12,13, out of the measured intersection during peak or a.m. hours take your pick I circled them in here. You go forward and you take when you go to the table 3-12-11, which is on 3.12.-11 when you go to the accumulative plus project conditions these levels of service amazingly improve over today's conditions I could not believe it.

I looked for your rational your rational is that if we take the CCTA ok the Contra Costa Transit Authority Regional Travel Demand Model ok and if we take a traffic analysis zone in the Specific Plan area and we modify it in other words if we take data point that the CCTA provides us and we overlay that data point on to your existing plus conditions we will have an improvement in traffic. So by so basically how I read this and I have been dealing with data points for 20 years and education now I am not even going to sit here and say that I am some sort of expert in planning having been on this Commission for six but I think one of the residents really kind my thought on it I can take data points and manipulate all day long. And I can put overlays on data points and show you that standard deviations can be expanded modified or contracted on behavior point's people's behavior I can do this for you. You take a data point and say because we're manipulating land use patterns and basically behavior anticipated behaviors with regards to transportation that is going to decrease that is going to improve levels of service on all these intersections that are measured. Eighteen of them on these on this EIR I completely disagree with that line. I read this four times and the more I read it the more

I could not believe it. So explain to me the next time we meet how by overlaying a TAZ you can amazingly improve traffic better than it is today. By adding, I am not to concern about the commercial by adding residential in here you going improve traffic and I think there is some what I heard and what I looked at this that we are not taking into account 3,000 unbuilt Dougherty and City Center we taking into account what is here now. So not even factoring unbuilt already approved your saying what we have now existing plus the proposed project you have level of service degradation at major intersections points here. And then you say if we apply a CCTA data point or analysis or change on here we have these they improve. I guess the way Ricky Richardo used to tell Lucy you have a lot of explaining to do. I am really interested how the consultants can explain that to me. I do have another point on that, it is an important point because you have blocked out this grid. So I am looking for the Commission purview for the consultants at exhibit 3.12-6 it's called Project Development Subareas. Its 23, 46 and 49 on 3.12 ok and on the following page there's a graph on 3.12-49 now according to this plan when you look at this they show sub block group 3 its subarea E1, E2, F1 and F2 those are going to be the major residential focus points not entirely but the major points in our plan when you look at the block group and you compare it to our hybrid plan which we adopted. Most of the residential is targeted in the lower quadrant of block group three ok. You go to the chart and the chart is programming.

Chair Kerger stated: I'm sorry Harry your saying that E2 is where you're saying the majority of it is.

Commissioner Sachs stated: Right, if you take a look at E3, F2 and G4 if you take a look if go to the front and you take a look at the hybrid where we have designated most of residential to go is right in this quadrant ok.

You go to the chart on the following page table 3-12-7 net new trips over existing conditions in the area where you are targeting where we are proposing to put a majority of the residential you're targeting the out bound and peak trips at 269 and the inbound peaks trips at 264. Heavy reliance on other modes of transportation in other words heavy assumptions. Major assumptions

Chair Kerger stated : Wait, let me ask this you're talking about different peak hours.

Commissioner Sachs: AM or PM and you know what they are both relevant to me because what I am saying is that to me that is a major under estimation of the number of inbound and outbound trips on that particular intersection which happens to be Camino and Norris. Ok. And that HOV is not going to do single occupancy, so you're going crawl on Bollinger to get off and on the freeway.

There is major and I think it is a flawed assumption yes this will ultimately be predestination friendly and it will have bicycle lanes but you're talking because this is a sustainable community strategy we are talking we are talking about major behavior assumption being built where people are going to ditch their cars.

Yes and no I don't even want to argue that point I want to argue the reality that I think that particular number when even if you assume 2/3 of the 1500 were to be targeted in that quadrant which would be 1000 units and we have already approved 125 in that area. We are only report 270 inbound and outbound. Major problem I find traffic I think this traffic analysis really screams to me red flag, red flag, red flag. A couple of more points and I pass it because we will have another time. But I wanted to get these out so the consultants can educate me in the next meeting. So those are my traffic points ok. In order to be a PDA and I asked staff this at the Joint meeting with the City Council.

There is no residential requirement numbers to be a PDA to meet the sustainable community strategy stuff that we are all mandated to do yada , yada, yada, we do not have to have specific numbers. Our General Plan calls for 1124 when we started doing the hybrid it was around 900 we jumped to 1500 we are basically saying that our voter approved plan is we are going to go pass that by 33% and I have a major problem with that. Because it adds to density and the point I want to make here is that I need some help understanding if we are saying that we want to facilitate economic development in this area ok and my understanding of the economic development strategic plan that we adopted took into account San Ramon as a whole entity here we are in this plan saying we and what I heard staff saying we can't get the retail commitment unless we hit a certain number of residential units in this area.

Which actually goes against our economic development strategic plan if you look at that plan it takes into account San Ramon as a whole area I wish to put out there we can meet and provide new retail opportunities without hitting this residential member that is proposing this plan I would like to have some discussion about the 1500 units and I would like to have staff to educate me next time I sit where did that number come up why are we going above and beyond the voter approved 2020 General Plan. I have not missed a meeting on this and I don't remember us ever having this conversation let's go to 1500. When we did the hybrid study it was around 900.

That is a major problem because I truly believe and I don't care that this is 20 years out folks, friends, to me that is an irrelevant point in this discussion and I wish not to hear it. Because 20 years or 20 days the impact on what's already built is cumulative so I put that out there. Let me just take a look to see if there is anything major that I need to clarification on. There was really traffic well it boils down to traffic and residential units I have some other things like parts and yada, yada we can get into that later.

Chair Kerger stated: No, no, there is no time for yada, yada, yada later. Lets yada, yada, yada now.

Commissioner Sachs stated: Ok lets yada, yada, yada now ok I will be real quick.

Chair Kerger stated: They need to respond to our concerns and if you keep delaying what the concerns are it is a disservice not only to this whole concept but also to get a response we can live with. I want to know what your concerns are so let's get it out.

Commissioner Sachs stated: Ok let me just get it out there.

Chair Kerger stated: We asked the public to do that so I ask you the same.

Commissioner Sachs stated : Absolutely ok. And this was brought up at the joint City Council meeting where again we had the issue about parks. When we meant as a group back in January as a group in 2011 with Parks, Transportation, EDAC, Housing and the Planning and we did a workshop on this the dialogue that came out the concerns that came out one the concerns that came out was the park space and again it came out that the park concept was lacking or need to be further defined or expanded.

Chair Kerger stated: No, I think I brought up the subject that it was inadequate.

Commissioner Sachs stated: The amount of GHG that goes on in here that you provided analysis for your talking about a 15% increase yet we are calling it less than significant we can mitigate because we are going to ask people to improve their HVAC and air conditioning units that is one of the mitigation measures again I find that to be very inadequate mitigation measure ah give me some clarification on how you can increase after and again this is assuming maximum build out if you hit 1500 if you hit your retail and I understand this and if we adopt this we are giving permission for that to happen if we set the bar here we are saying we can go here show me how that is not by doing a by just doing a tinkering HVAC systems and AC systems as a mitigation measure you make Greenhouse Gas Emissions less than significant impact I did not see that. This calls for parking, major concern on parking if you go through the plan well we will talk about the parking later but I do concerns on the parking which calls for a police substation.

Chair Kerger stated: The substation can be very similar to what we have at Dougherty Valley.

Commissioner Sachs stated: Absolutely what that tells me is that you have some needs here with regard to public safety. Because you are going to a density level.

Chair Kerger stated: But you need to project for the future.

Commissioner Sachs stated: Absolutely

Chair Kerger stated: You know it is very similar pardon me , but this is a dialogue which we need to have because the Dougherty Valley certainly when we were going through Dougherty Valley there were certain resources and infrastructure that wasn't addressed manly religious facilities, schools which we finally fought for that. So I think it is a positive thing to have some of these represented in the Specific Plan when your planning long range.

Commissioner Sachs stated: I agree with you but what has been presented I think probably this comment should be reserved for the actual plan itself.

Chair Kerger stated: Ok.

Deputy City Attorney Michael Roush stated: yeah I was going to interject it seems that, that the comment seems to be going more to the plan instead of the environmental impact it is good dialogue but probably address it later.

Commissioner Sachs stated: I have hit my EIR concerns, traffic and housing units where we need to get some clarifications.

Commissioner Benedetti stated: I just want to add to the traffic and I brought this up at the joint meeting. I have spoken to staff about my concern about transportation and transportation circulation. I think it is in the best interest of the City to have and I know the Norris Canyon HOV is a separate project in assumptions made there by Cal Trans right now currently that HOV lane will be a HOV lane utilized by busses and HOV vehicles during peak hours. But it is in the best interest of the City to allow mix use vehicles accessed to those ramps practically if we are doing this plan to entice retail and sales tax increase to allow mix use vehicles to HOV lane during non peak times.

That way single vehicles can use those ramps to access this ramps where there is going to be new retail. But I am concerned that the traffic study doesn't which if you go down to Santana Row traffic and vehicles was indentified that EIR when Santana Row was approved. I just want to make sure that we are doing a good job assessing impact of single vehicles coming of those ramps and what that impact is into the common area in the off peak times.

Between the morning commute and evening commute and the weekends and maybe even if you look at the points we are assessing if you look at exhibit 3.12-9A ah which is after page 58 or anyone of the pages page 59 3.12.-58 exhibit 3.12.-8A choose or excuse me you have to actually look at 9A because the diagram gets better.

Choose a data point like where the new transit station maybe because that is where you are going to be heavier with pedestrian and bicycle traffic. Choose a data point that goes north into the common area where you're going to have cars interacting with pedestrian. That's what I am actually concerned we are going to get traffic jams. Where is the parking going to be I think we should be looking at where the vehicles are going to be traversing to try to go parking and park. And looking at where the single vehicles coming off HOV so I am extending Harry's comments.

Because I am also concerned with the traffic assessment on how Norris Canyon and San Ramon Valley can actually increase in service on the with the results and maintain a service of level "A". When I look at the mitigation and what mitigation is being proposed and really you really do not see mitigation being proposed that is really being spelled out. What's happening on San Ramon Valley Blvd there is nothing really that is being proposed. But yet that intersection on Norris Canyon and San Ramon Valley Blvd is being maintained as an "A" when you look at the effects maybe it just dividing down into what mitigation is the Dougherty Valley agreement being incorporated is the city center agreement being incorporated maybe I just need to know because of my own curiosity what is being incorporated into the model.

Chair Kerger stated: Ok. Thank you. Commissioner Walls

Commissioner Wallis stated: I have a question of staff is the traffic report a publicly available document.

Debbie Chamberlain stated: Yes, it is it is an appendices to the EIR and found in the CD Rom in the back of the document.

Commissioner Wallis stated: The second question I had is I mean it is clear the discussion we had tonight has been 95% on the issue about traffic patterns and intersections. I was wondering whether if the consultant and staff were going to have adequate time between now and the next meeting to A: Respond to some of this points and B: put together a package that would walk at least some of us through the analysis that was done on the traffic on the bases of what facts were relied upon and perhaps more importantly what assumptions were built into the traffic report so that when we actually come to a public hearing we have been prepared and hopefully some of the questions have been answered then we can use what little time we have to focus on the issues which still remain.

Debbie Chamberlain stated: Well, the Commission is part of the Environmental review processes which is part of the project. All the comments we received tonight we are going to go away for about 6-8 weeks however long it takes and we are going to prepare Response to Comments Document. That document then comes back to the Commission for a public hearing at some point and probably be companioned with the plan itself. So at that time the Planning Commission is going to analyze all of the responses received adequate to address the comments provided.

Commissioner Wallis stated: So you're looking at 6-8 weeks for round two.

Debbie Chamberlain stated: There will be no further comments on the EIR beyond March 26 of this month. All written comments are received and then we will respond to those comments and that final EIR response to comments is subject to another public hearing.

Chair Kerger stated: Let the public know what happens at public hearing if in fact they disagree with what is and what is the final EIR.

Debbie Chamberlain stated : Well the Commission has to recommend the document to the City Council. They feel that the questions have not been answered to properly they can direct the consultant to return with additional with analysis if necessary we can look at modifications to the plan that is what the public hearing process is all about.

Chair Kerger stated : Ok thank you that is what I wanted to know. Do you have anything else Mr. Wallis

Commissioner Wallis stated: No, That was my simple question

Chair Kerger stated : Ok. Mr. Viers do you.

Vice Chair Viers stated: No.

Chair Kerger stated : I guess the time line was real important for me and those have been addressed. I want to thank everyone who came and spoke on the EIR and to get the feedback and address all issues. I thank you.

Debbie Chamberlain stated : I need a motion.

Chair Kerger stated: Ok.

It was moved by Commissioner Sachs that we continue the public hearing is that what we are doing

Debbie Chamberlain stated : No, we have closed the public hearing we are asking that the Planning Commission continue to accept written comments until March 26, 2012. And direct us to prepare response to those comments received tonight and return to the commission a date to be determined.

Commissioner Sachs stated: I so move that.

Chair Kerger stated all in favor.

All Planning Commissioners we in favor.

**9. PUBLIC HEARING – NEW ITEMS-**

**10. NON-PUBLIC HEARING ACTION ITEMS - None-**

**11. STUDY SESSION/COMMISSIONER LIAISON REPORT AND INTEREST ITEMS/STAFF REPORTS.**

**12. ADJOURNMENT**

There being no further discussion, Chair Kerger adjourned the meeting at 9:50p.m.

Submitted, Luisa Amerigo