



**MINUTES**  
**SPECIAL JOINT MEETING OF**  
**CITY COUNCIL/PLANNING COMMISSION**  
**TUESDAY, JULY 13, 2010, 5:30 P. M.**  
**SENIOR CITIZEN/COMMUNITY CENTER**  
**201 E. BONITA AVE.**

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**PRESENT:**

**COUNCIL:**

Mayor Curtis W. Morris  
Mayor Pro Tem John Ebner  
Councilmember Emmett Badar  
Councilmember Denis Bertone  
Councilmember Jeff Templeman  
City Manager Blaine Michaelis  
City Attorney J. Kenneth Brown  
City Clerk Ina Rios  
Assistant City Manager of Community Development Larry Stevens  
Assistant City Manager Ken Duran  
Director of Development Services Dan Coleman  
Director of Public Works Krishna Patel  
Director of Parks and Recreation Theresa Bruns

**PLANNING COMMISSION:**

Chairman Jim Schoonover  
Vice-Chair David Bratt  
Commissioner Stephen Ensberg  
Commissioner M. Yunus Rahi

**ABSENT:**

Commissioner John Davis

**1. CALL TO ORDER**

Mayor Morris called the special meeting to order at 5:31 p.m.

**2. ORAL COMMUNICATIONS**

(For anyone wishing to address the City Council on an item on this agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. Speakers are limited to three minutes or as may be determined by the Chair.)

- a. Members of the Audience

There were no comments.

**3. STUDY SESSION PLANNING MATTERS**

- a. Review of renovation work for the City Council Chambers and the furnishings for the City Council office and conference room.

City Manager Michaelis reviewed layouts for the final furniture plan for the City Council office and conference room and a revised plan of action for the Council Chambers. He said originally the plan of action was to refinish the wood surfaces, install an ADA ramp access to the dais, address air conditioning issues, replace the carpet, ceiling tiles, and refurbish the audience seats. Mr. Michaelis felt the best long term approach was to use durable materials for long term wear, that all elements of the buildings reflect current codes, replace audience chairs, and that staff take advantage of a favorable bid market.

Councilmember Templeman suggested the City Council's office be described appropriately on the drawings so that it is not misconstrued that each member of the City Council has their own office. City Manager Michaelis stated that staff will provide the proposed layout for the Mayor/City Council office and put together a furniture plan.

In response to Councilmember Bertone, City Manager Michaelis stated that the audience seating will remain the same distance between seats.

RECESS:

At 5:35 p.m. the City Council, Staff and members of the public recessed to the Council Chambers at the City Hall construction site. Mr. Michaelis described the proposed changes to the Council Chambers and Architect Steve Gaffney elaborated on the proposed changes and answered specific questions. The City Council provided comments and feedback on the proposed changes. It was the consensus of the Council for staff and the architect to prepare cost estimates including a breakdown of prices by component and prices for repair versus replacement of the wood.

The study session reconvened at 6:02 p.m. in the meeting room.

b. Update on status of NJD Development Project..

Assistant City Manager of Community Development Stevens stated the project started in the mid 1990's culminating in the adoption of the General Plan Amendment 99-1 and Specific Plan No. 25 for the 972 acres of privately owned property in the "Northern Foothills". The Plan established density and development standards that differed from the previous zoning and set forth various mitigation measures to be applied to the project in the future.

Mr. Stevens said NJD filed a lawsuit challenging the City's approval of the General Plan Amendment 99-1 and Specific Plan No. 25, which was dismissed by the trial court; the decision was appealed unsuccessfully and an appeal was then filed with the California Supreme Court. He said the project proponent and the City ultimately entered into a Settlement Agreement and Release which dismissed the proponent's claims and litigation in exchange for allowing the City to retain final discretionary and legislative authority to approve or deny a project.

Mr. Stevens highlighted numerous amendments made to the General Plan to implement the Settlement Agreement and accommodate the proposed Tentative Map design. He said the second component is amendment to the Specific Plan No. 25, which mimics many changes made in the General Plan, which include revising lot size standards, reconsidering access and circulation issues, and revising horsekeeping standards.

In response to Councilmember Templeman, Mr. Stevens said the proposal includes a project gate to the property.

Mr. Stevens described the Tentative Tract Map consisting of 61 single-family residential lots ranging in size from approximately 1/2 acre to 17.81 acres. One 83.97 acre parcel is intended as habitat conservation and open space. He said some residential lots are designated "no build areas" and nine parcels are proposed for equestrian use, which has elicited some concern by the Equestrian Commission. He said sixteen lots are designated for two-story dwellings.

Mr. Stevens stated that the proponent has applied for a statutory development agreement and intends to dedicate a parcel, consisting of approximately 83.97 acres, to the City or designated conservancy. He said the project will likely be completed in multiple phases.

In response to Councilmember Templeman, Mr. Stevens stated that sidewalks are not proposed for any portion of the project. He said the proposed project's sewer system would connect to the City's sanitary sewer system.

Mr. Stevens reported that PBS&J was hired to prepare the Draft Environmental Impact Report for the project and it is staff's intention to present amendments to the General Plan and SP 25 to the City Council for consideration on December 14, 2010.

Assistant City Manager Stevens said the Equestrian Commission looked at the project and expressed concern about the total number of equestrian lots, felt the only trail shown on the application needed connectivity through the project, emergency egress during hazardous conditions, and the reduced number of horses permitted on equestrian parcels.

Mr. Stevens stated that the Tentative Tract Map was distributed to approximately 35 affected public agencies for review, and staff expects responses by July 16. The Map is scheduled for review by the City Subdivision Committee at the end of July.

Mr. Stevens said all documents are available on the city's website under Development Services/Brasada Residential Project.

Mayor Morris expressed concern with the inability to protect houses on the ridge and at the end of long cul de sacs in the event of a fire, because the Fire Department is not willing to send in fire trucks.

Councilmember Bertone stated that the Committee has not endorsed the project.

In response to Councilmember Badar, Mr. Stevens said there is no prohibition against gates, and standards will be reviewed on a case by case basis, coordinating with public safety service. He added that the 80 acres has the same access rights as other parcels, however, it has not been determined whether the access right accrues to the general public. He said the Equestrian Commission felt the horse trails were inadequate and suggested a connection across the project, taking advantage of the existing motorways.

In response to Mayor Pro Tem Ebner, Mr. Stevens stated he has not yet determined how to approach the amendments concerning density. He said possibly some development standards may be changed applicable to the entire Specific Plan, but staff is not planning to change the density standards anywhere else.

In response to Council, Mr. Stevens said much of the area is relatively flat and can accommodate a public trail along the private road. Staff will look into that further.

Mayor Morris asked if the Planning Commissioners had any questions.

In response to Commissioner Ensberg, Mr. Stevens replied that the basic framework to address fire hazards will be included in the environmental impact report, ultimately identified as mitigation measures. He said those would be incorporated into the tract map. He further replied that the Fire Department comments on the tract map and Environmental Impact Report. He added that the Housing Element is not a factor in this case.

In response to Councilmember Templeman, Mr. Stevens said there are seven lettered parcels that are vacant, but are not connected. He said there are topographic constraints to connecting the parcels. He indicated that the bulk of open space is characterized as passive open space, a habitat preservation. He said to some degree, some of the space may have limited trail use, and there is a limited opportunity for a trail connection through the property. There are some "no build" areas on individual parcels, the rest are lettered open space.

In response to Councilmember Bertone, Mr. Stevens stated that most trails are used by hikers, equestrians, and a small number of mountain bikers.

Mr. Stevens said if anyone wishes to be notified of future meetings, they need to submit a written request to Development Services.

#### **4. ADJOURNMENT**

Mayor Morris adjourned the meeting at 6:59 p.m. The next City Council meeting is Tuesday, July 27, 2010, 7:00 p.m.

Respectfully submitted,

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Ina Rios, CMC, City Clerk