

# PLANNING COMMISSION MEETING MINUTES

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

**APPROVED**

**Wednesday, January 24, 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 January 24, 2018, was called to order at 7 p.m. by Chair Nagler.

The Pledge of Allegiance was led by Commissioner Balch.

Staff Members Present: Gerry Beaudin, Director of Community Development; Ellen Clark, Planning Manager; Melinda Denis, Permit Center Manager; Jennifer Hagen, Associate Planner, Eric Luchini, Associate Planner, Kendall Granucci, 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. December 13, 2017**

Commissioner Balch requested the following amendment:

- Page 2, "Chair Balch had visited the site and noted 15 cars under 30 minutes". He clarified that he had not visited the site in its current form because it was under construction and believed he was quoting from a memo regarding car counts. He asked staff to listen to the recording and revise this sentence accordingly.

Commissioner Allen requested the following amendment:

- Page 4, "Commissioner Allen referred to parking as adequate with CTC" and she asked to revise this to state, "Commissioner Allen referred to parking adequacy with CTC".

**Commissioner Balch moved to approve the Minutes of the December 13, 2017 meeting, as amended.**

**Commissioner Allen 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>ABSTAIN:</b>	<b>None</b>

The Minutes of the December 13, 2017 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**

Chair Nagler requested that item 5.a., P17-0805 be pulled from the Consent Calendar.

Director of Community Development Gerry Beaudin introduced the City's new Planning Manager, Ellen Clark.

**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.*

**a. P17-0805, David Bogstad/LCA Architects**

Application for Conditional Use Permit to operate a private school at 5959 West Las Positas Boulevard. Zoning for the property is PUD – I-C/O (Planned Unit Development – Industrial/Commercial and Offices) District.

*Item 5.a. was pulled from the Consent Calendar and discussed under Public Hearing.*

**6. PUBLIC HEARING AND OTHER MATTERS**

**5.a. P17-0805, David Bogstad/LCA Architects**

Application for Conditional Use Permit to operate a private school at 5959 West Las Positas Boulevard. Zoning for the property is PUD – I-C/O (Planned Unit Development – Industrial/Commercial and Offices) District.

Associate Planner Eric Luchini presented the agenda report.

**THE PUBLIC HEARING WAS OPENED.**

Dave Bogstad, architect with LCA Architects spoke to the history of the building and its former use as a call center. The existing school has roughly 23 students which, if maintained, is below the threshold for a Conditional Use Permit. Although there are no immediate plans for expansion, they desire to plan ahead for the possibility. He spoke of their work with staff to

explain drop-off and pickup of students and believes they can be a great neighbor. He noted the Hart Middle School is not comparable as far as traffic impacts, and the project has been approved by Hacienda Business Park Owners Association (HBPOA).

Commissioner Ritter asked about the estimated traffic count for the call center at the time it was in operation.

Traffic Engineer Mike Tassano spoke to other call centers and general parking/traffic issues for the business park.

Commissioner Ritter questioned and confirmed the estimated traffic count would be greater than a vacant building but less than its prior use as a call center.

Chair Nagler asked staff to speak to neighborhood complaints about traffic issues at Hart Middle School.

Mr. Beaudin explained the history of complaints related to Hart Middle School and proposed plans to mitigate the issues. He said PUSD acknowledges these issues, is working towards a solution and has design options that would improve queuing, pickup and drop-off in that area. He explained parents and others picking up and dropping off students sometimes end up on neighbors' properties, especially during special events.

Chair Nagler asked if the situation at Hart Middle School is comparable to this project.

Mr. Beaudin replied based on the analysis of the school proposed, staff has found it is consistent with other approvals and is not expected to create traffic or parking issues.

Bob Slack, Applicant, stated the church purchased this property and want to take their tenant with them. In addressing traffic, the current school typically has 8 to 10 cars dropping off students in the morning and 2 to 3 cars for teachers, a staff car for himself and associate and two days a week at two hours at a time there will be a secretary throughout the week. They have never received a complaint about the school over the last 18 years about the school, reiterated that they would like to make improvements, and do not anticipate any problems with parking or noise based on the schedule and design.

Chris Rule, Administrator of Lighthouse Baptist School, spoke to the benefits the school provides to underserved children in the community. The school is small with little impact and he voiced his support of the project's approval.

Julie Remy, Senior Vice President for Harsch Investment Properties, noted they have owned the adjacent property called Hacienda West Property since 2005, and that she was also a member of the HBPOA Board of Directors. She clarified that James Paxson, the HBPOA General Manager, has the authority to approve CUPs recommended to the City without obtaining the Board's approval. She had not seen the package until they were notified as a neighboring property. She spoke about letters of objection that had been submitted and she wanted to ensure the matter was being reviewed. She recognized the middle school causing traffic problems, with Harsch also owning the property behind the middle school. Harsch has met with the school district and police, with plans being in place over the last six years to find solutions. There is also a Montessori school down the street and, as someone who uses West

Las Positas on a daily basis, observed congestion at school time in the mornings and afternoons around 3 p.m. She voiced concern with traffic on West Las Positas as it exists now and traffic coming around the corner. She believes 20 students may not be an issue now but the proposal is to approve up to 60 students. She voiced concerns about the playground and noise levels and noted that the previous call center never exceeded parking in their project.

Chair Nagler asked and confirmed with Mr. Luchini that there would be adequate parking based on 60 students.

David Bogstad provided rebuttal summarizing his previous comments and reiterated the applicant's intention to be a good neighbor.

Commissioner O'Connor clarified that the school has operated with 20-25 students and manage students between K and 12<sup>th</sup> grade. He asked about student to teacher ratios, age ranges, class sizes and student demographics.

Mr. Slack stated they have three teachers and 22 students this year which is a 1:7 ratio. He noted that students are able to watch classes on-line and have one DVD per day and K-2<sup>nd</sup> grade is teacher taught in a combined classroom. 3<sup>rd</sup>- 6<sup>th</sup> graders have a video classroom with a live teacher. They would like to have 60 students and said even if they were to have this amount they have strict policies on security, student safety, and pickup and drop-off regulations.

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

Commissioner Allen asked staff about traffic impacts for 60 students.

Mr. Tassano spoke about trip generation rates for schools and said 30 total trips would be expected for 60 students. This would be equivalent to about one car every two minutes and impacts would not be noticeable. He explained that traffic studies are conducted for projects which generate over 100 trips through an intersection and level of service (LOS) failing intersections may be reviewed for projects which generate 40 trips or more, but the nearest intersections here are rated LOS A or B.

Commissioner O'Connor questioned if the analysis reflected up to 11 staff members, and noted that students cluster around the same half hour or hour each morning and each afternoon. He asked about the implication of this clustering on traffic numbers.

Mr. Tassano explained how the traffic impact would not be significant.

Commissioner Ritter asked staff if there were any other charter schools in the Hacienda Business Park similar to this one.

Mr. Luchini replied there are at least two other facilities, and pointed to the memo sent to the Commission, which provided more detail.

Commissioner Ritter questioned and verified with staff that there were no issues with those charter schools, and confirmed that James Paxson of the HBPOA had gone through the design review process prior to presenting it to staff.

Commissioner O'Connor asked staff whether the schools noted in the agenda report were heritage schools.

Mr. Luchini explained that one is Montessori school and the other is a Genius Kids which is more than a daycare facility. However, these are both classified the same way in the Zoning Ordinance.

In response to Commissioner O'Connor, staff did not have the information at hand to confirm the number of students at the two schools.

Commissioner O'Connor and Chair Nagler then briefly discussed school hours versus daycare/afterschool programs.

Commissioner Balch noted that office uses would theoretically require more parking and traffic during peak times compared to the proposed school.

Commissioner O'Connor noted that letters received addressed parking and noise and commented on the number of trips for office use.

**Commissioner Ritter moved to approve Conditional Use Permit (CUP) application P17-0805 by making the findings identified in the agenda report, subject to the conditions of approval listed in Exhibit A. Commissioner Balch 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>ABSTAIN:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>

Resolution PC-2018-01 approving Case P17-0805 was entered and adopted, as motioned.

Commissioner Balch recused himself from participating in Item 6.a. due to a financial conflict of interest and exited the Council Chamber.

**a. PUD-129, Sunflower Hill**

Application for a Planned Unit Development (PUD) development plan to construct an affordable 31-unit multi-family residential community for individuals with special needs, including an approximately 5,000-square-foot community building with associated site improvements on a vacant 1.64-acre property to be dedicated to the City, located at 3780 Stanley Boulevard (future 3701 Nevada Street). Zoning for the project site is PUD-HDR (Planned Unit Development – High Density Residential) District.

Chair Nagler provided opening remarks regarding the history of the project, which was discussed at a Planning Commission workshop.

Associate Planner Jennifer Hagen presented the agenda report.

Commissioner Brown recalled that the plans show 31 units with one unit for management and one unit for back-up on-site staff, and he asked which units would be identified for those.

Ms. Hagen confirmed and pointed out the rooms on Page A.2.2 of the plans. She explained there are both designated rooms and non-living areas or break rooms for caregivers. The room marked "studio" on Page A.2.2 is the Sunflower Hill room and the two bedroom units would be for the on-site caregivers.

Commissioner Ritter noted Sunflower likes getting community members involved and asked if parts of the project included community volunteers, and Ms. Hagen deferred this question to the applicant.

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

Susan Houghton, Applicant, thanked staff and commented on the partnership between all involved, including the City and spoke to the structure and intentions of the program and facility. She said they have spoken with several organizations regarding volunteer opportunities and will honor the CUP to not do any subletting of their kitchen. The day-to-day use of the facility will be for residents on site and families who purchase homes for individuals with special needs while maintaining their capacity.

Chair Nagler asked about the relationship between Sunflower's board, and SAHA.

Ms. Houghton described the LLC structure called Sunflower, LLC at Irby Ranch. It is a 51/49 percent partnership, with SAHA maintaining 51 percent and Sunflower Hill 49. They recognize while Sunflower Hill has the need they are not the expert in affordable housing and day-to-day property management. She described how the partnership will allow for SAHA to maintain the property and services and Sunflower to supplement that as well as facilitate the programming and activities. They will coordinate the responsibilities between the Sunflower non-profit and the SAHA property owner to benefit all residents.

Chair Nagler asked about funding sources and timing.

Ms. Houghton replied they are applying for four percent tax credits in March which would allow ground-breaking in December. They have worked closely with the City on a pro forma and are accessing A-1 bond money which they will know about at the end of February. It is a \$7 million request from the County and it would utilize the City's restricted fund for those funds.

Chair Nagler asked if the project as proposed meet the requirements for those bonds.

Ms. Houghton replied yes, that they've submitted a number of documents as part of the approval process and the County has demonstrated support of the project.

Commissioner Brown asked if the 29 units would be market rate.

Ms. Houghton said the single-occupancy units are 20 percent and the dual-occupancy are 60 percent AMI as they envision two individuals splitting the rent. The details will be locked in as they apply for financing.

Kurt Fehlberg, Dahlin Group Architects, reiterated the comments on the partnership between SAHA and Sunflower Hill and offered to answer questions.

Commissioner Allen expressed gratitude for the architectural revisions made to the plans. She commented on the visuals presented in the plans and identified areas which seem “flat” or could use additional architectural elements, and compared this to Kottinger Gardens which are a good example of high quality visuals. She referred to various plan sheet elevations and asked Mr. Fehlberg to explain how those areas could be made more interesting.

Chair Nagler reiterated Commissioner Allen’s comment and noted the landscape around Kottinger Gardens really adds relief and interest to the design of the buildings. He was struck in the workshop and in the revised plans and referred to Page A.3.1. He said the expanse of wall to the left of the corner, the lawn seems to come up to the building and there is no visual separation between those two such that the wall is not hidden or broken up. As a result, the building takes on an expansiveness that is not as interesting as the look at Kottinger Gardens.

Mr. Fehlberg replied, commenting on the maturity of landscape at Kottinger Gardens and the potential for the proposed landscape plan over time.

Ms. Hagen clarified, stating the planned shrubs and groundcover are not shown in the rendering provided, but she clarified there will be substantial shrubs adjacent to the building as well as flowers and grass areas.

Mr. Beaudin explained there is not a detailed planting plan at this time and if this is something supported by the Commission as the project moves forward a condition could be added to address concerns.

Commissioner Allen acknowledged the potential for landscaping to address her concerns and asked the applicant if any other ideas or options were considered to enhance the plan further, such as arbors or vines.

Mr. Fehlberg explained they are working with the unit layout to create some economies of scale from an economics point of view which play into the design of the building and beyond this. They believe the building has a lot of break-up and articulation that fits the residential units down the street on Sunflower Way, and spoke about how the surrounding areas impact the depth of the design.

Chair Nagler asked if the architecture of this building and Irby Ranch would mirror each other.

Mr. Fehlberg explained the complementary visual clues, massing, pop-outs, pitched roofs and other similarities and pointed to elements in the renderings.

Commissioners Ritter, O’Connor, Brown, and Nagler expressed gratitude for being responsive to the concerns which were expressed at the previous meeting.

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

Chair Nagler asked for concluding comments regarding the project, stating he believed the work done between now and the workshop was in line.

Commissioner Brown asked how the intersection between special needs and physical needs relate to accessibility. He noticed that in the conditions there is blocking in the walls to allow bars to be installed at a later date, and wanted to be sure if a percentage of the units should have additional accessibility should there be an intersection between special and physical needs.

Ms. Hagen identified the standard universal design condition that requires all units to be universally designed for conversion to making them adaptable.

Commissioner Brown asked and confirmed with Ms. Hagen that all doorways will be wide enough for wheelchairs.

Commissioner O'Connor asked about roll-in showers and clarified with Ms. Hagen that this is not included as a standard universal design condition at this time; however, counter heights and all others previously discussed modifications were proposed at this time except for the roll-in shower.

**Commissioner Ritter moved to recommend approval of Planned Unit Development (PUD) application PUD-125 subject to the conditions of approval listed in Exhibit A. Commissioner Brown seconded the motion.**

**ROLL CALL VOTE:**

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

**7. MATTERS INITIATED BY COMMISSION MEMBERS**

Chair Nagler spoke to the broader vision for the Planning Commission for the coming year. He said Mr. Beaudin will provide a broad overview of possible projects which may come in the next year so the Commission can better consider them in context. The Planning Commission will be reviewing topics that seem to weave their way into every major application such as affordable housing, continued evolution of downtown and traffic, as a way for the Commission to be prepared so they can ask questions, deliberate and make decisions with a full body of knowledge.

Mr. Beaudin provided the caveat that this item may come back at the second meeting in February. Two or three big issues can be jump started with the League of California Cities' Planning Commission Academy April 4-6 in Monterey, and Mr. Beaudin provided overview of the Academy.

Commissioner Brown asked if a previously mentioned white paper on the Regional Housing Needs Allocation (RHNA) might be forthcoming.

Mr. Beaudin replied it is still on the radar; however, staff time has not been allocated to that effort at this time. The intention is to complete that document prior to the next RHNA cycle.



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

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

Commissioners Brown and Ritter reported out on the topics discussed at the January 23 Downtown Specific Plan Update Task Force meeting and the recommendations which will be considered by the Planning Commission and City Council.

Chair Nagler asked what the proposed timing was for the DSP Update.

Mr. Beaudin replied the timing would likely be in late 2018 or early 2019.

Commissioner Allen reported out on the January 24 Heritage Tree Board of Appeals hearing.

**b. Future Planning Calendar**

No items were discussed or actions taken.

**c. Actions of the City Council**

No items were discussed or actions taken.

**d. Actions of the Zoning Administrator**

No items were discussed or actions taken.

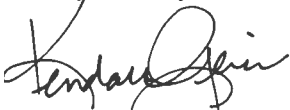
**e. Matters for Commission's Information**

No items were discussed or actions taken.

**9. ADJOURNMENT**

Chair Nagler adjourned the meeting at 8:39 p.m.

Respectfully submitted,



Kendall Granucci  
Recording Secretary