

**Minutes of the Regular Meeting of  
the Lemoore Planning Commission**

**May 22, 2006**

**Chairperson Clement called the meeting to order at 7:00 p.m.**

**ATTENDANCE:** Chairperson Clement, Commissioners Silviera, Norgaard, Kendall, LeRoy, Elgin, Assistant Planner Mendiola, Chief Planner Smyth, City Attorney Bacigalupi

**ABSENT:** Commissioner Ormonde

**PUBLIC COMMENTS AND INQUIRIES:**

Jane Dart of 370 E. Bush Street, Lemoore stated that she represents the Senior Citizens of Lemoore at 789 S. 18<sup>th</sup> Avenue and they have some parking concerns on the lot shared with the Little League. Dart stated that children from the park continue to run behind, in front of and sometimes into cars on bingo nights. She went on to explain the issue of who owns the lot, and requested to be on the next agenda. Bacigalupi explained that the Commission does not have jurisdiction on this concern and it should be a request to be on the City Council agenda.

Sharon Clay, 625 "B" Street, representing the Lemoore Naval Air Station Housing Director commented on housing needs for the military personnel. Clay stated that she is trying to push the need for multi-family housing for military members. She noted that they have one more planned housing unit to be built in October and that is the last for the N.A.S. She explained the housing amounts now, and the allowance that most people currently have. Clay requested multi-family homes be built in Lemoore so the men don't have to leave their families in other areas.

**APPROVAL OF APRIL 10, 2006 MINUTES:**

It was moved by Commissioner Silviera, and seconded by Commissioner Norgaard to approve the minutes of the April 10, 2006 meeting as submitted.

**AYES:** Norgaard, Kendall, Silviera, Elgin, Ormonde, Clement

**NOES:** None.

**ABSTAIN:** None.

**ABSENT:** Ormonde

**CONDITIONAL USE PERMIT NO. 2006-03 SUBMITTED BY UBIQUITEL TO INCREASE THE HEIGHT OF THE EXISTING 75' CELLULAR TOWER TO 100' AND COLLOCATE THREE NEW ANTENNAS:**

Mendiola reviewed the proposal to add 25 feet to the existing 75 foot tall cellular tower located at 541 "G" Street. He stated that the applicant is also requesting two more antennas to be placed on the tower for Sprint.

The public hearing opened at 7:20 p.m.

Jamie Straphan, 6399 W. Shield Avenue of Fresno, representing Ubiquitel, explained that the two other antenna sets shown would allow for future growth. He stated that all of the carriers that operate here will be licensed carriers, and operating only within their licensed areas. Straphan noted that the existing fence is slated with brown slates that match the two brown fences. He stated that in regards to the landscaping, they can only ask the landlord if they can put landscaping in the area .

Mike Rodriguez, career center counselor at West Hills College in Lemoore stated that he is focused on finding his students employment while they are continuing to attend school. He represents the students that do not make enough money for their needs. He believes that the students should apply for the jobs that the location of the Sprint service might create.

Isaac Ramirez, 1045 East Fieldstone, Clovis stated that he is in favor of the services from the Ubiquitel extension. Ramirez stated that our town is growing and it would be quite useful for us to have this here. He stated that he works for Sprint and also believes that this service will improve on the area and help the students.

Brenda Dodd, student attending West Hills stated that she would like a job from Sprint and also wants better reception to her Sprint phone as well.

Fred Witter of 7413 North Sierra Vista Avenue, Fresno stated that he is the Construction Real Estate Manager for Ubiquitel, and they have been trying to come in to Lemoore. Witter explained that if this is built in the downtown area of Lemoore, it will provide everyone with better coverage and services. He believes the taller tower will be an advantage for Lemoore because the tower already exists with out having an impact on the visual aspects of the downtown area.

The public hearing closed at 7:35 p.m.

It was moved by Commissioner Norgaard, and seconded by Commissioner Kendall to adopt a Negative Declaration for Conditional Use Permit No. 2006-03 for the project pursuant to the California Environmental Quality Act.

AYES: Norgaard, Silviera, Kendall, Elgin, LeRoy, Clement  
NOES: None.  
ABSTAIN: None.  
ABSENT: Ormonde

It was moved by Commissioner Norgaard, and seconded by Commissioner LeRoy to approve Conditional Use Permit No. 2006-03 with the eleven (11) Conditions of Approval and send to City Council for their approval.

Silviera expressed her concerns about the request for an additional 25' to the 75' existing tower. She believes that there shouldn't be more than two arrays in a row. Silviera recommended that the builder try locating at Lacey and 18<sup>th</sup> Avenue. She also requested a new larger drawing from them of the smaller version of the drawing.

Straphan stated that the drawings of the arrays are of worse case scenario. He believes that the City is better off having more antennas on one tower rather than numerous towers in the town. He explained that there are different types of antennas which the City might like. He stated that they do have smaller antennas that won't look as big.

Smyth suggested adding a condition to follow up with the concern that Silviera had. The condition would state that the top arrays are to go down from a twelve (12) foot array to a three (3) foot close mounted array and this could be included in the City Council packet.

It was moved by Commissioner Norgaard, and seconded by Commissioner Silviera to revise the approval so that the added Condition Number twelve (12) states that the top array be reduced from twelve (12) feet to three (3) feet to make it more aesthetically pleasing.

AYES: Norgaard, Kendall, Elgin, LeRoy, Silviera, Clement  
NOES: None.  
ABSTAIN: None.  
ABSENT: Ormonde

Chairman Clement suggested moving Item 6 to Item 5. The Commission unanimously concurred.

**APPLICATION FOR EXTENSION OF SUBDIVISION MAP NO. 2004-001 FOR HOLLY OAK ESTATES TRACT 816:**

Bacigalupi excused himself from this item because he has a conflict of interest in this subdivision.

Smyth reviewed the location and the year that the project was originally approved. Smyth stated that staff is recommending the modification of condition #25 requiring the payment of the new fees and the addition of condition #26 requesting inclusion into the new Lighting Landscaping Maintenance District, condition #27 requesting five (5) landscape plans to be submitted and condition #28 regarding the odor easement requirement for any subdivision located within one (1) mile of industrially zoned property. Smyth stated that staff recommends the additions and modification to the existing conditions of approval, and allow the one year extension.

It was moved by Commissioner Norgaard, and seconded by Commissioner Silviera to approve Resolution 2006-01 of the Planning Commission of the City of Lemoore approving the extension for Tentative Subdivision Map No. 2004-01 and reiterating the 28 conditions for Holly Oaks Tract 816.

AYES: Norgaard, Kendall, Elgin, LeRoy, Silviera, Clement  
NOES: None.  
ABSTAIN: None.  
ABSENT: Ormonde

Bacigalupi was called back for the next item.

**GENERAL PLAN AMENDMENT / ZONE CHANGE AND TENTATIVE SUBDIVISION MAP NO. 2005-02/ PUD/ CUP/ SPR SUBMITTED BY CENTEX HOMES TO CHANGE THE LAND USE DESIGNATION AND ZONE MAP AND SUBDIVIDE AND DEVELOP TRACT 845 INTO 279 LOTS.**

Smyth described the location of the subject tract as the north and south sides of the Bush Street alignment, west of the Production Avenue alignment and generally west of the West Hills College Lemoore site and east of the old abandoned north-south Rossi railroad alignment.

Smyth stated that a General Plan Amendment and Zone Change applications have been submitted to change certain areas of the land use and zone map. She pointed out the portions on the map. She stated that Centex Homes proposes to subdivide 71.31 acres into 279 single family lots in two phases. Phase 1 will have 118 lots and Phase II will have 161 lots. She noted that this might be a little confusing because we did include future concept plans in this particular area that are not really part of the approval this evening. She stated that looking at a General Plan Map in the staff report, there is a table that shows what is being proposed before and after should the General Plan Amendment and Zone Change be approved. Part of the policy that was discussed about a year ago, was to put in a street in the area zoned RSC on the West Hills College site to allow better access in the future to an interchange at Highway 198. Additionally, we had looked at reducing the size of the RSC area so that we wouldn't have huge area to maintain and still provide adequate buffering from the railroad.

Smyth stated that the applications were reviewed to determine their compliance with City code, policies, standards, PUD Guidelines, Livable Neighborhood Development Guidelines and environmental considerations. She reviewed the findings including the traffic impact report which was a part of the environmental analysis, streets, easements, utilities, waters, sanitary sewer, storm drainage, fire hydrants, street lights, wetlands, etc.

Smyth stated the net density calculation information in the staff report breaks down what is allowed in specific zones today. She stated that our 1997 EIR requires that zoning densities meet the minimum densities of the underlying districts. She stated that when we look at our General Plan we actually have every single district that spells out how many housing units you can fit in a particular acre of land or net density. Smyth stated that one of the things the developer brought up was that the sidewalk is really an easement and should not be counted in the density calculations. However, staff believes that because floor area ratio will be based on the parcel size, the net density calculations as tabulated should stay in place unless we change the floor area ratio requirements to take out the easement. Based on the calculation, the subdivision is short by 17 units, therefore a condition was added that would require the approximately 20 acre parcel, minus the proposed central commercial portion, should be conditioned to accommodate the gap, even though a formal site plan has not been submitted.

Smyth stated that no housing plans or elevations have been submitted at this time for review by the Commission but Condition No. 5 covers required their submittal for public hearing before Planning Commission and City Council before the Final Map can be recorded.

Smyth stated that the consultant will review the traffic report in depth. She stated that the executive summary of the traffic report was in the packet for the Commission while the full study was made available on the City website. Smyth reviewed various highlights of the traffic study. Smyth turned the discussion over to the Charlie Clouse, Principal of TPG Consulting.

Clouse stated that TPG Consulting was commissioned to prepare a traffic impact study (TIS) for Victory Village. He noted that he is joined tonight by Wally Hutchinson who helped author the document. He stated that Ms. Smyth gave the readers digest version of the arduous process that was carried out to develop a more thoroughly comprehensive traffic model to reflect the true land uses that the City has planned with the adoption of the General Plan west of Highway 41. Clouse stated that tonight he would have some information for the Commission not only for Victory Village, but an evaluation of other projects that would come on board through the year 2030 along Bush west of Highway 41. He stated that they have successfully looked at the full build out of the planned land uses in this area and incorporated it into the TIS as well as the Victory Village project so that the City could adequately prepare for long-term growth and determination of adequate lane configurations to accommodate build out traffic.

Clouse stated that there were serious concerns and problems when they attempted to use the outdated Kings County Association of Government traffic model, which is the tool that traffic consultants use to link land use and transportation. TPG and city staff found errors in coding the projected employment out there and the results of the traffic volume that were generated by that were astronomical. He stated that what they found is that a series of employment centers that did not exist in the general plan and so in the process of cleaning up those errors was tedious to reflect the planned land uses in the General Plan.

Clouse stated that the traffic study looked at nine (9) intersections. They counted everything that moves out there, looked at 13 different scenarios, some of which are common to traffic studies, some are what if scenarios to test different alternatives solutions as well as modifying land use options. Clouse stated that the impacts associated with Victory Village in addition to the long-term impacts of all Westside development can be mitigated. They can be mitigated with relatively reasonable road improvements, whether it is signalization of intersections, the addition of lanes at key locations, or off ramp widening. The cumulative impacts in the General Plan have also been evaluated and that is deemed in the traffic study for those of you looking at it at the 2030 analysis is what they are looking at in terms of the building out of the City's General Plan. He stated that as you look at those levels of service your seeing what the future of your community looks like some 24 years from now as all the land uses in the Bush Street area as well as all the land uses throughout the community are build out.

Clouse presented the conclusions and recommendations. He stated that there are some short term impacts associated with short term development and that is typified by the approval and completion of Wal-Mart, the approval/completion of Victory Village, the approval completion of a couple of other residential projects maybe before you in the next few months as well as the plan phased improvements of West Hills College which have a series of phases. He stated that if we looked at a rising year of 2008 or 2010 they came to the conclusion that there are short term impacts that need to be addressed as these cumulative projects come forward. He stated that primarily its signalization of existing intersections. He stated that the City is embarking on a project now to signalize Belle Haven Drive at Bush and that is well on its way and should be delivered in the next year or two. We also are proposing that both the north and south bound ramps at Bush Street and State Route 41 be signalized, again as short term improvements to accommodate these projects.

Long term, there are additional improvements that need to be made and many of those have been identified as part of the circulation element. He stated that Smyth talked about the standard of Bush and those would be improved as projects come forward for your review and approval of the development. Belle Haven needs to be improved to accommodate the planned commercial zoning that is designated. More importantly we are recommending that given the build out traffic volumes that we will see on the freeway ramps that both the north bound and the south bound off ramps have to be widen, south bound to two lanes, north bound to three lanes to accommodate traffic wishing to get into the Bush Street area as well as ultimately some widening underneath the Highway bridge structure that would accommodate up to six lanes to provide for traffic passing underneath Bush as well as traffic trying to get on either the north bound ramp in the east bound direction or the south bound ramp in the west bound direction.

Clouse stated that there are a series of on going discussions between the developers the City and Caltrans on the best methodology to deliver the short term improvements and the long term improvements. He stated that much of this is an issue of timing and funding and while the discussions are still going on he is confident that between now and the time the City Council reviews and hopefully approves this project they will be able to put the frame work together that will allow this project and subsequent projects to go forward and pay there fair share to make those improvements come forward for the short and long term. Clouse stated that he has given a short presentation on a very long process and a large document and he is available for questions.

Norgaard asked Clouse who pays for the infrastructure out on the interchanges? Clouse stated that collectively we have paid for what is out there today through our gas tax and state and federal taxes. He stated that the improvements that we are talking about both short term signalization of the ramps and long term improvements to the ramps as well as to Bush Street, the current discussion centers around the development community or in this case future development paying the first share of all improvements as necessary. So what the study is trying to create is a mechanism that delivers the necessary improvements, usually cash generated through developer fees of some kind. As we see it today it is going to be on the development side of the equation.

Smyth noted that a representative from Caltrans as well as the developers and a representative from Centex Homes as well from Aslan Development Corporation wish to speak on their project.

The public hearing was opened at 8:15 p.m.

Steve Brandt of Centex Homes 1840 South Central in Visalia, introduced John Duton from Provost and Pritchard who is the project engineer. Brandt stated that they see this as a combination of hard work that has gone into this project. He stated that they began working with staff in early 2005 on this project, submitted an application in April and the application prompted a Commission study session last July about west side development and growth. He stated that after the July study session the flaws in the traffic model were discovered, that helped them understand what was really happening out here as opposed to some of what appeared to them as inflated traffic counts from the old model. He stated that they worked through that and provided whatever they could to the Kings County Association of Governments, Dowling & Associates and were able to come back using this new traffic model to come back with a traffic study that was put together. He stated that an issue was the amount of acreage for the park. What it came down to was that this project needs 4.12 acres of parks which they provided. Brandt stated that they are excited about the design of their project.

In regards to Condition No.4 regarding density, Brandt stated that they have had a lot of discussion on how to calculate density and at this point they are ready to disagree on the technical numbers but what he can tell the commission is that they do agree with the condition as it is worded and will be willing to accept it.

Clouse stated that Condition No.10 regarding short term mitigation, this condition specially addresses the Bush Street on and off ramps from Highway 41 and there again its not so much the intent of the condition its the way it is worded. He stated that there is technical catch 22 in the condition because it puts a specific requirement on when the signal needs to be put in based on the number of houses they are building and they know and they have confirmed this with Caltrans they won't allow those signals to go in unless the technical traffic warrants are met. So if they get to the point where they have built the number of houses to trigger this condition, and the technical warrants are not met they can't complete the condition because Caltrans says it's too soon. All they are asking for is some flexibility that there be some caveat in the condition that says that the warrants have to be met before were required to put in the signal and this will help them find a way out of the catch 22.

Brandt stated that other then that he does not have any other specific comments, and he would like to again thank staff for their support and recommendation for support of the project.

Brandt stated that he is available for questions.

In regards to Norgaards question regarding the caveats for warrants having to be met, Brandt stated that all he is asking for is some modification in the wording that says that Caltrans is going to allow them to build the signal and the way to allow it is by saying that the signal warrants have been met. He stated that what he doesn't want is for the City to say that they can't issue any more building permits because you haven't met this condition and Caltrans saying that they are not going to allow them to meet the condition which is the catch 22 that he sees. He stated that what they are asking is that they not be held back in continuing with the subdivision if the warrants have not been met yet.

Ron Meade, Superintendent of the School District, stated that he is in support of the project. He noted that one item that is being impacted by all this is the charter school in that area. He stated that the charter school will open if they access to it. He stated that they would like the commission to go forward with this project in order for them to get the access for the school.

Frank Gornick of 656 Cambria Lane stated that he comes before the commission as the Chancellor of West Hills Community College in Lemoore and he is in support of Victory Village for a number of reasons. He stated that you just heard from Dr. Meade about the cooperation and collaboration with City staff and the developer and for a public arterial street that would not only serve the residence but also the charter school. He stated that he has been with this project for awhile and traffic has been an issue and one of the early developers commented about the traffic counts and we just found out the counts were erroneous in the first traffic study. He would request from the commission that they consider their request very carefully and accommodate them and also accommodate your responsibilities as Planning Commissioners to allow this project to move forward. He stated this would help the charter school to open in a timely matter.

Tim Palmquist representing Aslan Development thanked the City staff and those who worked to help them get to this point. He stated that they are on a tight time table to provide the improvements needed to support the college and primarily the charter school so they ask that this be approved tonight with the knowledge that they would be working on the two conditions discussed tonight to work towards language on Condition No.10 that is acceptable to all parties before the June 6<sup>th</sup> approval and that they look forward to going in front of City Council on June 6<sup>th</sup> to allow them to get the road way built before the school opening. He thanked the staff and Commission for their consideration.

Moses Stites of Caltrans located at 1352 West Olive in Fresno stated that Caltrans has reviewed the draft traffic study before you. He stated that they provided comments which you hopefully have had an opportunity to take a look at their letter which is dated today. He stated that it has been on a very fast track as you heard today and they have been trying to be part of the collaborated process in reviewing and working with staff. He is pleased to inform the Commission that they have reached an agreement with City staff and the project proponent as a result of communication today and meetings that they have had throughout the project. He stated that City of Lemoore has given Caltrans the assurance that the two intersections there at the interchange of Bush and State Route 41 will be constructed at such time signal warrants are met which was an earlier question asked. He stated also the project proponent has agreed to pay the proportionate fees or work out those specific items relative to the condition #10 and Caltrans is in support of condition No.10 subject to any modifications that staff or Planning Commission or City Council agrees to. Basically they were given the assurance that the items would be taken care of and they honor that acknowledgement and they are also working with the City to address the interim and long term interchange issues because there are interim issues and long term issues with regard to the interchange to accommodate development within the General Plan. He stated that they are awaiting some revisions and comments to the traffic study and he was given the assurance by staff that they will have those comments back and also the modifications or amendments to the draft traffic impact study. He stated that he is available for questions.

There was no opposition. Public Hearing closed as 8:55 p.m.

Smyth stated that one thing she did forget to mentioned is that on figure 1 that one of the conditions of approval refers to, on the westerly edge of the project area. Currently the subdivision's land includes the PG&E easement on the project property of 40' which would have to be maintained. The new area is a 100 foot wide abandoned railroad right of way that is owned by Union Pacific which is then adjacent to canals/ditches. Staff worked with PG&E to continue the accessibility without causing a huge maintenance nightmare, however PG&E would not allow the easement to be located in a persons backyard, only in the front yards. The 40' easement should be part of a new street that looks like an arterial with smaller lane widths as this segment only connects a short segment of traffic. Therefore, staff has recommended in the

conditions of approval that for future portions we treat the westerly edge of the Victory Village project to have requirements of interfacing of a subdivision to an arterial, rather than having the future street located further to the west of the abandonment area as shown on the General Plan.

Smyth stated that in some of the traffic information one of the conditions of approval refers to a proportional fair share table which is included in the staff report. This table may have to be modified with Caltrans, along with the question on prorated share (who pays what) as this is the first time the City has had to work through these difficult issues on the westside. She stated that staff would like some leeway to work through the wording in item 10 with the intention that we would still install signals at some portion, however it would be in concert with a warrant study and then identify who pays at what time. If this leeway was given, staff could negotiate the needed wording and bring before City Council so that Caltrans and staff are satisfied. Lastly, Smyth mentioned that lane configuration charts were added to Commissioners packets to help them visually understand the needed ultimate changes on the Westside.

Elgin asked if there was a policy in place or a procedure to determine who builds their share of multi-family and who does not. She stated that there have been some in the past that have been told you will reserve the land for multi-family and some that haven't and then this one does not have to build any. Smyth stated that the zoning basically states what is allowed in zone districts and in the past she thinks that land prices have been such that multi-family pieces were more expensive and therefore it made better sense to build multi-family on that particular piece of land. She stated that our General Plan tries to maintain a 60/40 split 40 percent multi and 60 percent single family. So when the General Plan was adopted the land use designations were trying to achieve this proportionate mix. The difficulty with it is that zoning allows single family units to be built on multi-family zoned pieces. On the Westside, the only requirement is that the underlying densities do not fall below the bottom range in order to preserve ag land (per the 1997 EIR).

In the past you may recall that some of the projects that we approved, which did not require that single family dwelling be homeowner occupied either. Smyth stated that some cities do include inclusionary housing ordinances and currently Lemoore does not have any in place. However, our RDA is required 15% of the houses built in RDA areas to be available but even then it does not state if such units shall be for rent or for sale. The existing policies make it difficult to force developers to build apartments in multi-family zoned areas. Smyth stated that looking in the Housing Element of the General Plan the only thing that even touched on specifics housing types was a policy stating that housing should have a variety of house types available to a variety of persons, but it does not specify low income, owner occupied or rental or even apartments.

Jeff Britz City Manager stated that if a developer approaches the City about a concept that they would like to propose we review the guidelines in the zoning code which does allow single family to be built on multi-family property but we can recommend them that they might consider retaining multi-family which we have done in this case and others. Although it is not part of this project to be reviewed or approved tonight they are still allowed to have multi-family. They can apply for what they would like and you can approve what ever you like with regards to types of housing on certain types of zoning.

Elgin stated that during a discussion with Smyth in her office she mentioned that every project that comes before the Commission on the westside has multi-family housing and is proposing to eliminate all the multi-family housing. Is this still the case? Smyth stated that we have suggested that they up zone which means that they have a mixture of RM-2 or RM-3. However, traffic related to the up zone would have to be evaluated as it relates to the underlying zoning and proposed zoning. The other project is looking at wanting to include multi-family on the residential R-1-7 so in this one it abuts some of the commercial.

Elgin asked without a policy in place, how does staff propose to meet the numbers found in the Regional Fair Share Housing Allocation which are incorporated into the Housing Element? Elgin asked if we are still obligated to hold the land for multi-family whether it is built or not. Elgin stated that we would be out of housing compliance without meeting the numbers. Smyth stated that the numbers only specify how much very-low, low, moderate, and above-moderate housing must be provided. The Allocation Plan does not specify if the units are to be apartments versus detached single family homes, but refer to income types of the housing.

Norgaard stated that he thinks Elgin's point is well taken, but not a topic that can be settled here tonight. He suggested we move on with what is before us. He stated when Sharon Clay of the base presented her input earlier, it is obvious that we are not meeting the needs of one of our benefactors of our community comprising of an awful lot of people that need a place to live and the base is not prepared to provide it. He stated that the Commission is going to have to look at this and try to meet it but he does not think this is something for right now.

Elgin stated that we are taking land specifically set aside for multi-family homes which is typically for low and very low incomes and putting \$400,000 homes on top of it and that just doesn't seem right.

A break was called at 9:15 p. m. The meeting resumed at 9:25 p.m.

Smyth stated that some of the other things that we can look at is the zone map that shows the current underlying densities. She stated that the particular piece not shown on the site plan is currently zoned RM-3 which is multi-family zoning that allows single family homes so long as they were 5,000 square feet but if they were multi-family they need 3,000 square feet for every housing unit. If we went down to RM-2 that would require 2,500 square feet of land for every single housing unit. She stated that the portion that they are proposing on this piece is a 4 acre portion of commercial and the remaining would be RM-3 which is about 10.5 acres.

It was moved by Commissioner Silvieria seconded by Commissioner Norgaard to recommend to the City Council to grant Mitigated Negative Declaration for the proposed project.

AYES: Silvieria, Norgaard, Leroy, Elgin, Kendall, Clement  
NOES: None.  
ABSTAIN: None.  
ABSENT: Ormonde.

It was moved by Commissioner Silvieria, and seconded by Commissioner Kendall to recommend that City Council approve General Plan Amendment and Zone Change with the addition of Condition No.38 that the 13.6 acre portion of Assessor's Parcel Number 023-510-011 as shown on the general plan and zoning amendment exhibits, shall be zoned RM-3 within the scope of the Traffic Impact Report and will be required to include at least 85 units due to density shortfalls when submitting for a Site Plan Review or construction (with the intent to get as many units possible with out adversely affecting traffic).

AYES: Silvieria, Kendall, Leroy, Norgaard, Elgin, Clement  
NOES: None.  
ABSTAIN: None.  
ABSENT: Ormonde.

It was moved by Commissioner Silvieria, seconded by Commissioner Norgaard to recommend to the City Council to approve Tentative Map/PUD/CUP/SPR with the conditions as per staff report and with the understanding that city staff will polish Condition #10 with Caltrans and the developer before it goes to City Council for final approval.

AYES: Silvieria, Norgaard, Kendall, Leroy, Elgin, Clement  
NOES: None.  
ABSTAIN: None.  
ABSENT: Ormonde.

**CHIEF PLANNER'S REPORT:**

None

**COMMISSION'S REPORT AND REQUEST FOR INFORMATION:**

None.

**ADJOURNMENT:** The meeting was adjourned at 10:15 p.m.