

**TOWN OF MORAGA  
PLANNING COMMISSION MEETING**

Moraga Library Meeting Room  
1500 St. Mary's Road  
Moraga, CA 94556

March 17, 2014

7:00 P.M.

**MINUTES**

**1. CALL TO ORDER**

Chairperson Kuckuk called the Regular Meeting of the Planning Commission to order at 7:00 P.M.

**ROLL CALL**

Present: Commissioners Comprelli, Levenfeld, Marnane, Onoda, Schoenbrunner\*,  
Woehleke\*, Chairperson Kuckuk

\* Commissioner Schoenbrunner arrived at 7:10 P.M.

\* Commissioner Woehleke arrived at 7:48 P.M.

Absent: None

Staff: Shawna Brekke-Read, Planning Director  
Ellen Clark, Senior Planner  
Bob Pendoley, Contract Planner  
Karen Murphy, Town Attorney

**B. Conflict of Interest**

There was no reported conflict of interest.

**C. Contact with Applicant(s)**

Commissioner Levenfeld reported that in December 2013 she had toured the Rancho Laguna II project site with the applicant.

**2. PUBLIC COMMENTS**

Troy Wright, Moraga, understood that a cell phone tower had been proposed adjacent to Campolindo High School, which would be located behind his residence. He found the application to be in violation of the Town's ordinances, particularly related to property distances. While he had not seen an actual plan, he suggested the homes in the neighborhood would be devalued, a cell tower would be unattractive, it could impact local wildlife migration, and it could exploit students to increased data processing and other for-profit activities. He was disappointed to learn the Acalanes Union High School District (AUHSD) had approved a modification to its easement, which was also in violation of the Town's ordinances.

Mr. Wright asked that when considered by the Planning Commission, the Commission reject the project and require an independent study of the application.

Ellie Marks, Lafayette, Director of the California Brain Tumor Association, referenced her involvement with the wireless communication issue across the nation and urged the Town to require AT&T to prepare an independent study to prove a significant gap in phone coverage and that the proposed site was necessary. As a Realtor, she also spoke to the potential decrease in property values if a cell tower was permitted in a residential neighborhood.

Bob Bratton, Director, Moraga Valley Presbyterian Church, explained that years ago he had been responsible, along with other community members, for the planting of the redwood trees along Moraga Road and St. Mary's Road within the scenic corridor. He referenced the "No Parking" signs which had been placed along the route which detracted from the scenic corridor and asked that the curb be painted.

### **3. ADOPTION OF CONSENT AGENDA**

There was no Consent Agenda.

### **4. ADOPTION OF MEETING AGENDA**

On motion by Commissioner Comprelli, seconded by Commissioner Marnane to adopt the meeting agenda, as shown. The motion carried by the following vote:

Ayes:	Comprelli, Levenfeld, Marnane, Onoda, Kuckuk
Noes:	None
Abstain:	None
Absent:	Schoenbrunner, Woehleke

### **5. PUBLIC HEARING**

- A. Consider 1) Approval of the following: General Development Plan, Vesting Tentative Subdivision Map, Hillside Development Permit and Grading Permit for the Rancho Laguna II Project, a 27-Unit Single-Family Residential Subdivision and 2) Recommendation to the Town Council Regarding Amendment to the Planned Development District Ordinance. (An EIR was previously certified for the Conceptual Development Plan in January 2011.) A CEQA Addendum has been prepared to address modifications to the project since approval of the CDP and Revisions to the Mitigation Monitoring and Reporting Program).**

Contract Planner Bob Pendoley presented a PowerPoint presentation of the staff report dated March 17, 2014. He clarified that the original Environmental Impact Report (EIR) had stated that lighting shall be shielded and focused down and not out to preserve night views.

While a condition of approval that had not come from the EIR had stated that no streetlights would be permitted, the Town's Subdivision Ordinance required streetlights. As a result, a condition of approval had been added to limit streetlights to the minimum necessary for public safety, to be reviewed by the Design Review Board (DRB) prior to final project approval. He added that revised language had been provided to the Planning Commission.

Planning Director Shawna Brekke-Read added that revised language had been provided for Conditions 66 and 67 to clarify that the DRB would be required to approve the streetlight designs.

Mr. Pendoley recommended that the Planning Commission adopt resolutions, to include the following:

- A. Adopt the Addendum to the Rancho Laguna II Project EIR;
- B. Amend the Rancho Laguna II Project EIR Mitigation Monitoring and Reporting Program;
- C. Recommend that the Town Council approve the proposed amendment to MMC Section 8.48.040; and
- D. Approve the General Development Plan, Vesting Tentative Subdivision Map, Hillside Development Permit, and Grading Permit for the Rancho Laguna II Project, a 27-Unit Single-Family Residential Subdivision

Responding to the Commission, Mr. Pendoley explained that dirt moved from the Camino Ricardo project to Rancho Laguna II would be placed in a location on site that would not be visible. As part of the peer review of the environmental analysis of visual effects, visual simulations were required to determine that the location of the fill on the Rancho Laguna II site would not be visible from any public place.

Mr. Pendoley also clarified that 165 acres would be dedicated as part of an open space easement, to be open to the public, with parking available at the trail head, and with the trail graded for safe access. The north end of the trail would include a foot bridge across Coyote Creek which had been designed for future connection to the Lafayette - Moraga Regional Trail, and a future trail as part of the Palos Colorados Subdivision.

Ms. Brekke-Read stated a condition of approval in the approved Conceptual Development Plan (CDP) and in the proposed conditions required the open space to be owned by the Geologic Hazard and Abatement District (GHAD), a public agency of the State of California. The open space would be owned by the GHAD and could be used by the public. She also clarified the two different locations where the trail crossed private property and which may allow for a future connection. Sheet 30 of the plans had shown that the trails terminate at the property line.

The easterly trail would terminate at property owned by the Markey family and the southerly trail would terminate at property owned by Rush Funding. The easterly and

northeasterly trails would eventually lead towards Palos Colorados and the southeasterly trail eventually to the Lafayette - Moraga Regional Trail.

Mr. Pendoley clarified that Fay Hill Road and "E" Street were just to the east of the ridge and were one of the changes made as part of the CDP. He identified a small parking lot which would also not be visible from below due to a berm which would hide any views. He clarified the change in contour on the site prior to and after the grading was complete would not appear to be radical since it would gently transition into the natural slope, to be replanted with native vegetation. The transition was needed in conjunction with the repair of Rheem Boulevard which was an important goal of the project. He identified the location of a six-foot retaining wall, which would be visible, and explained that the concrete would be countered and dyed to match outcroppings to offer a natural appearance.

As to whether the recommendations the Planning Commission had discussed for the Hetfield Estates GHAD had been incorporated into the GHAD requirements for Rancho Laguna II, Ms. Brekke-Read explained that the exact CDP conditions of approval related to the GHAD for Hetfield Estates had not been imposed on the subject project since the Town Council had approved Rancho Laguna II on appeal. This issue had been discussed with the Rancho Laguna II developer. She noted there was an advantage to the GHAD owning the open space property as related to fire management, overall property maintenance, a comprehensive management program for the property, and as a public agency the GHAD would own the property allowing for public use. She advised that the Town Attorney had reviewed all of the conditions of approval.

Town Attorney Karen Murphy explained at the time the original CDP had been approved by the Town Council on appeal it had included a requirement for the sponsor to request that the Town Council form the GHAD. The project sponsor may request annexation to an existing GHAD or to another designated entity. Staff had included the same condition as part of the original CDP for consistency, subject to further discussion.

Mr. Pendoley further clarified which lots would be single or two-story and explained the placement of the single-story homes had been to preserve skyline views of the ridgeline and slope.

Ms. Brekke-Read pointed out that Condition 25 could imply that second story additions may be allowed if there were not more than three homes in a row with two stories. That condition could be discussed further to ensure there was no ambiguity. Condition 23 also required the project CC&Rs to reflect development standards limiting one- versus two-story lots.

Kevin Ebrahimi, Vice President of Development, SummerHill Homes, identified the background and history of the proposal which had initially been submitted to the Town in 2006, the Town Council approved the CDP on January 11, 2011, and completion of a GDP application in December 2012.

A study session had been held with the Planning Commission on December 2, 2013 at which time the applicant presented an Alternative Site Plan which addressed the Town requirements. During the December 2, 2013 meeting, the Planning Commission had expressed a preference to proceed with the Alternative Site Plan.

Mr. Ebrahimi thanked staff for its assistance for the time to process the application and presented a PowerPoint to show the details of the Alternative Site Plan as presented to the Planning Commission on December 2, 2013, with all the details he had presented at that time.

Ray Skinner, ENGEO, Geotechnical Consultants for SummerHill Homes, advised that as part of the project the Town had asked for the repair of a portion of Rheem Boulevard that had experienced instability over a period of years. He described the approach put forth by Cal Engineering, the Town's consultant, which had been analyzed by the applicant through stability analysis; offered a cross section view of the site; identified a buttress which would provide enough resistance for the portion of the slide on the north side of Rheem Boulevard where the buttress would have sufficient mass of strength not to be displaced; and described the details of the keyway through the slide debris, with benching and subdrains to allow discharge to the creek. He provided a sample of the "geogrid" material used to reinforce the material. He noted that for a slide to occur, it would have to slide through all of the reinforced layers and that geogrid would not degrade over time or be exposed to ultra-violet (UV) rays. He identified the sequence of construction with the closure of Rheem Boulevard which could take the better part of the construction season from May through September, stated that some overhead power lines located on the uphill side of Rheem Boulevard would have to be moved, excavation for the keyway and slide removal would be done in four stages to reduce the likelihood of triggering movement of the remaining slide debris uphill, followed by the subdrain system, geogrid reinforced fill, installation of the utilities back into Rheem Boulevard, reconstruction of the roadway, and reinstallation of the power lines.

Eric Harrell, ENGEO, Certified Engineer Geologist, described the background and details of the proposed GHAD similar to other public agencies and stated the board structure may include the local agency as the Board of Directors or five property owners within the District. He clarified that the GHAD may annex into other GHADs with no restrictions on where the GHAD was located in the state, detailed the benefits of a GHAD, with a GHAD in place for perpetuity able to be creative in covering remedial measures and exempt from Local Area Formation Commission (LAFCO) and California Environmental Quality Act (CEQA) but no other state and federal requirements, and detailed some of the capabilities of the GHAD for the Rancho Laguna II project. He also described the details of the formation of a GHAD, funding through supplemental property and tax assessments subject to a Proposition 218 vote, described how the funds in the GHAD may be used, defined what the GHAD may or may not do, and described the GHAD management.

Commissioner Woehleke, who arrived after Roll Call, reported that he had recently met with the applicant on site and during that period many of his questions had been addressed. He had also walked the site in 2004.

Mr. Harrell explained that the roads which would be private would be maintained by the HOA and not the GHAD; the GHAD would encompass the entire property and be involved with seismically induced and other landslides; and if the Town Council served as the Board of Directors of the GHAD the taxing would only occur within the GHAD.

Mr. Ebrahimi stated they had not considered the visual impacts to the City of Lafayette/Burton Valley in that the only conditions were to address the visual impacts to the Town of Moraga. He also clarified that trail connections to the points of future development, such as to the Palos Colorados development, had been discussed.

Mark Armstrong, Project Manager, Rancho Laguna II, explained as part of the CDP stage that other off-site locations had been analyzed as part of the EIR with a determination that there would not be significant visual impacts given the distances involved and the short duration of the road sections. The Town Council had concluded it did not want the ridgeline disrupted by homes and. Mitigations had been proposed to address the visual impacts.

Ms. Brekke-Read affirmed that staff had asked SummerHill Homes to explore a future trail connection to Palos Colorados. There was another trail that had been discussed leading towards Fay Hill Reservoir which staff had explored as a pedestrian access leading to Palos Colorados. She commented on the opportunities and reported that the Town was being considered to receive a Contra Costa County grant for a Bicycle and Pedestrian Master Plan, which staff could use to explore those opportunities.

Mr. Harrell further clarified that the GHAD would not serve as an insurance vehicle in terms of earth movement but would provide some insurance-like coverage that would not be available to a homeowner. He stated the GHAD's monitoring and maintenance would go into effect after it had gone through engineering, the Town's peer review, and grading, and would receive the properties after they had gone through the proper approvals.

Mr. Skinner referenced the grading plan for the project as a whole with the intent for corrective grading to ensure the slide risk was low, with the slides to be removed or buttressed. While there were other soil issues that could affect the project they would be mitigated through engineering.

## PUBLIC HEARING OPENED

Bill Vaughn, Moraga, former Planning Commissioner and Town Councilmember, understood the Town would remain liable in the event of a slide if the GHAD had insufficient funds. He pointed out the trail started in a parking lot on a minor ridgeline in Moraga Open Space Ordinance (MOSO) land and went nowhere. He suggested the Town Council had erred in granting approval of the CDP for the project in 2011. He

read into the record the section of the Moraga Municipal Code (MMC) which permitted the Planning Commission to approve or disapprove the plan, and suggested the CDP approval, while flawed, still required General Plan consistency. He also read into the record General Plan Policy, CD 1.5.

Given that two-story homes were proposed along the ridgeline, it would maximize the impacts. Mr. Vaughn urged the Planning Commission to review the policies of the General Plan and the legislative history, and consider the use of site planning in this process to make the project closer to, and consistent with, the General Plan.

Suzanne Jones, 1285 Bollinger Canyon Road, Moraga, Preserve Lamorinda Open Space (PLOS), explained that PLOS had provided comments on the project during the December 2013 study session. She thanked SummerHill Homes for working with PLOS and outlined the changes reflected in the Alternative Site Plan which had been supported by PLOS, and noted she had additional comments on the staff report which she had discussed with SummerHill Homes prior to the meeting. She asked for clarification on the restrictions that governed the overland drainage release easement which fell on the back portions of Lots 7 through 18; a clear restriction that protects the areas from structures; a condition that states clearly that portion of the lot is to be left in its natural state; pulling back the imported fill which encroached into the open space and extended into the drip line of oak trees; and that the developer and Planning Commission consider alternatives for the informal parking lot on the ridgeline which had not been shown in the CDP but which could be accommodated in a wide right-of-way near the crest and accessible to those desiring to reach Fay Hill Road. She provided a copy of her written comments to the Planning Commission and to the developer.

Ken and Cecilia Markey, Lafayette, identified their property as 28 acres located to the east of the project site and primarily located within MOSO space. They noted the plans for Palos Colorados had shown a trail through their property of which they had been unaware. As a result, the Markeys stated they would have three trails on their private land which they opposed. They also had horses on their land which was a concern if people were walking on the trail.

Jane Russell, 273 Birchwood Drive, Moraga, stated she had attended the December 2013 study session and had hoped many of her questions would have been answered. She understood ridgelines were to be protected from development. She opposed a parking lot on the ridgeline, expressed concern with traffic on the roadway, and asked where the staging area for the trail would be located since it appeared to have been moved from its original location. She also expressed concern with the placement of streetlights which would change the dynamics of the property and the views of the scenic corridor.

Roger Poynts, 147 Donald Drive, Moraga, noted the plans for the trails had shown trails to nowhere with no ability to make a connection to Palos Colorados property. He reported the East Bay Regional Park District (EBRPD) website had shown a rim trail as part of the Palos Colorados project behind Fay Hill Reservoir which could be tied into the project site. He asked for clarification on the location of the sewer connections

since the plans had not shown a connection unless the developer had worked out an agreement with the adjacent landowners.

Susan Wright, Moraga, liked the trails in the community but if the proposed trails did not provide a connection she questioned the benefit to the community.

Ms. Wright also commented on the recent success with streetlights that dimmed and used motion detection sensors, which would have minimal impacts to the nearby residents while also providing safety and security.

Troy Wright, Moraga, asked whether traffic studies had analyzed the current use or future expansion of the trails and the capacity of the parking lot.

Faiz Makdisi, 262 Birchwood Drive, Moraga, asked whether the causes of for the landslide activity on the project site had been analyzed prior to the development of the plans.

#### REBUTTAL:

Mr. Ebrahimi clarified that the drainage easement behind Lots 7 through 18 would be worked out with staff and PLOS to confirm that structures were not constructed in the area to be protected. He had no problem moving the grading away from the drip line of the existing trees and explained that the developer had complied with the arborist's recommendation. The arborist would be on-site during the grading activities to ensure there were no impacts to the trees. The parking lot at the end of Fay Hill Road had followed the CDP and they could work with staff to consider alternative locations off of Rheem Boulevard. The conditions of approval had called for no street lighting and the developer would work with Planning staff and the Public Works Department to consider streetlights as required for safety purposes.

Mr. Ebrahimi also stated that wildlife-friendly fencing could be considered on the borders where there was cattle fencing. He added that the developer had met with the East Bay Municipal Utility District (EBMUD) regarding the sewer lines and there were several options to be considered. The CDP called for two different methods and he identified the location of the sewer connections with the main connection on the Lafayette - Moraga Regional Trail but which would not cross private property. He affirmed that a preliminary design had been prepared, identified the trail staging area location pursuant to the approved CDP, and stated he was willing to work with staff to identify an alternative location if the Commission so directed.

#### PUBLIC HEARING CLOSED

Commissioner Comprelli expressed concern with the positioning of the trail as shown on the plans and the staging area to the far right of the parcel which appeared to go nowhere. He suggested the purpose of the trail was to provide some way for the homeowners to reach the Lafayette - Moraga Regional Trail and he sought a shorter route for that connection. He also suggested a more direct route to Palos Colorados made more sense. He asked that the trail design be reconsidered.

Commissioner Levenfeld agreed that connectivity was needed and recognized the Markeys were not open to a connection through their property. She disagreed that the trail would be a trail to nowhere and suggested the Commission would be remiss to remove that section of trail altogether.

In her opinion, Commissioner Levenfeld suggested there was a public benefit to having the open space, trails, and connectivity. She sought more discussion and possibly a walking tour of the site.

Commissioner Onoda stated as a horse owner she would be concerned with a trail anywhere near the Markey property. She suggested a loop trail would be a benefit and would also like to walk the area to identify the possibilities.

Commissioner Marnane suggested the trail go across the EBMUD property, although he was informed that route would be too steep.

Commissioner Schoenbrunner had not walked the site but suggested it made sense to retain the trail with a loop and a possible connection to Palos Colorados.

Commissioner Onoda asked that Mr. Vaughn be permitted to re-state his comments.

Chairperson Kuckuk reopened the public hearing to allow Mr. Vaughn to again address the Commission.

#### PUBLIC HEARING REOPENED

Mr. Vaughn re-read into the record General Plan Policy CD 1.5 and reiterated his comments as earlier recorded. He spoke to the update of the General Plan, the inclusion of minor and major ridgelines, and quoted from the minutes of the May 1, 2002 Town Council meeting regarding those discussions. Pursuant to MOSO regulations and the discussion in the May 2002 Town Council minutes, he stated the intent was that the ridgelines be protected from development. He expressed concern with the misinterpretation of the General Plan particularly given the subject project and potential future development, and suggested that site planning could be used to address the potential flaws of the project consistent with General Plan requirements.

Ms. Brekke-Read explained that staff must rely on what the Town Council had approved in 2011 for the CDP. She acknowledged that ridgelines were narrowly defined in the General Plan, and the project was in substantial conformance with the CDP, which included the trails as presented extending to the property line.

Commissioner Onoda suggested the staging area for the trail was not compliant with the General Plan since it was above 800 feet and on the top of a ridge. She did not believe that a parking lot was needed for three to five parking spaces since there was parking available along Fay Hill Road. She suggested the trail could end at the bridge or the water tower and that the fencing should be wildlife passable, which should be a regulation for all future development projects.

Commissioner Marnane asked that the street names be more original than "D" and "E," and was informed by staff that the references to street names were for the purposes of the map, with the street names to be identified in cooperation with the Moraga Historical Society.

Commissioner Schoenbrunner asked that Condition 18 be modified to require the street lighting to return for Planning Commission review and approval.

Commissioner Onoda also asked that the plans, which currently called for rolled curbs, but which had shown the Emergency Vehicle Access Easement (EVAE) with vertical curbs, be modified to require rolled curbs.

Commissioner Woehleke identified an inconsistency between the CDP and the GDP regarding the requirement of streetlights, was uncertain streetlights were needed since they produced light pollution, and asked for a good reason to require streetlights and that they not be allowed to protrude above the ridge.

Ms. Brekke-Read advised that street lighting was required pursuant to the Town's Subdivision Ordinance, which included an adopted requirement for Caltrans standard lights. The applicant had requested exceptions to the Subdivision Ordinance and it was typical for new development to have streetlights in intersections for safety purposes. Staff concurred that the conditions be written in such a way for the Planning and Public Works Departments to work cooperatively on the potential placement of streetlights. If required, conditions regarding streetlights could be modified to require review and approval by the Planning Commission.

Responding to the Commission, Mr. Armstrong clarified the parking area referenced above "D" Street was not a parking lot but a very loosely structured area of parking spaces for the public. This had been considered as part of the CDP. Because the streets had been designed with parking on either side, the informal parking area was determined to be appropriate and had been suggested by the Town. Three to five parking spaces could be provided, either diagonal or parallel and associated with the road as opposed to a separate parking lot. That parking area was intended to be informal, not paved, and not intensively used.

Commissioner Levenfeld referenced Condition 85 and asked that the condition be modified to require the curb, if there was a curb, to be painted red as opposed to the use of "No Parking" signs. She also asked that a condition be imposed to prevent the developer from conducting grading and improvements and then abandoning the site.

Ms. Murphy acknowledged that the Development Agreement (DA) for the Camino Ricardo project had included language to address concerns with the property being left fallow after grading and improvements. A similar condition could be considered for Rancho Laguna II.

Chairperson Kuckuk recommended a condition to protect the Town from an incomplete development as part of this and any future GDP. She referenced the gravel area

designated for trailhead parking at the top of Fay Hill Road and the intersection of "E" Street as called for in the CDP, which she found to be inconsistent with the General Plan. She sought a different solution in conformance with the CDP in another location. She recommended that the trail plan explore expansion towards Palos Colorados with a looped trail, and liked the idea of ending the trail on a bridge and overlook.

Chairperson Kuckuk also acknowledged the concerns with potential streetlights, in particular Caltrans standards which would be inconsistent with the General Plan. She suggested there remained issues to be explored and addressed before approvals could be considered for the project.

Ms. Brekke-Read asked that if the item were to be continued, it be continued to a date certain of April 21, 2014.

Commissioner Woehleke stated that he had read the conditions of approval and had identified typographical errors and inconsistencies he could provide to staff.

On motion by Commissioner Levenfeld, seconded by Commissioner Schoenbrunner to continue consideration of a General Development Plan, Vesting Tentative Subdivision Map, Hillside Development Permit, and Grading Permit for the Rancho Laguna II Project, a 27-Unit Single-Family Residential Subdivision; and Recommendation to the Town Council Regarding Amendment to the Planned Development District Ordinance, to a date certain of April 21, 2014, carried by the following vote:

Ayes:	Comprelli, Levenfeld, Marnane, Onoda, Schoenbrunner, Woehleke, Kuckuk
Noes:	None
Abstain:	None
Absent:	None

## **6. ROUTINE AND OTHER MATTERS**

There were no routine and other matters.

## **7. REPORTS**

### **A. Planning Commission**

Commissioner Levenfeld reported that she had attended the March 10, 2014 DRB meeting at which time the DRB had reviewed and approved sign applications for Great Clips and Massage Envy, held a study session for the City Ventures Moraga Town Center Homes, and elected a new Chair and Vice Chair. the proposal and the comments and direction.

### **B. Staff**

Ms. Brekke-Read reported that a joint Planning and Park and Recreation Commission meeting would be held in May, date to be determined, with a discussion on the land

planning process to ensure that parks were being accommodated; staff planned a joint meeting with the Planning Commission and DRB on April 15 to discuss the Sign Ordinance.

In addition, Ms. Brekke-Read reported that two Councilmembers had appealed the Hetfield Estates development based on the condition that did not require for the applicant to construct the EVA and the adequacy of the total number of on-street parking spaces; she anticipated the Via Moraga project would be considered by the DRB in May/June and back to the Planning Commission in July/September; staff had received five proposals to prepare the Town's Housing Element to be reviewed by staff and presented to the Town Council for consideration; and the Via Moraga project could be discussed by the Planning Commission on April 21 to consider the process, and whether to proceed with the DRB or go to the Planning Commission first for a recommendation to the Town Council.

Senior Planner Ellen Clark reported a Livable Moraga Road workshop would be held on Wednesday, March 19, 2014 at 6:45 P.M. to discuss the various concepts to improve the connectivity and flow of Moraga Road, with information available on the Town's website. The Hillsides and Ridgelines Steering Committee had been tentatively scheduled to meet on April 10, 2014 with the first public workshop tentatively scheduled for April 16, 2014. A webpage on the effort would be launched soon.

Ms. Brekke-Read also reported that Town staff had received e-mails this date from neighbors regarding a proposed cell tower near Campolindo High School. The AUHSD had considered amending its leasing arrangements and approved leasing space to AT&T for a wireless facility on property across from Campolindo Drive. The Planning Department had not received any inquiry or application from AT&T for the site. An application would be subject to a Wireless Conditional Use Application. If located on a hillside, it would require a Hillside Development Permit (HDP) and if there was grading a Grading Permit and California Environmental Quality Act (CEQA) determination would be required.

Ms. Brekke-Read acknowledged a prior request from Commissioner Levenfeld for an independent report on all units approved in the Town that were not yet developed due to the impacts on schools, traffic, and other issues related to CEQA. Staff was in the process of a comprehensive study to update the Town's Development Impact Fees and would be identifying all approved projects.

## 8. ADJOURNMENT

On motion by Commissioner Woehleke, seconded by Commissioner Levenfeld and carried unanimously to adjourn the Planning Commission meeting at approximately 10:15 P.M.

A Certified Correct Minutes Copy



Secretary of the Planning Commission