



## PLANNING COMMISSION MEETING MINUTES

**City Council Chamber**  
200 Old Bernal Avenue, Pleasanton, CA 94566

**APPROVED**

**Wednesday, May 9, 2018**

*(Staff has reviewed the proposed changes against the recorded proceedings and confirms that these Minutes are accurate.)*

### **1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL**

The Planning Commission Meeting of May 9, 2018, was called to order at 7:04 p.m. by Chair Nagler.

The Pledge of Allegiance was led by Commissioner Brown.

Staff Members Present: Ellen Clark, Planning Manager; Julie Harryman, City Attorney; Eric Luchini, Associate Planner; Amy Statham, Recording Secretary

Commissioners Present: Commissioners Nancy Allen, Jack Balch, Justin Brown, Greg O'Connor, Herb Ritter, and Chair David Nagler

Commissioners Absent: None

### **2. APPROVAL OF MINUTES**

#### **a. April 25, 2018**

Commissioner Ritter moved to approve the Minutes of the April 25, 2018 meeting, as amended.

Commissioner O'Connor seconded the motion.

#### **ROLL CALL VOTE:**

<b>AYES:</b>	<b>Commissioners Allen, Balch, Nagler, O'Connor, Ritter</b>
<b>NOES:</b>	<b>None</b>
<b>RECUSED:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>

The Minutes of the April 25, 2018 meeting were approved, as amended.

### **3. MEETING OPEN FOR ANY MEMBER OF THE AUDIENCE TO ADDRESS THE PLANNING COMMISSION ON ANY ITEM WHICH IS NOT ALREADY ON THE AGENDA**

There were no members of the audience wishing to address the Commission.

#### **4. AGENDA AMENDMENTS**

There were no amendments to the agenda.

#### **5. CONSENT CALENDAR**

*Consent Calendar items are considered routine and will be enacted, approved, or adopted by one motion unless a request for removal for discussion or explanation is received from the Planning Commission or a member of the public by submitting a speaker card for that item.*

There were no consent calendar items.

#### **6. PUBLIC HEARING AND OTHER MATTERS**

##### **P17-0907, Robert Lyman for Dennis Winslow**

Application for Design Review to construct a new two-story multi-family building with two apartments totaling approximately 2,800 square feet on a property with an existing residence (to remain) at 4722 Harrison Street. Zoning for the property is RM-15 (Multi-Family Residential) District.

Associate Planner Eric Luchini presented the agenda report.

Commissioner Ritter asked if the privacy glass will allow enough light inside per the City's code. Mr. Luchini confirmed the privacy glass is used to obscure views but will still allow light inside.

Commissioner Brown asked if the privacy glass is an application to the windows. Mr. Luchini confirmed that it is usually a film or treatment to the glass that makes it more opaque.

Commissioner Allen referred to conflicting information in the staff report as to whether the existing house would be re-roofed. Mr. Luchini confirmed that the existing residence will maintain its existing composition roof and the new building will match that roof.

Commissioner Allen asked how old the roof is, to which Mr. Luchini deferred to the applicant.

Commissioner Allen referred to Agenda Report page 6 regarding the streetscape and the new structure's second story elevation which did not appear to be in keeping with the desired "360 design" for homes. She explained that instead of seeing a full window when looking towards the building, only the top quarter of the windows on the side of the apartment building facing, the street could be seen, and asked if there were alternatives to make this facade more forward facing.

Chair Nagler referred to Sheet P1 in the drawings, which showed the same façade from a slightly different angle from the street and sidewalk. Commissioner Allen asked the applicant to provide more information in response to her concern.

Commissioner O'Connor referred to the north side windows and privacy issues, and asked if there was only concern around the bedroom windows or all six windows on this side. Mr.

Luchini said the comment was not specific. The initial request was for all windows on the north side to be removed if possible, but the neighbor was open to alternatives.

Ms. Clark noted that bathroom windows tend to be frosted glass and therefore she believes the issue is mostly about the larger bedroom window.

Chair Nagler referred to Sheet P1 and confirmed that the bottom image was showing the large windows on either end of the building.

### **THE PUBLIC HEARING WAS OPENED.**

Robert Lyman, project architect, stated he was in general agreement with the staff recommendation and could comply with all 86 conditions of approval; except that staff had confirmed that the condition requiring universal design for this project per Building Code was not applicable and could be deleted. He confirmed the existing residence has a relatively new roof which is 4-5 years old and in good condition. The roof will match the new roof on the apartment building. Its color is still available and it is an acceptable match.

Regarding privacy glass, they apply a high quality film that will make the window look frosted and hinder views to the neighbor's yard.

Referring to Commissioner Allen's comments regarding the street-facing elevation and cut off windows, Mr. Lyman distributed a new rendering to Commissioners, noting that the elevation has some challenging issues. The ground floor is right next to a parking stall and they do not want windows looking at parked cars. On the second floor, he described various factors that limit the location of the windows. He had enlarged the bathroom window to keep it in scale of the other windows. With respect to the view referenced by Commissioner Allen, it is at an angle and the elevation makes more sense when seen as a straight-on view.

Chair Nagler explained Commissioner Allen's point, stating the south side has great articulation to it whereas the plane that faces the street, the gable created is not as visible because the house is in front of it. From the street view are the tops of the three windows that have less architectural detail and are plainer than the windows on the south side.

Mr. Lyman said he understood the issue to be that it faces the street yet he treated it like the side of a house. The question is what can be done to dress up that elevation so it looks less like a side and he thought he could use various tools to address this.

Commissioner Brown said he liked the paver changes and asked if a different dark grey or navy colored paver on the front door side of the driveway could be used to encourage pedestrians to stay on one side. Mr. Lyman said they could consider this.

### **THE PUBLIC HEARING WAS CLOSED.**

Commissioner O'Connor discussed the privacy glass as being overly restrictive and did not see a need for it in the bedroom; however, he was supportive of privacy glass for the closet and bathroom and was happy with the project. He suggested a gable be provided over the bathroom and stated the pavers were not an issue for him.

Commissioner Allen supported the project and said she appreciates the applicant returning with what was asked. She was undecided with respect to the privacy glass but if both parties are willing, she was open to it. It is a bigger question for future projects as other developments come to the Commission, and she suggested holding a strategic discussion on this issue.

Ms. Clark agreed privacy was a common concern. She noted there will be crepe myrtle and other trees planted along side of the building which will provide additional screening.

Commissioner Allen voiced preference to using trees and high fences versus privacy glass for the longer term, but she could go either way with regards to privacy glass. Regarding the driveway and different colored pavers, she liked the idea if there were more units but did not like having two different colors.

Commissioner Balch said he did not support different color pavers, appreciates the modified site plan that moves car five forward, but noted parking was still tight for spots one and three. Given the lot configuration, however, he complimented the applicant on the adjustments to parking. He supported the three new trees as well as any additional planting and green screen and lattice above the garages and thought the project was well-designed.

Regarding privacy glass, he agrees with Commissioner O'Connor, stating if he were living in the bedroom, people tend to have window coverings on the inside of their bedrooms. He personally thought it would be okay to not require privacy glass for the bedroom or closet, and he supported the comment about moving the gable up to the center which would improve that façade.

Commissioner Ritter concurred with other Commissioners comments regarding moving the gable up and said he did not like the red colored pavers. Regarding the privacy glass, he agreed it was not needed in the bedroom.

Commissioner Brown said he likes the two tone color scheme for the ground floor, upper floor that tied in the residence with the new apartments. He echoed Commissioners' comments and agreed that requiring privacy glass for the bedroom was overly restrictive, and thought it was not the right long-term solution.

Chair Nagler concurred with Commissioners' comments and thanked the applicant for the nice design for the project. He suggested the motion should not require privacy glass in bedrooms and to add a condition to add the gable on the second floor facing the street. He feels strongly that the Commission should not create precedence on a project to respond to a specific neighbor's request without considering how it could be amplified throughout the neighborhood with future projects. For that reason, he suggested the Commission request there be a privacy glass.

Commissioner O'Connor referred to the privacy glass and questioned what happens when the north side neighbor wants some privacy and the south side neighbor wanted the same thing and all windows on both sides of the building are frosted. He could support privacy glass for the bathroom but not the closet and bedroom.

Chair Nagler stated his preference for privacy glass in, the two closet windows and the bathroom windows but not the bedroom.

Commissioners Allen, Ritter and Brown agreed, with this suggestion.

Commissioner Allen noted that the neighbor asked the Commission to consider a higher fence, additional tree and asked if anything else could be practicably done to help mitigate privacy.

Ms. Clark noted there will be plantings along the fence line and staff believes this would provide sufficient screening for the first floor.

Mr. Luchini referenced the landscape plan noting that the placement of existing trees would help obscure the view as they mature. He also noted there may be an area to the left of the Air Conditioning unit for additional plantings.

Mr. Lyman said he would be happy to work with the neighbor to install trees to screen the upstairs.

Commissioner Brown questioned fencing and said typically if the fence is above 6 feet in height, agreement is needed in writing by all surrounding property owners. Secondly, the west facing elevation and the architectural treatment and he asked and confirmed the gable was more like an awning which exists on several existing windows, with the design returning to staff.

Rather than being specific about design solutions, Ms. Clark suggested the conditions be worded to require the applicant work with staff to add architectural detailing and articulation to the west façade.

**Commissioner Balch moved to approve case P17-0907 per recommendation of staff report with the additional condition to require privacy glass for the closets and bathrooms on the second floor, north side; and that there be additional architectural features on the west façade subject to the Director of Community Development approval.**

**Commissioner Ritter seconded the motion.**

**ROLL CALL VOTE:**

<b>AYES:</b>	<b>Commissioners Allen, Balch, Nagler, O'Connor and Ritter</b>
<b>NOES:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>
<b>RECUSED:</b>	<b>None</b>

Resolution PC-2018-09 recommending approval of Case P17-0907 was entered and adopted, as motioned.

**7. MATTERS INITIATED BY COMMISSION MEMBERS**

No items were discussed or actions taken.

**8. MATTERS FOR COMMISSION'S REVIEW/ACTION/INFORMATION**

**a. Reports from Meetings Attended (e.g., Committee, Task Force, etc.)**

Commissioner Brown reported on his attendance at an interesting meeting on infill projects and blending of architectural styles, discussion regarding California regulations of the last year and pending legislative regulations with significant bills impacting housing, unfunded mandates with implications to cities. He held discussion with some East Bay cities regarding cell structures and they are running into difficulties with siting them and under-ground storage vaults and neighbor concerns.

Commissioner Ritter reported on his attendance to the Chamber of Commerce's 20 /20 Forum with Art Dow, Director of Alameda County Transportation Commission. He learned that the region gets 3,800 toll paying trips along I-680 south and 19,000 paid toll trips on the I-580 Expressway per day. They are managing congestion through pricing and ACTC receives \$1.3 billion in state and federal funds to upgrade the area.

Chair Nagler questioned the intersection at Stoneridge, and Commissioner Ritter stated Transportation Engineer Mike Tassano discussed this, and he learned that the one-cent tax is being used efficiently in the Tri-Valley area

#### **b. Future Planning Calendar**

Ms. Clark reported on the cancellation of the May 23 Planning Commission meeting and the next meeting to be held on June 13, she reviewed upcoming agenda items.

Commissioner Ritter announced that he will be unavailable to attend the Downtown Task Force meeting on May 22 and asked Chair Nagler to attend in his stead.

#### **c. Actions of the City Council**

No items were discussed or actions taken.

#### **d. Actions of the Zoning Administrator**

Ms. Clark stated there were a series of design review applications and late approval notifications were received via email, which were provided to the Planning Commission.

#### **e. Matters for Commission's Information**

No items were discussed or actions taken.

### **9. ADJOURNMENT**

Chair Nagler adjourned the meeting at 8:11 p.m.

Respectfully submitted,

Amy Statham  
Recording Secretary