



**MINUTES  
FREMONT PLANNING COMMISSION  
REGULAR MEETING OF MAY 26, 2016**

- CALL TO ORDER:** Chairperson Salwan called the meeting to order at 7:00 p.m.
- PRESENT:** Chairperson Salwan, Commissioners Bonaccorsi, Dorsey, Karipineni, Leung, Pentaleri
- ABSENT:** Commissioner Reed
- STAFF PRESENT:** Kristie Wheeler, Planning Manager  
Prasanna Rasiah, Senior Deputy City Attorney  
Steve Kowalski, Associate Planner  
Courtney Fox, Recording Clerk  
Chavez Company, Remote Stenocaptioning  
Napoleon Batalao, Video Technician
- APPROVAL OF MINUTES:** Regular meetings of March 26, 2015 and May 12, 2016 were approved with the following corrections; March 26, 2015 “**CALL TO ORDER:** Chairperson ~~Pentaleri~~ Bonaccorsi” and “**PRESENT:** Chairperson ~~Pentaleri~~ Bonaccorsi” and May 12, 2016 correction on page 17, “*Commissioner Pentaleri asked him about Mr. Fong Ms. Choy-Fong,*” and on page 18 “**Commissioner Pentaleri...** stated that it had not ~~snuek~~ sneaked up on them.”
- DISCLOSURES:** None
- CONSENT CALENDAR** None
- PUBLIC/ORAL COMMUNICATIONS** None

**PUBLIC HEARING ITEMS**

- Item 1. **ARDENWOOD TECHNOLOGY PARK PLANNED DISTRICT AMENDMENT - Multiple parcels generally bounded by Paseo Padre Parkway, Kaiser Drive, Ardenwood Boulevard and State Route 84 - PLN2015-00023** - To consider a City-initiated rezoning of 32 existing industrial parcels located within a portion of the Ardenwood Technology Park from Planned District P-81-15NN

(portion), Planned District P-81-15NN(F) with Flood Combining District Overlay (portion) and Planned District P-2001-7(F) with Flood Combining District (portion) to new Planned District P-2015-23(F) to allow development of Class A office, advanced manufacturing, and research and development uses, as well as small-scale retail/service uses to meet the everyday needs of employees, with maximum allowable floor area ratios of 0.55 to 0.75 and maximum building heights of up to 115 feet, and to consider certification of a Final Environmental Impact Report (SCH No. 2015052052) prepared and circulated for the project in accordance with the requirements of the California Environmental Quality Act (CEQA).

**Associate Planner Kowalski** gave a brief presentation on the item.

**Commissioner Bonaccorsi** asked if the area which allowed a hotel or any of the other parcels would also allow a performing arts center.

*Planning Manager Wheeler stated that a performing arts center seemed contrary to the objectives of the proposal which are to increase employment opportunities and interest high tech businesses in locating and expanding in the City.*

**Commissioner Bonaccorsi** asked if there was anything in terms of the land use designation which would preclude a performing arts center even if it were contrary to the objectives of the Planned District (PD).

*Planning Manager Wheeler stated that she did not believe that the Industrial land use designation would allow such a use.*

**Commissioner Bonaccorsi** asked if there had been any economic assessment in regards to the Lennar project being developed in Warm Springs versus this proposal and if the City might be competing against itself with the two projects.

*Economic Development Director Kline stated that the City viewed the Ardenwood Technology Park (ATP) as having its own character with its geographic location in proximity to the Peninsula. She stated that they had seen many companies being pushed out of that environment. She stated that the City was seeing different types of companies who were interested in those two areas and Ardenwood had been a big attraction for biotechnology in particular. She stated that she felt that it would be additive to the overall messaging about Fremont welcoming more of the high tech companies and improving the ATP would take care of some of the immediate needs while the City was still developing the needed infrastructure in the Warm Springs area and it would probably be ready in the next cycle of the economy.*

**Commissioner Bonaccorsi** asked if the new Ecole 42 University which was set to open in August 2016 was located within the project boundaries and if the planned amendments would have any impact on the school.

*Associate Planner Kowalski stated that the new university was located outside of the project boundaries.*

**Commissioner Bonaccorsi** stated that he had heard that there was a problem with the site as it was on fill which was subject to liquefaction in the event of an earthquake and asked staff to return with an answer.

*Planning Manager Wheeler* addressed the possibility of a performing arts center and stated that the I-R zoning district allowed the use subject to approval of a conditional use permit but the proposed PD would not allow it.

**Commissioner Bonaccorsi** asked if it had been considered.

*Planning Manager Wheeler* stated no since objectives of the project was employment generation.

*Associate Planner Kowalski* referred to **Commissioner Bonaccorsi's** question about earthquake liquefaction and stated that roughly all 32 parcels within the project area were in an Earthquake Liquefaction Zone and that roughly half of the City was as well. He explained that at the time plans are submitted for building permits, a geotechnical engineer would prepare recommendations to mitigate the concerns.

**Commissioner Bonaccorsi** stated that he had allayed his concerns.

**Commissioner Bonaccorsi** asked what types of uses that were currently permitted would go by the wayside as a result of the PD amendment.

*Planning Manager Wheeler* stated that there were none that she could think of as very similar types of uses would be permitted in the new PD.

**Commissioner Bonaccorsi** asked in regards to the staff report and CEQA documents which listed Reduce Development Alternative 2 as the environmentally superior alternative and asked if there might be more light industrial uses allowed than under the current proposal.

*Planning Manager Wheeler* stated that light industrial uses would be allowed under the current proposal and in preparing the CEQA document they had looked at the ITE Manual for trip generation rates and other land uses which might generate less vehicle trips than the type of office park that was being proposed and that was why they had offered the alternative. She stated that if the Commission chose to recommend Reduce Development Alternative 2, the current proposal would have had to be amended to reflect a less intense type of development.

**Commissioner Bonaccorsi** asked for an example of the lesser intense uses that would be envisioned under Reduce Development Alternative 2 that would not be present under the current proposal.

*Planning Manager Wheeler* asked to have the traffic consultant, Mark Spencer, come up to answer the question.

**Mark Spencer**, Principal Traffic Engineer with W-Trans, stated that the project was analyzed by taking a look at variations of what traffic engineers consider General Office, Office Park, Research and Development (R&D) or Light Industrial. He stated that they had used the ITE trip generation handbook to determine trip rates and how many trips per square foot a certain land use would generate and they had tried to figure out what would be less intense in regards to traffic impacts. He stated that the Silicon Valley-type of businesses such as Google or Facebook are of a more white-collar environment with less manufacturing on-site but have a higher density of employment on-site which creates a higher trip generation for those types of uses. Conversely, if we were to look at general office or light industrial, the lower trip generation would be in effect. He stated that regardless of the type of use allowed there would still be traffic impacts and the differences between the two were really

slight nuances and not radical changes in the employment number or the total quantity of vehicle trips which would be generated.

**Commissioner Karipineni** asked about what conversations had been had with the property owner and if they had an awareness of demand or viability of the project and if they had approached the City.

*Economic Development Director Kline stated that they had had conversations with the primary property owner and with the adjacent property owners whom all seemed to be on the same page. She indicated that the support was based on real inquiries that had taken place regarding the location but which had not been desirable for the potential developers.*

**Commissioner Karipineni** asked what would happen during a future down cycle, as we were currently at a “fever pitch.”

*Economic Development Director Kline stated that the City had an opportunity to capitalize on a good market and be able to upgrade the building mix to position itself better for the future. She stated that in a down-turn you want to have the best product because those get leased first when things turn around again and, therefore, she saw it as being helpful now and even more helpful in a downturn.*

**Commissioner Karipineni** asked if the property was sufficient for one company and able to be used as a campus like Facebook or Google, or for a more traditional business park with a large number of smaller companies.

*Economic Development Director Kline stated that she would be happy with either scenario but that one large campus would be exciting because the City did not currently have anything of that nature.*

**Commissioner Karipineni** asked if any larger companies had expressed interest of a campus type of approach.

*Planning Manager Wheeler stated that in her conversations with the property owner they had indicated that they have had interest but would not reveal any names and that one of those companies as of two weeks ago still expressed interest if the PD amendment was approved and went forward.*

**Commissioner Pentaleri** referred to the Draft EIR which indicated that Reduce Development Alternative 2 would meet most of the project objectives and asked if there had been any discussion as to why the alternative would not satisfy all of the project objectives and, if so, which ones.

*Planning Manager Wheeler stated that perhaps it should have stated “most if not all” and was not sure if they had identified a specific objective it would not meet.*

**Commissioner Pentaleri** referred to Mr. Spencer whom had indicated that the differences that were being talked about between the proposal and Reduce Development Alternative 2 were nuances and really small changes in employment. He stated that one of the principal impacts of the proposed project would be traffic and he was weighing that with Reduce Development Alternative 2 which satisfied most if not all of the project objectives and asked why Reduce Development Alternative 2 was not the “globally superior alternative” as opposed to just the environmentally superior alternative.

*Planning Manager Wheeler stated that staff would find Reduce Development Alternative 2 acceptable; however, traffic impacts could be offset through the payment of additional traffic impact fees and in regards to what Mr. Spencer indicated as significant and unavoidable impacts would remain regardless.*

**Commissioner Pentaleri** stated that going forward if the City continues its recent development and does not get out in front of traffic impacts it could see more angry residents with the same concerns regarding congestion.

*Planning Manager Wheeler stated that this project was different because they had been seeing a lot of residential development which is what the community had been having issues with recently. She stated that the balance was to create jobs so people who live in Fremont could also work in Fremont.*

**Commissioner Pentaleri** stated that what he was trying to balance is the fact that what was being proposed was fantastic on many levels with the freeway frontage and job creation within the City and economic development, but on the other side, the commute on Highway 84 is already impacted and even with the best mitigation it would be degraded even further.

*Planning Manager Wheeler stated that the difference between Facebook, Google and LinkedIn-type campuses were that most of those companies were offering shuttle bus programs for their employees and it would be an opportunity to take advantage of a Transportation Demand Management (TDM) program that would be required as part of the implementation of the project. She stated that if the City ended up with smaller scale office development and R&D and not campus-type development then we could lose that opportunity to take advantage of the larger companies that often offer office shuttle service and other similar benefits for their employees.*

**Commissioner Pentaleri** referred to the letter from the California Department of Transportation (Caltrans) which detailed a number of recommendations to the TDM but as he stated there was very little points about the TDM. He asked if the TDM would come forward to the Commission with the individual projects with a public hearing on those projects which come forward.

*Planning Manager Wheeler stated that future development projects would be subject to approval of a Discretionary Design Review Permit and a TDM program would be submitted and reviewed by staff at that time. Discretionary Design Review Permits are approved by the Zoning Administrator who can refer projects to the Planning Commission.*

**Commissioner Pentaleri** asked about the differences between the Traffic Impact Fee program and the Capital Improvement Program (CIP) and stated that he was not aware of the Traffic Impact Fee Program prior to reading the staff report for the project.

*Planning Manager Wheeler asked Noe Veloso, Principal Transportation Engineer, to come forward and explain the two programs.*

*Principal Transportation Engineer Veloso stated that the CIP was a 5-year plan that was approved by the City Council with a list of specific projects that were funded through various funding sources and that the Traffic Impact Fee was associated with the General Plan Traffic Demand Model in which they had identified a series of*

projects and associated improvements at specific locations and estimated project costs.

**Commissioner Pentaleri** asked if they were funded differently and if one was funded by developers.

**Principal Transportation Engineer Veloso** stated that the Traffic Impact Fee is a program funded through the developers as part of a development project whereas the CIP applied Capital Improvement Projects that were identified by the City and managed through the City.

**Commissioner Pentaleri** asked if the Traffic Impact Fee program was a long-existing kind of funding mechanism.

**Principal Transportation Engineer Veloso** replied, "correct."

**Vice Chairperson Leung** asked Ms. Kline what the existing composition of the current businesses were and how she envisioned the possible future plans and if they came together to be seen as one big business park.

**Economic Development Director Kline** stated what they were seeing was a precursor of what was to come in terms of greater diversification overall of the tenant mix. They had seen 500,000 square feet of new tenants that had come to the district with a good number of those being biotech tenants but also Cloud, IT, and a greater mix than they had seen before with a transition to the Silicon Valley diversification. She stated that this would allow another wave to occur with larger floor plates and the presence of a larger company or companies than the City had previously been able to accommodate.

**Vice Chairperson Leung** asked what the reason was for this established business park to have been underutilized over the last couple of decades.

**Economic Development Director Kline** stated that there were many dynamics at play but that tenants were looking for Class A quality products and there had been some stiff competition across the street at Pacific Research Park in Newark and other complexes nearby, so the City had to wait for those complexes to fill up before some of its products could sell. She stated that it was important for the City to level the playing field and to allow diversification. She stated that the dynamic that they had been seeing in Ardenwood and the rest of Fremont was that the tenant mix was growing in place which is exciting and with the proposed project the City would be able to attract something that they had not previously been able to.

**Vice Chairperson Leung** stated that she was excited for the possible growth and asked if employee childcare would be included with the allowed ancillary services.

**Associate Planner Kowalski** stated that daycare was one of the many ancillary services staff envisioned as being permitted along with other retail and service amenities which were lacking in the area.

**Economic Development Director Kline** stated that in Fremont, about 25 percent of the population works in manufacturing and for those whose main line of work involves software, they typically have to commute elsewhere. This was an opportunity for the City to keep some of those employees closer to home and help them achieve the work-life balance which was so important to solving some of the traffic woes and other balancing issues.

**Chairperson Salwan** stated there had been a lot of economic leakage from Northern Fremont residents who go to Newark and Union City to shop, and while this proposal may not be the ideal site he would like to see some sort of retail or more restaurants in the Ardenwood area which could capture some of that revenue that the City was missing. He asked staff to comment.

***Economic Development Director Kline** stated they had heard the same thing and that the existing environment was not meeting the community's needs. She said that the project could help to some extent with a greater density and chances to attract more of the retail service amenities that belong in the district. She also stated that the City will have to rethink and possibly reposition some existing assets to be more productive in this area.*

**Chairperson Salwan** asked that City staff identify other sites for a shopping center in the future.

**Planning Manager Wheeler** suggested that **Chairperson Salwan** open and close the public hearing.

**Chairperson Salwan** opened the public hearing, and seeing no members of the public, closed the public hearing.

**Commissioner Pentaleri** referred to the staff report under the heading special project conditions, energy efficiency on page 57 which stated "use recycled water when available." He asked what the intent of this was.

***Planning Manager Wheeler** stated that currently recycled water is not available in Fremont and, if in the future if it was, it would be required.*

**Commissioner Pentaleri** stated that when he had been reviewing projects he looked to see that projects would be using recycled water. He asked if there was a larger infrastructure that would provide recycled water it would it be required in this case.

***Planning Manager Wheeler** stated yes that's what it meant.*

**Commissioner Pentaleri** stated that he would have liked to see something that would encourage recycling of water in the projects in the future.

***Planning Manager Wheeler** asked if he meant grey water.*

**Commissioner Pentaleri** stated yes.

***Planning Manager Wheeler** stated that some of the projects require at least the runoff from rooftops and parking lots to be filtered through landscaping.*

**Commissioner Bonaccorsi** stated that he understood that the City did not want to pay for infrastructure needs to the freeway segments because it is outside of its jurisdiction and asked if there was anything that would prevent the City from creating a financing mechanism to address freeway impacts.

***Senior Deputy City Attorney Rasiah** referred to the email responses to a similar question he had asked which stated no because it would involve cumulative traffic impacts and because the Community Finance District (CFD) process involves approval by the City Council of a financing mechanism established under state law which could include voting by the land owners within the particular district.*

**Commissioner Bonaccorsi** asked if there was a parallel mechanism in place by the City Council, would there be nothing to prevent that CFD to finance things that went beyond the impacts of their own particular project.

*Senior Deputy City Attorney Rasiah* asked if he meant, for example, local intersections where they would not have any regional significance.

**Commissioner Bonaccorsi** referred to the EIR which stated some local streets, as well as arterial segments where they connected with State Route 84, and asked if there would be a way for the City Council to have a financing mechanism in place to impose it upon this project to try and ameliorate some of the traffic impacts.

*Senior Deputy City Attorney Rasiah* stated that such a mechanism would not be imposed on this project because no development was being proposed at this time. He referred to the answers that staff had provided to the Commissioners via email which indicated that the City was exploring various options in connection with Caltrans and perhaps the City of Newark. He indicated that they were exploring the possibility for mitigating impacts to the arterial segments rather than for intersections that do not have regional significance, but it would not be a condition which could be imposed upon this PD.

**Commissioner Bonaccorsi** stated that because they could not impose a condition he was having some ambivalence about the project. He stated that he felt it would be successful; however, he had concerns about the traffic impacts and felt that if the Planning Commission were to approve it they would be making the decision to make traffic even worse. Maybe the Statement of Overriding Considerations (SOC) was warranted, but he did not think enough was being done to say to the community “we care about how you get around.” He stated that the community would ask “what did we do, other than approve an SOC and have all of these wonderful impacts.”

*Senior Deputy City Attorney Rasiah* stated that they could ask staff look into it and see what could be done, and make this request a part of the motion.

**Commissioner Pentaleri** stated that he agreed with **Commissioner Bonaccorsi** and that he realized that this was a classic case of “tragedy of the commons,” the public transport infrastructure being the commons that they were considering. He stated that the frontage on Highway 84 and entrance to the Dumbarton Bridge were a tremendous economic value to the City. He stated that what he was struggling with was a moral issue and that he had not seen enough analysis to say that there was a Statement of Overriding Considerations for the proposed project as opposed to Reduce Development Alternative 2, and through the discussion he had not found anything that compelled him to embrace the proposed project.

*Planning Manager Wheeler* stated that recent legislation in the form of Senate Bill 743 will require public agencies to begin to look at traffic impacts differently. Rather than looking at level of service, we will have to look at vehicle miles traveled. She stated that the new law would restrict public agencies’ ability to add freeway lanes or lanes to existing intersections because it would merely increase the capacity and it would not reduce the amount of traffic. She stated that her view of it was that the State was saying to all of the vehicle-dependent people that you are making traffic so bad that you are eventually going to have to get out of your car and start taking public transit. She referred to the EIR which included mitigation measures to reduce

*impacts to a less than significant level and required the City and the developer to work with Caltrans to implement those measures but because the mitigation requires Caltrans approval, it cannot be identified as reducing the impact to less than significant. She indicated that implementation of a robust TDM program would help to get people out of their cars and using alternative modes of transportation.*

***Economic Development Director Kline** stated that the real tragic irony was that if they did nothing either way the level of service would be impacted because the growth would go somewhere else, possibly across the bridge. She stated that by doing something the City at least had the opportunity to capitalize on the people who ordinarily just passed through.*

***Planning Manager Wheeler** stated that there would be significant and unavoidable impacts in the area either way and this was an opportunity to mitigate some of the traffic impacts through a robust TDM program which was not currently required in the ATP. She stated that they did have to balance the opportunities that that the proposed project presents to the City with the potential impacts, and staff felt the benefits to the City outweighed the impacts.*

**Commissioner Pentaleri** stated that the information that had been provided was steering him towards Reduce Development Alternative 2. He stated that while they had the “do nothing” alternative he did not think it was an argument for the increase in FAR. He stated that with the information provided he could not quite get to a conclusion other than Reduce Development Alternative 2.

**Chairperson Salwan** asked if there was something in Reduce Development Alternative 2 he preferred.

**Commissioner Pentaleri** stated that he preferred the reduced impacts, principally on the reduced traffic impacts.

**Commissioner Karipineni** asked what the proposed benefits relative to Reduce Development Alternative 2 were and stated that her assumption was the different mix focuses on light industrial versus the proposed project which would limit the types of businesses or opportunities that the park would be able to accommodate. She also asked staff to focus on the potential to attract a single high quality tenant in a campus-like setting because it would be easier to work with one tenant and the tremendous benefit to having that not just from the TDM perspective, but also in general, and asked if there were differences that the mix might affect between the two alternatives.

***Planning Manager Wheeler** stated that Reduce Development Alternative 2 would allow office type uses in Area 1, the Gateway Parcels, which would include Class A office and Area 2 and 3 would be more R&D uses with a lower floor area to employee ratio is what they had imagined.*

***Economic Development Director Kline** stated that the impacts would be on tenant diversification which Reduced Development Alternative 2 would limit.*

**Chairperson Salwan** stated that this location was a very strategic location as on the other side of the bridge there was Facebook (FB), and this location could be another FB or Google. He stated that from his past experience he remembered that Mountain View had a system to only allow certain companies to expand and the others were limited to a certain level. He stated that the high-tech companies like Google and

Apple want to have a high-image building with a more campus-type of format which the City did not currently have, and he felt that this could be the place where the City could have such a campus. He felt that the City needed to look at expediting and making things simple for such projects which could help the City immensely and could keep a lot of the residents working in Fremont instead of commuting two hours back and forth to Palo Alto or Sunnyvale.

**Commissioner Pentaleri** stated that what he had heard was that the same number of jobs would be created in either scenario.

**Chairperson Salwan** stated that he did not think it was just the number of jobs but also the high image, as the moment the City has a Google come to Fremont, its whole image would change.

**Commissioner Bonaccorsi** stated that he wanted to have a unanimous recommendation from the Planning Commission in support of the motion to have the City Council look at the funding mechanism to deal with the regional impact on traffic. He stated that he felt that it was going to be a terrific project, and he felt that they owed it to the community to begin exploring other ways to ameliorate some of the traffic impacts. He stated that he felt that they needed to look at a more regional approach of ameliorating the traffic impacts. He stated that whatever the motion was he wanted that as a component.

**Commissioner Pentaleri** referred to what **Planning Manager Wheeler** stated in regards to the changes from level of service versus vehicle miles traveled (VMT) and felt that it does not mean that they should choose the highest impact option and ignore the degradation to the level of service.

**Commissioner Pentaleri** moved staff recommendation but with Reduce Development Alternative 2 instead of the proposed project.

**Commissioner Bonaccorsi** offered a friendly amendment that would give direction to the City Council to study financing mechanisms that deal with the level of service reductions citywide and regionally.

**Commissioner Pentaleri** accepted the friendly amendment, but the motion failed due to a lack of a second.

**Commissioner Bonaccorsi** stated that while he had come into the meeting on the fence with Reduce Development Alternative 2, after hearing staff he stated he was in support of having the maximum flexibility available for the project. He moved staff recommendation for the proposed project and added a friendly amendment to request the City Council to study financing mechanisms that deal with the level of service reductions citywide and regionally.

IT WAS MOVED (BONACCORSI/KARIPINENI) AND CARRIED BY THE FOLLOWING VOTE (5-1-0-1-0) THE PLANNING COMMISSION – RECOMMENDED THAT THE CITY COUNCIL: ADOPT A RESOLUTION

CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH# 2015052052), ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM (EXHIBIT “A”), ADOPTING FINDINGS (THE “FINDINGS OF FACT”) DETERMINING THAT THE EIR HAS BEEN PREPARED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”), AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS (AS DESCRIBED IN THE STAFF REPORT), AND FIND THAT THE FINAL EIR HAS BEEN PREPARED IN COMPLIANCE WITH CEQA AND REFLECTS THE INDEPENDENT JUDGMENT AND ANALYSIS OF THE CITY;

AND

FIND THE PROJECT IS IN CONFORMANCE WITH THE RELEVANT PROVISIONS CONTAINED IN THE GENERAL PLAN, INCLUDING THE DESIGNATED GOALS AND POLICES SET FORTH IN THE LAND USE, MOBILITY, COMMUNITY CHARACTER, ECONOMIC DEVELOPMENT, SAFETY AND COMMUNITY PLAN ELEMENTS, AS DESCRIBED IN THE STAFF REPORT;

AND

FIND THAT THE PROPOSED PLANNED DISTRICT AS PER EXHIBIT “C” FULFILLS THE APPLICABLE REQUIREMENTS SET FORTH IN THE FREMONT MUNICIPAL CODE;

AND

INTRODUCE AN ORDINANCE APPROVING THE REZONING OF THE SUBJECT PROPERTIES FROM PLANNED DISTRICT P-81-15NN (PORTION), PLANNED DISTRICT P-81-15NN(F) WITH FLOOD COMBINING DISTRICT OVERLAY (PORTION) AND PLANNED DISTRICT P-2001-7(F) WITH FLOOD COMBINING DISTRICT (PORTION) TO PLANNED DISTRICT P-2015-23 AND P-2015-23(F) AS SHOWN ON EXHIBIT “B,” AND APPROVING THE PLANNED DISTRICT AMENDMENT LAND USE AND DEVELOPMENT STANDARDS SET FORTH IN EXHIBIT “C,” BASED ON THE FINDINGS AND SUBJECT TO THE CONDITIONS SET FORTH IN EXHIBIT “D;”

AND

DIRECT STAFF TO PREPARE AND THE CITY CLERK TO PUBLISH A SUMMARY OF THE ORDINANCE.

The motion carried by the following vote:

AYES: 5 – Salwan, Bonaccorsi, Dorsey, Karipineni, Leung  
NOES: 1 – Pentaleri  
ABSTAIN: 0  
ABSENT: 1 – Reed  
RECUSE: 0

## **DISCUSSION ITEMS**

## **MISCELLANEOUS ITEMS**

Information from Commission and Staff:

- Information from staff: Staff will report on matters of interest.
  - **Planning Manager Wheeler** stated that the next meeting was scheduled on June 9, 2016, with one item on the agenda, the Industrial Zoning Update.
  - Report on actions of City Council Regular Meeting
- Information from Commission: Commission members may report on matters of interest.
  - **Chairperson Salwan** stated that he took a bus tour to Sacramento and the State Allocation Board approved level three fees, which were about double the level two fees that are charged to developers. The School District will be publishing the fees in about a month and they will be instituted at a later date.
    - **Commissioner Dorsey** stated that there was an update that had come out that day; the California Building Industry filed a request for a temporary restraining order. She stated that because it is unchartered territory they are unsure what will happen.
  - **Commissioner Pentaleri** asked for an update on CarMax
    - **Chairperson Salwan** stated that it was currently being built.
    - **Associate Planner Kowalski** stated that there was a delay due to soil contamination.

Meeting adjourned at 8:34pm

SUBMITTED and APPROVED BY:



Courtney Fox, Recording Clerk  
Planning Commission



Kristie Wheeler, Secretary  
Planning Commission