

CITY OF PLEASANTON MEASURE MM

MM	"Shall the ordinance proposing to amend the City of Pleasanton's General Plan to prohibit retail uses of 50,000 square feet or greater, larger scale retail and club retail, in the Johnson Drive Economic Development Zone be adopted?"	YES
		NO

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE MM

Measure MM proposes an ordinance that amends the Land Use Element of the City of Pleasanton's General Plan by adding a program related to future development in the Johnson Drive area of Pleasanton.

- The Johnson Drive Area

The Measure relates to the future development of 12 parcels of land located southeast of the intersection of I-680 and I-580 comprising approximately 40 acres generally along Johnson Drive ("Johnson Drive Area"). The area is shown on a map that is part of the Measure. The Johnson Drive Area currently has a General Plan land use designation of "Business Park (Industrial and Commercial, including Offices)." The General Plan is a comprehensive, long-term plan for the development of the City. Land use decisions must be consistent with the General Plan.

- The Measure

The Measure distinguishes between small-scale retail stores and large-scale retail stores. Small-scale retail stores are those less than 50,000 square feet. Large-scale retail stores are those 50,000 square feet or more. The Measure encourages the development of small-scale retail stores, highway and service commercial uses, and business and professional offices in the Johnson Drive Area. The Measure also prohibits the development of large-scale retail stores (including club retail) in the Johnson Drive Area. Because the Measure amends the General Plan, if adopted, all future land use decisions in the Johnson Drive Area would be required to be consistent with its provisions.

- Proposed Economic Development Zone

The City is considering designating the Johnson Drive Area as an Economic Development Zone ("Zone"). City approvals required to adopt the Zone include a General Plan amendment changing the General Plan designation of the Johnson Drive Area to "Retail/Highway/Service Commercial; Business and Professional Offices." In addition to the existing uses currently allowed in the Johnson Drive Area, if approved by the City Council, the Zone could be developed to also include hotel and club retail uses. The Zone has not yet been adopted by the City. If the Measure is adopted, its provisions, including its prohibition on large-scale retail stores, would apply to future development in the Johnson Drive Area whether or not the City adopts the Zone.

- Adoption and Amendment of the Measure

Measure MM was placed on the ballot by initiative petition that was signed by a legally sufficient number of registered voters of the City of Pleasanton. To be adopted, Measure MM must be approved by a simple majority of "yes" votes.

If Measure MM is adopted, its provisions may only be amended by City of Pleasanton voters.

A "yes" vote on Measure MM adopts the proposed General Plan amendment, which would prohibit large-scale retail stores (including club retail) in the Johnson Drive Area.

A "no" vote on Measure MM rejects the proposed General Plan amendment, which would allow the City Council to consider large-scale retail stores (including club retail) in the Johnson Drive Area.

s/DANIEL G. SODERGRÉN
City Attorney