

14. Joint Workshop with the Planning Commission to discuss Draft Housing Site Development Standards and Design Guidelines

Director of Community Development Dolan introduced the item, noting that in addition to recognizing this process in the Housing Element, the City committed to completing the task by the end of September 2012 in its subsequent discussions with Urban Habitat. Immediately following this commitment, staff initiated a series of public workshops with the community and hired consultants Rick Williams and Will Fleisig to assist in applying the Hacienda TOD guidelines to the broader geographic area that is comprised of the sites identified within the Housing Element. What staff and the consultants found is that the development options at densities of 30 units or more per acre are somewhat limited, most were covered in the Hacienda guidelines, and that not all options apply to every site. Every attempt was made to apply site-specific tweaks to the regulations where appropriate and the Planning Commission and Council are now being asked for any further recommendations.

Staff, consultants and BART staff embarked on a concurrent effort related to standards and guidelines for the BART site to develop a product that would fit with the City's vision for Owens Drive while also allowing for development of the site in a way that accounts for the specific circulation and security requirements of a BART site. Mr. Dolan stressed that this was a very collaborative effort and that both the East Bay Regional Parks District and BART staff support the final product.

Rick Williams of Van Meter Williams Pollack explained that a particular emphasis was given to translating the work of the Hacienda guidelines into something that could be appropriately tailored to the nine sites identified in the Housing Element. The draft guidelines adhere to the overall desire for the community expressed within the Housing Element and acknowledge the fact that they are meant to enhance, rather than replace, the City's current PUD process. The draft guidelines are structured against standards such as zoning requirements and design characteristics like setbacks, open space and parking requirements. The critical role of the PUD process and regulations after this is that the sites vary in zoning from 30 to 40 dwelling units per acre, with the exception of BART which has particular conditions for 75 units per acre.

Councilmember McGovern did not recall approving a density of 75 units per acre for the BART site, said she was under the impression that the Council had approved a maximum of 30 units per acre, and doubted the public was aware of this potential density.

Mr. Dolan explained that 30 units per acre is the approved minimum density, but there is the potential for more based on development type and configuration. He stressed that the guidelines do not allow for the approval of any development that would generate more trips than were assumed in the related environmental analysis.

Councilmember Thorne presumed, and Mr. Dolan confirmed, that the Planning Commission and Council would retain certain flexibility in interpreting the standards and guidelines, particularly in granting exceptions.

Mr. Williams reviewed a variety of development and building types that could be incorporated into any of the various projects, noting that many of the sites are large enough to accommodate more than one type and density. He presented several slides outlining the overriding principles of the actual design guidelines and reiterated that these are intended to serve as a tool in reviewing proposals through the PUD process, and do not change or detract from the PUD process in any way.

He reviewed the BART document in slightly greater detail and explained that significant emphasis was placed on interfacing the standards and guidelines for this site with the greater priorities of the original Hacienda standards and guidelines. He provided several site renderings that outlined circulation, parking, development pads, and connection with Iron Horse Trail and existing transit networks.

Chair Pentin requested clarification on how Iron Horse Trail intersects with the actual station and what that means for cyclists. Mr. Williams explained that BART's expectation is that cyclists would dismount and either walk their bikes to the racks inside the station or continue through the station to the other side of Iron Horse Trail.

Mr. Dolan acknowledged this is a particular issue for certain members of the Commission and Council. He assured them that staff raised the issue at every meeting with BART but was unable to reach any agreement.

Chair Pentin remarked that this would be the only place, along the thirty-mile stretch that is Iron Horse Trail, where cyclists would be expected to walk their bikes 200 to 300 yards.

The majority of the Council and Commission agreed that this is unacceptable and directed staff to continue negotiating the matter with BART.

Councilmember Sullivan questioned the proposed two-way loop road design, which he thought could become a bit too hectic.

Mr. Williams felt a two-way design, with a more traditional intersection, would be preferable than the current design both in terms of safety and access.

Councilmember McGovern expressed concern over the potential congestion created by the circulation design and what it would mean to the existing level of service.

Mr. Dolan said traffic, although not in this exact configuration, was examined in the environmental work for the Hacienda guidelines. He noted that BART operations are not expected to increase significantly and therefore the bulk of the study related only to additional development.

Mr. Williams continued his presentation, describing parking and pedestrian access. He stressed the flexibility in the development options available, which include commercial office space, retail, residential and hotel uses, or some combination thereof. All of these different land use scenarios fit within the same overall structure and circulation for the site. He discussed several different parking options, including standalone structures to be used individually by BART and other developments within the site or multi-use structures that would allow for flexible but designated parking for both BART and the other developments.

Councilmember McGovern said she has expressed concern over the capacity of Hacienda for years. She questioned whether staff truly believed the community could support a use as intense as what was presented. She also referred to the potential for a hotel use and said the Council never indicated approval of any use that would exceed 85 feet in height.

Mr. Fialho said the development guidelines are consistent with the zoning approved by the Council. He separated her concern into two points: 1) the existing commercial capacity of Hacienda, and 2) the perceived intensity of developments that might be allowed under these guidelines.

Mr. Dolan explained that the BART site has an overall height limit of 85 feet, which is consistent with the rest of Hacienda and two neighboring sites. While the potential for a hotel with more than five stories does exist, it is important to keep in mind that hotels have a much lower floor-to-floor height than commercial buildings. This means that an 8-story hotel might not be as tall as a 5-story commercial building.

Councilmember McGovern said the height distinction felt more like a manipulation in order to sneak something past the public that they knew would be unacceptable. She felt that the uses outlined would be a drastic change from anything this community has seen before and said she did not want any such thing in a plan that she would ultimately be asked to approve.

The Council noted several disparities between the stated intent and printed word in the draft guidelines, particularly as it related to maximum and potential densities as well as retail depth. Both staff and the consultant agreed that consistency and clarifying language would be helpful in these instances. Chair Pentin referred specifically to page 9, page 2, and page 21 regarding density and retail depth on frontages as opposed to corners.

Mayor Hosterman said this is about developing guidelines for future development; at the point that a proposal comes forward, it will be subject to the full public process. She acknowledged the comments of both staff and the Council particularly, what is currently proposed may generate significant questions from the community. Regardless of that, staff has requested feedback on the guidelines themselves.

Councilmember Sullivan asked and Mr. Dolan confirmed that a traffic model was prepared for the proposed development types to see if they land within the environmental parameters already studied for the BART site. Mr. Dolan noted that while it also falls within the envelope of what is allowed for the entire Hacienda Business Park, there may be need for Council discussion before other developments come down the line that exceed this.

Councilmember McGovern reiterated her discomfort with the proposed level of development.

Mr. Dolan suggested that perhaps staff had inadvertently distracted the Council with renderings that don't exactly reflect the level of development that would be allowed by the draft standards and guidelines. He assured her that what is proposed is the same level of development as what was anticipated when the City evaluated the BRE property.

Councilmember McGovern also expressed concern that the Hacienda guidelines apply to all sites, rather than just 7, 8, and 9 as she had believed.

Mr. Fialho explained that at the time staff made that statement, the City was not in discussions with Urban Habitat or the State of California regarding approval of comprehensive guidelines. Mr. Dolan acknowledged that these guidelines are a bit different and stated that staff has tried to adjust them whenever a site merits.

Councilmember McGovern said she would prefer a maximum stated density of 30 units per acre, with the ability to adjust this based on individual development plans.

Mr. Dolan outlined the subsequent process, which would include returning to the Commission on June 27th with amendments, before returning to the City Council on July 17th.

Councilmember Thorne asked if staff had an opportunity to review and incorporate all of the written suggestions that were submitted. Mr. Dolan said staff has reviewed them, most of which were submitted by developers of the properties in question. Some changes staff found to be universal, while others would be more appropriately evaluated as exceptions to standardized guidelines.

Chair Pentin asked if staff intended to amend the reference to a 10 to 15 story hotel tower before this item comes back in later this month. Mr. Dolan attempted to clarify the matter and explained that there was previous dialogue from the City about the potential to work with an upscale hotel developer and really create a centerpiece for this end of town. Mr. Williams did a good job of capturing the idea, though perhaps it could have been presented more as an option than a recommendation. This particular location is likely one of few that would be appropriate for a taller building and staff felt the community could ultimately accept something as tall as the buildings adjacent to it. The Council and staff also talked a lot about providing a buffer for the BRE site, which larger buildings such as this would do.

Councilmember McGovern reiterated her discomfort with supporting such a change without the public weighing in.

Mayor Hosterman said she could likely support whatever structure fits within the limitations established by the guidelines.

Chair Pentin repeated his earlier reference to contradictory densities.

Mr. Dolan spoke to both this and Councilmember McGovern's earlier comment about setting a maximum density of 30 units per acre. He explained that the City made certain assumptions within the Housing Element about the densities that would be allowed by these guidelines, and was very conservative in presenting that number at 30 units per acre. If the guidelines actually allow a greater density, this can be a valuable tool during the next cycle of housing assignments. He also explained that the reality of the BART site is such that it will require structured parking, regardless of the development. Structured parking is costly and not something that can be supported by 30 units per acre, unless combined with a hotel or other more dense development. He cautioned the Council that 30 units per acre on the BART site is an unrealistic expectation.

Councilmember Cook-Kallio concurred that this represents a tremendous change, but so has the entire process. She said she strongly favored retaining flexibility and cautioned against boxing a future Council in so that it cannot make the kind of decisions it needs to make in 10 to 15 years when the sites are developed.

Mr. Williams also noted that with these guidelines in place, the City is that much better positioned to take advantage of a hotel opportunity if it ever desires to do so.

Councilmember McGovern asked if the guidelines consider a hotel development at the Car America site. Mr. Dolan said “no,” but noted that previous environmental work did include the possibility in its cumulative analysis.

Commissioner Olson said he would like to see the vision statement expanded to address the judge’s reference to “economic viability.” He liked the menu of options presented and stressed the value in recognizing that not each option is appropriate for every site.

Commissioner Narum requested clarification on the term “convenience market,” which in her mind referred to a 24-hour operation. Mr. Dolan explained that anything operating outside of 6:00 a.m.-10:00 p.m. would require a use permit. Commissioner Narum asked that staff clarify this immediately next to the reference.

Commissioner Narum referred to “Building Orientation Design Guidelines” on page 13, and requested an additional bullet stating that height and density should be feathered away from existing residential developments or streets near residential development. Staff explained that it is listed as a general discretionary guideline, although perhaps not for individual sites.

Commissioner Pearce asked staff to help her understand how they reached a density of 75 to 100 units per acre at the BART site. Mr. Williams said it is really a matter of net to gross across the different development pads as well as trying to maximize the benefits of a transit oriented development. He also noted that even with a density of 75 units per acre, the traffic generation rates would still fall fairly well under what is allowed for the overall site.

Commissioner Pearce cautioned that these numbers might be inflammatory. She agreed with Councilmember McGovern that if brought forward, an application with things like towers and 100 dwelling units per acre would create some justifiable concern with the public. She acknowledged the concept of net to gross in the planning sense, but did not think the public perception would accept it.

Mr. Williams provided two examples of BART site developments that may have sounded extreme, but because of the building types and site placement, were well accepted by neighbors.

Councilmember Sullivan said the guidelines give the Commission, Council and the community a good idea of what these developments could look like. He felt staff and the consultants did a good job overall but felt there were a few areas that warranted change and described them as follows:

- Page 4, Priority Guidelines – the Housing Commission should be incorporated in the review process
- Page 5 – retail or flexible use should be encouraged on every site, rather than selected sites
- Page 5 – design features should complement adjacent neighborhoods as well as properties
- Page 5 – developments should adhere to “sustainable design practices” as well. He requested clarification on which green building standards would apply to the project. Staff could not confirm and he asked that they be multi-family specific standards
- Page 14 – an additional requirement for separated pedestrian walkways on internal site circulation

He discussed density and acknowledged Councilmember McGovern’s point regarding a cap but could not say what the right number would be. He felt part of the issue could be that as developments are approved at over 30 units per acre, the overall capacity of Hacienda dwindles and asked if it would be a “first come, first served” sort of process. Mr. Dolan confirmed that it is the current process. He noted

that there are not many vacant lots but also conceded that there is always the potential for redevelopment, in which case the Council would have to deny the application or modify the development agreement.

Mayor Hosterman said she could support all suggestions with exception of the cap, as she preferred to allow future Commissions and Councils to determine what is appropriate for the property at that point in time.

Councilmember Cook-Kallio said that looking at total capacity is important, so long as the City retains the ability to make exceptions. She felt that if the City had been flexible to begin with, it might not have found itself in court.

Councilmember Sullivan requested clarification on "larger development," as referred to on page 25. Mr. Williams explained that under open space regulations, development size is based on the number of units. This way, it is assured that "larger developments" will have sufficient open space to provide the types of amenities described under that section. Councilmember Sullivan asked and Mr. Williams confirmed that it is discretionary in terms of actually requiring these amenities; however, Councilmember Sullivan felt it should be more compulsory.

Councilmember Sullivan said he liked the concept of situating parking structures up against the freeway, which should provide some buffer to other uses on the site. He concurred with staff that this would be the appropriate location, if such a place exists, for this kind of development in Pleasanton. However, he felt that much more public input was needed and asked that staff increase advertising and outreach before the item returns before the Council. He also asked that the BART site be required to provide garbage enclosures and source separated containers.

Councilmember Thorne said his comfort level had increased since learning about the amount of flexibility built into the guidelines. Any proposal that comes forward needs to make economic sense and flexibility is a significant factor in ensuring these guidelines can stand the test of time.

Councilmember Cook-Kallio said her primary concern is with flexibility with respects to Regional Housing Needs Allocation and the City's ability to be proactive in planning through the next several cycles. She agreed with need for community education in terms of why the guidelines are prepared in this fashion and felt that clarification on building height relative to number of stories would be critical to public understanding. She also agreed that some of the numbers put forward seem provocative but suggested that they view the cafeteria of options as an "or" rather than "and" situation.

Councilmember McGovern maintained her position regarding her earlier comments. She referred to page 8, which discusses the bedroom mix of affordable units, and asked why studios are not included. She requested clarification on the term "porch," as referred to on page 13, and stressed that actual size is important when considering livability standards. She asked that internal circulation standards be safe for cyclists of all ages and said she did not consider "paseos" to be open space. On page 29, she asked that bay friendly landscaping and water conserving irrigation methods be required, rather than encouraged. She also expressed concern that the density listed under different development styles could be construed as a guaranteed density.

Mr. Dolan said the densities listed are the typical yield for a specific type of development. Internally, the documents do state a maximum net yield because some sites might take advantage of a very intense development in order to also include low-density development along certain sensitive frontages. He acknowledged that this may be confusing, although it may be justified in order to retain flexibility, and recommended that the focus be on maximum densities averaged over the entire site.

Councilmember McGovern expressed concern with the concept that private open space, such as a balcony, could be considered equivalent to 2 square feet of community open space. Considering that a balcony serves one family, where as open space serves all those who might not have a balcony, it would seem to be taking from those who are already less fortunate in terms of space. She inquired about the amount of parkland required per 1,000 people under the General Plan, to which Mr. Dolan responded "5 acres." Mr. Dolan clarified that the requirement applies citywide, not to each development. The question is more a matter of whether there exists parkland to service this particular type of development at this location. Councilmember McGovern asked that park space be given strong consideration when looking at the guidelines.

She reiterated her concerns regarding traffic and the level of service surrounding the BART site, particularly on Valley Avenue and Stoneridge Drive.

Councilmember Cook-Kallio acknowledged the point and said this makes it increasingly important that the East Pleasanton Specific Plan identify a connection between El Charro Road and Stanley Drive, which would relieve some of the potential congestion.

Commissioner Narum asked if the requirement for drought tolerant, Bay-friendly landscaping would preclude grass, which she found concerning. Mr. Fialho clarified that it limits grass in areas such as walkways, not active green space for parks and play areas.

Mayor Hosterman asked that staff include Commissioner Olson's suggestion regarding economic feasibility. She also supported Chair Pentin's comments regarding cyclists and the connection of Iron Horse Trail through the BART property. She strongly encouraged the Commission to participate in the Council's future discussions on the matter.