

Information only – please do not reply to all

Chair Cisco and Members of the Planning Commission,

The purpose of this message is to identify the questions staff has received by a member of the Planning Commission regarding the item on today's agenda. Here is a summary of the questions received followed by the staff response:

Item No. 12 – Oakmont Village Central Park

- 1. After reading the considerable amount of correspondence regarding this matter, it might be appropriate to have either the Asst. Director or Deputy City Attorney---remind the Planning Commission (and the public) as to what its actual decision-making responsibilities are. Could we have a clarifying statement indicating that the PC's responsibility is to make findings and approve or reject the proposed minor conditional use permit and parking reduction within the definitions of City code, policies and procedures? In other words, are we to make judgments as to whether the project, if constructed, meets city planning and zoning standard?***

Staff Response: The role of the Planning Commission is to consider the project details, in terms of land use, and either approve, deny, or continue the consideration to a later date. A Minor Conditional Use Permit may be approved only if all required findings have been made. .

- 2. Irrespective of whether the Planning Commission approves or rejects the project with or without conditions, what is the process for a home owners association to appeal a decision?***

Staff Response: Per Zoning Code Chapter 20-62, there is a 10-day appeal period following the action taken by the Planning Commission. An appeal can be filed by an applicant (in this case the Oakmont Village Association), other interested person, or an officer or official of a public entity, who considers an action (e.g., decision, determination, etc.) taken under the provisions of this Zoning Code by an official or City review authority to have been erroneously taken.

- 3. Is the their Board of Directors required to take action to make an appeal based on the Board's decision making powers, or are they required to seek a vote of their entire membership? Not certain how relevant this may be but given the apparent split within their association---I am curious as to how their process works relevant to any appeal irrespective of the PC's decision.***

Staff Response: That is private property and a private matter. Association Bylaws and CC&Rs govern how the Oakmont Village Association makes decisions and determines processes.

- 4. Was the informal parking survey prepared by an Association sub-committee with a particular view/bias?***

Staff Response: The parking survey was conducted by the Pickle-ball Ad Hoc Committee, with direction from staff, as follows:

- Select a time of day that is reflective of the anticipated peak usage (9:00 a.m. to 1:00 p.m.) of the courts.

- Select times when other events that will draw the highest number of visitors to the site are in session.
- Conduct the counts for a period of 5-7 consecutive days.
- Support all counts with time-stamped photos.
- Provide a calendar of events for the time period selected.

5. *Will they actually be reducing the number of spaces?*

Staff Response: The number of physical parking spaces will not be reduced. Based on requirements set by Zoning Code Chapter 20-38, Table 3-4, 368 parking spaces are required at the site should the proposed addition of sport courts be approved. A Conditional Use Permit is the mechanism to approve fewer parking spaces or a “parking reduction”. There are two required findings, which, simplified, require adequate spaces on site for the uses being conducted and identify special circumstances that apply that make the parking requirements different than what’s specified in Table 3-4.

6. *Have project alternatives been explored (other or multiple sites within Oakmont)?*

Staff Response: Yes, the Oakmont Village Association (OVA) has considered several other locations, including Oakmont’s West Recreation Center and East Recreation Center, which are referenced in the Noise Assessment, produced by Illingworth & Rodkin (refer to Page 8, Paragraph 2). In these two cases, the ambient noise levels were much lower than the ambient noise level at the CAC.

Other sites were also considered which the applicant team will be prepared to discuss at the hearing.

7. *Would the Association consider further improvements for a few homeowners (thicker sound resistant windows, etc)?*

Staff Response: As proposed, the project includes sound barriers that will reduce noise levels to a level that complies with the City’s Noise Ordinance, City Code Chapter 17-16. Additional sound protection would likely require a taller wall, as discussed in the Noise Assessment referenced above (refer to Page 10, Paragraph 4).

8. *Would the Association consider further visual improvements (and sound) beyond installation of earthen berm, trees and shrubs and additional surrounding acoustical panels?*

Staff Response: In terms of visual impacts, staff has heard two schools of thought. The first is about the appearance of the courts themselves; the second addresses the lost views of the mountain. Please note the following design considerations:

- The top of grade will be roughly two feet lower than what is currently there. During construction of the golf course, the dirt removed to create the pond was relocated to the adjacent putting green (the area proposed for the sport courts), affectively elevating that area. Construction of the sport courts will require relocating that soil again, this time to create the landscaping berms to the north and south of the sport courts.
- Plants were hand selected that, at maturity, would provide ample screening of the courts.

- Raising the height of the Acoustifence sound barrier would result in additional visual impacts, while providing only a minimal amount (1 dBA/2 feet of additional noise barrier) of sound protection.

9. *Could we hear a recording of an actual pickle ball match?*

Staff Response: Pickle-ball videos are available online, as is the history of the sport. Basically, the sport is played with a plastic ball that resembles a whiffle ball, and a wood paddle that resembles a ping-pong paddle.