



PLANNING COMMISSION MEETING MINUTES

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

DRAFT

Wednesday, September 28, 2016

CALL TO ORDER

The Planning Commission Meeting of September 28, 2016, was called to order at 7:00 p.m. by Chair Ritter.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner O'Connor.

1. ROLL CALL

Staff Members Present: Gerry Beaudin, Director of Community Development; Adam Weinstein, Planning Manager; Julie Harryman, Assistant City Attorney; Brian Dolan, Assistant City Manager; Eric Luchini, Associate Planner; Natalie Amos, Associate Planner; and Kendall Rose, Recording Secretary

Commissioners Present: Commissioners Nancy Allen, Jack Balch, Justin Brown, David Nagler (arrived at 7:09 p.m.) Greg O'Connor and Chair Ritter

Commissioners Absent: None

2. APPROVAL OF MINUTES

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

4. REVISIONS TO THE AGENDA

There was a request from staff to hear Item 8.e. Review of Draft Civic Center/Library Master Plan prior to the Public Hearing item.

The Commission agreed to the agenda revision.

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.

Commissioner Nagler was noted present at 7:09 p.m.

(Moved on Agenda)

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

e. Matters for Commission's Information

(1) Review of Draft Civic Center/Library Master Plan

Brian Dolan presented the staff report and described the scope, layout, and key elements of the Draft Civic Center/Library Master Plan.

Commissioner Nagler: First of all, I want everybody to recognize what's obvious but just to say it, which is Brian did a terrific job in leading this task force. He started with a sort of a big unknown which is how do you structure such a conversation? How do we move a group of people who aren't accustomed to thinking on such a planning project through this conversation? And, he did a great job. We started, we had a middle and we had a successful end, and that's the measure.

Obviously we'll need to hear your feedback. I just want to say two quick things. One is that it should be emphasized that this task force when it got together really believed that now is the timing it can occur; that even though we've had conversations in the past obviously about rebuilding this site, expanding the library, doing a number of things, the timing didn't seem to be as opportune as it is today and financing clearly is going to be the big question mark. But, having said that, this task force took this project as seriously as it did because there really is a belief that because of the utilization of the library, because of the dilapidation of this site, because of the state of the economy, because of the growth of the community and sense of self, that now really there is probably the best opportunity that we've had in a long time to do this project.

And then the other thing to say was there was very early consensus around the fact that public buildings can do something for a community that no private project can accomplish and that to plan this out well and to do something bold is to say that Pleasanton really is making a statement about itself, and if done well, we would bring the community into the Civic Center, into the Library, into government buildings in a way that just doesn't exist today particularly with these meeting spaces and common spaces and twice the size of a library. We would invite the community really to participate in government and public structures and spaces in a way that we never have before and that was a very early consensus on the part of the task force and hopefully that's displayed here.

And then the final thing is just on the aesthetics and the parking. I concur that in the end we adopted a three-story parking structure and the reason for that was it made the surface parking needed potentially less and that really the sort of the aesthetic of this; the opportunity to make it a really special space is to integrate the Library and Civic Center into the rest of Bernal Park and the way to do that is to minimize the amount of asphalt separating this project from Bernal Park, and the circulation matters, parking contiguous to the soccer fields matter and all that. Sort of the compromise in the end was to minimize the need of that surface parking that's beyond the Police Station by building a third level on the parking garage and that was a way to get there. I think it was a good effort.

Chair Ritter: Great. Let's just ask any quick questions and then we'll go on to the discussion points. I have one question: the Ace Train—it looks like the location of the current stop won't change. Is that what the thought was?

Dolan: There has actually been an official action taken to make the current location the permanent location.

Chair Ritter: Okay, so not move it to where the three-story parking garage is going to be?

Dolan: No. There is some dialogue with Ace though about the San Francisco property that you know sits right on the other side of the tracks and they're very interested in acquiring that property for parking because this is a very well-used Ace Train stop. I can't remember what the exact number is.

Chair Ritter: 900?

Dolan: We do get complaints that there aren't enough spaces in the current lot and we get complaints about people parking in the adjoining neighborhoods.

Chair Ritter: I also learned that half of the people get off and that it's the second most popular Ace Train stop second to Santa Clara. 450 get off and 450 get on a day.

Dolan: So if they built it, we're trying to acquire it and unless the Council decides to stay put, we're going to need it for our own parking. But even if they build it, it might be sort of a joint measure to provide extra parking for downtown, and I think the DSP will include that kind of a discussion.

Chair Ritter: Any other questions?

Commissioner Brown: I had a few questions. The report referred to the SF site. What is that?

Dolan: You know across the street from the Library there's that ground...

Commissioner Brown: Okay, that's what I was thinking.

Dolan: That's what we were just talking about.

Commissioner Brown: And that's 3.74 acres?

Dolan: Right.

Commissioner Brown: Okay, in terms of the Cultural Arts Center versus the Firehouse Arts Center, I noticed it's listed on one of the programs. Did the Cultural Arts Center predate the Firehouse Arts Center? And I guess one of the biggest questions I had, is it no longer needed?

Dolan: It's a much bigger facility. I believe it was going to seat 800 or so, much bigger than the 200 seats or less in the Firehouse Arts Center. I think they were thinking big back then and they wanted both.

Commissioner Balch: But it was in connection with Amador Pavilion, right? Because we didn't know what the City was going to do with Amador and it was almost a replacement but expansion of it is what I remember.

Dolan: So, and you probably know more about that history than I do. I don't know that I have the answer, but if others do...

Commissioner Brown: No, I was just wondering where the need went, right? Obviously we're losing something to get this.

Commissioner Balch: During the Parks and Rec Master Plan process the question was raised of replacement of facilities at Amador, which is programmed through Community Services, what was going to happen to that facility because it's a joint venture with the school district? I think it's lease was coming due or coming up or something like that and then as Mr. Dolan spoke to, the Community Center came up also in the Park and Rec process because a teen use center or something for teen programming was an identified need.

Commissioner Brown: Maybe this is a question for Mr. Nagler. Is it assumed that if we're going to do this and wait and see on the two-story parking garage that we would build the supports to handle a third story if we wanted to add it later?

Dolan: I think so, but I think if Commissioner Nagler remembers, he's the second task force member who will have told me that and I think when I listen to the tape, I'll probably find that they want it to be three stories. And so I think that's what's going to happen. We're going to have an errata here that shows the task force recommended three stories, but if we only built it two, we would definitely build it with the ability to expand. We had a conversation about that more than once and most people thought that's just inefficient. It always costs you a lot more when you add the story later than just biting the bullet and doing it first. It's not a very complex or expensive structure.

Commissioner Brown: Is there any sort of vision about potential pedestrian crossings over Ace for the middle school to get to the Library?

Dolan: There was a lot of discussion about that. There were some task force members who brought it up every chance they got and thought it was an absolute must. In order

to get something like that permitted though, it has to be built a certain way. It would have to be ADA accessible which would require a certain clearance and ultimately the task force voted to leave it open. And, if you find the section that addresses it, it talks about that as one of the possible solutions. I'm absolutely convinced that if you built that and you build all the ramps that would be required and you count the number of steps that you have to take and compare it to going over the tracks in this vicinity versus walking to this corner and adding a gate and going under the tracks like the sidewalk does and walking to the Library, I think they would be pretty close in terms of the number of steps you would take.

And the other idea is that, so let's say we did build this thing and you pop up and you go over the tracks and you land inside the parking structure. Is that where you want to put the middle school kids; in the middle of the parking structure? So there are some challenges and I don't think it's as awesome a solution as some people think it is, but it was an unanswered question. The main point was we need to find a safe way to get them over there so they're not tempted. Maybe if you don't do a crossing, do you beef up the barrier that separates them currently from the...

Commissioner Brown: ...yeah, you don't want them making a crossing. All right. In terms of the position of the police station, I would think if they had to leave in an emergency, you'd want them as close to Bernal as possible. What was the rationale in putting the parking structure first and then the police station tucked in the back? Was it security?

Dolan: It was because we were providing parking for the rest of the facility. The Police Chief was probed quite a bit on this. You know, there aren't that many times when they go barreling out of the station. It's usually you're on patrol and then you hit the red lights. And so he was more concerned with having more than one way of getting in and out as opposed to precisely where he was located along Pleasanton Avenue.

Commissioner Brown: Okay. My final comment is that your Option 3; the diagram. It says City Hall, City Hall. I think actually the first one is the Library, and I noticed the square footage of the Community Center wasn't listed on that.

Dolan: Okay, thanks.

Commissioner Brown: And if you need inspiration on innovative library designs, the Vancouver, Canada Library was a very innovative library. They actually designed it after the coliseum in Rome. It's really neat if you ever take a look.

Chair Ritter: Any other questions? Maybe we can just go down the line through number one which leads to two...

Discussion Questions:

- (1) Do you support the move of the Civic Center/Library to the Bernal Property site?*
- (2) Do you have any comments on any aspect of the draft Civic Center/Library Master Plan?*

Commissioner Brown: Yes, I support the move. I think it's a good use. No other comments.

Commissioner Nagler: Yes, and the reason I support the move is because of the economics of it, sort of at the basis. There is no land cost here because the City owns both properties, so the other question is how do you finance construction? And more than anything else, the move helps pay for the new construction.

Commissioner Balch: I'm cautious about it. I'm not sold, but I'm not saying no. You know, not serving on the task force, I'll just show you my basis for why I'm concerned and then it may have been considered and it may not have been, but you know, the one thing the employees of City Hall do provide is an economic base for the downtown. Dinner, lunches, meals, you know you're an employer in the City just like everyone else along Main Street and downtown and I'm sure they've looked at that. But, frankly when we talk about City Hall being the heart of the community I really appreciate City Hall being downtown right here. I really have appreciated it because I cannot begin to count the number of times where I've had lunch meetings with people and the walking relationship and sharing of food and beverages is very good to have, and I just worry this is one block too far. That being said, I completely understand the economics.

Dolan: Does it make you feel any better if you think about it in terms of downtown after this is all said and done will be one block closer?

Commissioner Balch: It is, but you know, and that's where it's a little difficult to decide what would be there, not seeing it, with the housing on one side of Bernal and the other side for example; the apartments built. I can see it could come together. I don't want to say no, but there's something nice about our downtown landing into our city complex. I mean, I personally think there's something nice about that and I like the fact that our City events, at least for us, the Library, City Hall in the downtown just fits well and I'm not saying this is terribly far. I mean we all know it's virtually two blocks, right, but I'm nervous.

In terms of my overall design plans which are Number 2 comments, I think you've got to go three stories on the parking structure and even talking about a four-story would be necessary as your expansion. I don't think two would even get you down the block. I think you're going to be giving a little bit to Ace whether you like it or not because I'm sure they don't own the Fair's parking lot right next door and they seem to love it for the last week in June and the first week in July, and this is awfully convenient right across the street, especially when Pleasanton Avenue and Bernal get improved even stronger. So I would like to see the parking structure be larger and I would like, as Commissioner Nagler argued, that parking on the grade be refrained or restricted or reduced as much as possible. I think the non-permeable asphalt surface is difficult to overcome.

Since I served on Park and Rec when the Oak Woodland was approved, I'll be waiting for the oak trees to provide me shade when I'm 90. I'm just saying. I didn't expect a 5 gallon pot to be planted.

Dolan: The City Engineer often refers to a saying attributed to Confucius: "He who plants a tree does not enjoy the shade."

Commissioner Balch: You've become a smooth stone, my friend. So to that end, I would argue that your square footages should be strongly looked at. I know the concept of what you're trying to do. You're trying to look at what your needs are, your anticipated growth and your square footage, and we all know that to redo or remodel is going to be three times the cost of doing it larger at the beginning. I mean, I know that well. So, City Hall at 40,000-square-feet, which is probably the only one I kind of have a feeling for. I know that the OSC wasn't considered in this when you guys did the move plans. You're talking about your five buildings here and not the OSC operations, but you know, you and I served on the East Side and we talked about the moving of the OSC. I know that they have space needs, so I just would encourage that if you wanted to make it a 50 or 60 year building, that this be a consideration if you do have enough. And, I think your concept of movability, scalability or flexibility of the design is important.

And my last comment I'll just say is that a lot of cities I've been to—the City of San Jose, City of Milpitas, City of Tracy had built brand new city halls. And I'll tell you what, you should go look at them now. Some of them look like they could use a little bit of paint and sprucing up. One that is nine stories tall for example that is south of us, the planning department is hard to get to, hard to utilize. They made it where you have a great grand space that echoes so you cannot hear a planner across the table. There are some things we could lose about the quaintness of our city if we try to be grandiose or illusion to grandeur. So, I would just caution us to be wise about that. And while I know natural light has happened, I also know when natural light can cause a person not to be able to use their desk because it's so hot because they haven't tinted the windows. That's all further down and I understand that, but I have seen good design lose out to practical reality in those cities—some have done better than others. I'll just say those three in particular.

Commissioner O'Connor: I also wasn't thrilled initially about hearing that we were going to take up our central parkland with City Hall, but little by little I became more accustomed to it and I think you said it well tonight, someone did, about bringing the people from the park so close to City Hall. It's going to beg some kind of interaction whereas today, I think we are removed. Even though we're next to downtown, there aren't a lot of people who come to City Hall to these buildings unless they have business right here. This is going to bring a lot more people around City Hall. So, I have warmed up to it considerably.

The parking structure though, definitely needs a third level. I mean, like you said, if you park on the roof, it doesn't take that much extra room up there. You have to go at least a third. I'm not real thrilled with all the parking that I think I've seen along the second access road. There's no dimensions here so I'm not really sure if it's drawn to scale. I think the people backing out of those parking places are going to make this not quite a second access route. It's going to be hard getting in and out of there with cars passing by. I don't know the dimensions of that roadway but, you know, the more we can get into a parking structure, the better off we'll be. And that's really about it.

Commissioner Allen: So I'm cautious about this similar to Commissioner Balch but for slightly different reasons, mainly around the funding strategy, especially if the market turns quickly and we're in a different situation than we are now because it's going to

take a while to get this built. So that's what concerns me the most is really having that solid.

Also, ideally having some kind of modular scheme both in design and in funding. I mean we talk about phases, so therefore in terms of design, I worry a little bit about a circular kind of design because I feel like if we went modular it might look strange to have like one end of the circle versus if it was more rectangular, it just feels like it might be more conducive to building it in phases potentially.

I'm going to share what I like most about this. The number one thing that excites me about this is the opportunity to extend downtown and extend our retail presence downtown. So a little bit unlike Commissioner Balch, I'm sort of hoping that the space we leave behind turns into almost total retail. I'm actually hoping it doesn't turn into a little retail and a lot of housing because if we turn it into retail, and I'm thinking restaurants, Pottery Barn, Restoration Hardware, I mean, I don't know what, but a strong good retail, then we actually have extended the downtown and the new location becomes easier to just walk across the street and increase the vibrancy of downtown and have the employees just shop downtown because the downtown is closer.

So that's what excites me the most because I don't have kids using a library. Clearly, I think the number one benefit to the community is the library. But funding is the biggest issue.

The other comment I have is that I'm sort of wishy washy on the Community Center at least in terms of the way you positioned the Community Center. I don't believe that a City should be building a Community Center to sponsor weddings and bah mitzvahs. I mean, it's a whole market. The market of delivering weddings and bah mitzvahs is a private enterprise that involves lots of other businesses and there's people really good at doing that and I don't think it's a core competency of our city, being in the formal event planning for huge events like that. So, I would take that out. That would be a priority of mine. And then it begs the question of, does it need to be so large because then we might be able to get the cost down if it wasn't so large.

And then my final couple of comments are just a couple of ideas...well, really one final idea aside from the modular design and concept, and that is, I think if we want to get a win with our community in terms of a vote, I believe we need to start educating our community more about some of the things the task force learned such as what the library of the future is, and do it in a way that it doesn't feel like a sales job about vote for this because we say it's good. But, mainly think about from a PR perspective articles that we could start getting into the Pleasanton Weekly and other places that just provide education around some of the needs that are driving this so that when it gets on the ballot in two years, people have a better perspective about the need and don't become quite as concerned about the costs.

Commissioner Nagler: May I just clarify one quick thing, it may not change your view on it, but just to be clear, the Community Center is a building. It's not a set of services. What we have heard a lot of is that the event space that exists in Pleasanton is mostly within hotels and it's quite expensive, and that the demand on the single Community Room we really do have which is in the Library causes it to be pale in comparison to the

community's desire for a place to congregate that is affordable. So the Community Center, as it's envisioned, houses some City offices as Brian pointed out, specifically Parks and Rec, but more importantly, they are smaller classroom spaces and then a larger flexible space so that you could have larger events both municipal or private. But, if they are private events, it's strictly to provide the space. Catering, organizing, decorating is totally up to the user. It has nothing to do with the City, just to be clear about it.

Commissioner Allen: Thank you.

Commissioner O'Connor: So one piece that I didn't touch on because I thought we were just talking about the move to the center, but I too like Nancy, I don't want to see this site, if we vacate this site—I don't want to see it turned into all residential because that happens to be the highest ticket item for real estate today. I really want it to be an extension of downtown retail.

Dolan: And I think that's consistent with some of the comments we heard. We really only had one evening where we talked about that and that's when we presented the market analysis. But our purpose there was not to get them engaged on what should go here but to give them a range of uses that we could tell them would work. It will be no surprise to anybody that the one that's going to give you the most return is housing. And I'd say we can build housing in the medians on Hopyard and sell it. So really it was an explanation of all the other uses that we need to know. Yes you could do some retail and you could do some office and you know, maybe there's some second floor residential that could supplement that.

I want to address some of the uses that have been thrown out there. There's quite a bit in that study about a theater. It basically says no theater is going to work here. You'd use up all the land, you'd have to give them free parking. Unless the City was really doing it as a loss meter to get more people downtown that's the only way it would work. But it also told us what could be successful and there's a list that extends beyond housing that gets more successful if you can include a little bit of housing. That's all we wanted to do with that group—get them comfortable enough to say, look, it's something that we are comfortable with the envelope on that could happen here and be supported by the market. Therefore, we feel okay in talking about the alternative location. Gerry and Adam get to deal with exactly what that mix is with their group.

Chair Ritter: That's my primary issue. I wouldn't want this thing to go to a vote until we've determined what we're going to do with the existing 13 acres. We saw together how hard it was to rezone one or two houses downtown....I mean, if we have to pay \$22 million I think they said the 13 acres' value of this site would be if we sold it. That would include mixed use with residential also. I think that's what I heard. If you take the residential use out of it the sale of the lot could be less. So I do support moving across the street. I like the extension of downtown, but I think the economic vitality is the primary concern for me and if we don't have it designed where we've got what we want to do in the DSP and we've got the right shops like Commissioner Allen said, and make sure we see what we're going to zone our current location for, I don't think we're going to be ready for a vote to show what this is going to be.

Dolan: And that's probably the driving force behind why we're thinking about this in 2018.

Chair Ritter: 'll bring up the Community Center—my wedding was at the Senior Center and that was a revenue source for the City because they got money out of me 22 years ago. I think we can make parts of our services available for rentals that create revenue and that's why I like the Community Center because that's going to be a revenue source also for the City. But I do think we really need to zone the downtown properly with our specific plan and tie it all in. I think we could do it. I don't want it to be a bond. I don't want to go to the residents and say we need a bond to create a Civic Center/Library. I would rather work it through the economics to make sure we had a TOT tax or some other avenues to support it or revitalize this whole site and make sure we can get the right income out of it as we sell it or zone it so we can support doing this. So those are just my feelings on it because I'm worried we're getting a little ahead of ourselves until we know what we're going to zone here because it's hard to rezone downtown as we all know. You can't put story poles everywhere.

Dolan: We have to take a first step. Something has to come first and so we've done this and now we're going to wait, and the two processes will be dovetailed at the end and Council can make a decision.

Chair Ritter: And I'd be surprised if we could get it done in two years but I would shoot for it.

Dolan: I have total confidence that you can. If we give them a deadline with the election in 2018.

Chair Ritter: I'm in favor of you trying.

Commissioner Nagler: The Downtown Specific Plan Task Force's timing is perfect, and it's all purposeful and it's all designed so that these do align and hopefully in time they will.

Chair Ritter: Does the DSP incorporate these 13 acres in the plan? I didn't remember seeing that.

Beaudin: Yes.

Chair Ritter: So that's good. All right. Do we have enough?

Dolan: I've got what I need. Thank you very much.

Chair Ritter: Thank you applicants for waiting. Thank you Brian. I appreciate the details.

Commissioner Allen: Oh, I was going to say one thing. Commissioner Nagler, thank you for being our representative and Brian, you know, we all observed your work from a distance and you did a fabulous job and thank you.

6. PUBLIC HEARING AND OTHER MATTERS

a. PUD-121, P16-1347, P16-1349, Abbas Mash

Work session to review and receive comments on applications for: (1) Planned Unit Development (PUD) Rezoning and Development Plan to demolish the existing restaurant building at 6455 Owens Drive and construct two single-story commercial buildings totaling approximately 8,660-square-feet in area; and (2) Conditional Use Permit approval to operate a drive-through coffee shop. Zoning for the property is C-F (Freeway-Commercial) District

Eric Luchini presented the staff report and described the scope, layout, and key elements of the proposal.

Commissioner Allen: I have a question regarding In-N-Out Burger where I visited today, what is their queue?

Weinstein: Their queue varies. A lot of it spills out actually into the parking lot which is to the north of this site.

Commissioner Allen: What was it approved at? Let me tell you the reason why I'm asking and maybe it will help you. I asked the person who took my order if they ever spill out onto the main street and he smiled at me and said, well yeah, every night our cars spill out onto the street. Now when I was there at 1:30 p.m. there were 10 cars in the queue and 1:30 p.m. is apparently a shoulder time and not a prime time so it causes me to want to understand what was it approved at. What was the queue approved at? And then number two is technically, what is the number of cars that can go through without spilling onto the street because clearly they are spilling out onto the street today, so that really concerned me.

Weinstein: Spilling out onto the street-you're talking about spilling out onto Johnson Court? Is that right?

Commissioner Allen: It's going to be Johnson Drive because isn't that where they're coming?

Beaudin: That's Johnson Drive.

Commissioner Allen: Johnson Drive. I'm just asking for benchmarking of fast-food drive-in's.

Weinstein: We can report back on what the approved queueing was. We weren't able to dig that up before the meeting.

Commissioner Allen: Okay, so the request would be the number approved and then secondly, whether approved or not, just what is the number of cars before we hit the street and do we exceed it. What's reality?

Chair Ritter: It's the same with Chick-Fil-A so that's probably more recent. I know we approved a double lane and I think it was eight cars on each side?

Weinstein: That one I have an answer for you. That one's about 20 cars total and it's roughly about 8-9 cars in each side.

Chair Ritter: Okay, so that's 20 cars coming in and this one's being proposed for 11.

Commissioner Nagler: Well, could you detail what seems to be the observation at Starbucks in town as far as what the average queues are?

Commissioner Balch: That was the base they used?

Commissioner Nagler: Yeah, that was the base they used because obviously it varies by which establishment are we talking about.

Luchini: Okay, so the traffic study focuses on the Starbucks that you just mentioned and it was observed, if I remember correctly, I think it's four days and over the course of that four days the average was somewhere between 9-14.

Commissioner Allen: And they're recommending 12. They said for the peak time didn't Hexagon say you needed 12? And that's what you're saying?

Weinstein: At the 95th percentile on the four observed days there was a range from 9 to 12 and then Hexagon, the traffic consultant who prepared the traffic report observed a maximum of 14 vehicles in the queue.

Commissioner Balch: And staff is recommending 12.

Commissioner Allen: And that's what Hexagon recommended I assume. Staff is recommending that based on the data.

Weinstein: Correct.

Commissioner Balch: And there's 11 now.

Commissioner Brown: The 12 by the way is at the 95th percentile.

Commissioner Allen: And this is the Starbucks at...?

Weinstein: Bernal at Safeway; the Gateway Shopping Center.

Commissioner Brown: I don't know if it's a factor for just me or if it is for others. If I get to that Starbucks and I'm the 13th or 14th car, I'll park and go in or I'll park and go into the Starbucks next door at the Safeway as an alternative. I'm just saying it's a factor to consider.

Commissioner O'Connor: So very much like the Starbucks at the Safeway, this proposal also has, as far as I can see cars back into the parking lot, and that makes it very problematic for Starbucks and Safeway because people can't get in and out of parking stalls. I mean I don't even go into that parking lot whether I'm a walk in or drive through. I don't go through there.

Commissioner Brown: Well, that Safeway actually competes with the gas bar right next door.

Chair Ritter: Are we at questions?

Commissioner Allen: So normally when we approve projects we approve let's say a drive-in. Let's say Starbucks went out of business here and this was being considered for a Jack in the Box or some other use. Would that be allowed? Or would that come back to us with a different traffic study, or Chick-Fil-A. Another second Chick-Fil-A because the first one was so successful, would that come back to us? Or would we be giving permission for just a drive-in use?

Luchini: So there are a couple of factors at play there. One would be obviously the uses that would be approved with a PUD whether or not restaurant facilities would be approved or I guess if we're looking at coffee shops; a drive-thru coffee shop versus a drive-thru fast-food restaurant. Secondly, the use permit would remain valid on the property but then they would have to operate within the same parameters and if they were to go outside of the perimeter and generate more traffic or things like that, we would evaluate that at that point in time.

Commissioner Allen: And a use permit would be needed? So we sort of are granting it to the parameters we're defining.

Luchini: Correct, within the current confines of the traffic study that's been prepared.

Weinstein: So as currently proposed in the list of uses that you have as an attachment to the staff report, restaurants and soda fountains including drive-ins and take-out food establishments are not a recommended or a conditionally permitted use in this PUD.

Beaudin: I actually think it's kind of a fine hair split and Julie and I were just discussing this. The difference between a Starbucks these days and a lot of other kinds of restaurants, fast-food restaurants isn't that great. They're starting to serve more food and certainly have a wider menu for varying locations. So we wouldn't be approving their menu. It wouldn't be that level of detail so I think it actually might be a little difficult for us to regulate a change of use for something like a coffee shop Starbucks kind of a place to a Jack in the Box or something like that.

Commissioner Allen: Okay, well that's helpful. There's a risk.

Beaudin: I think the discussion we're having right now allows us, with a PUD, to potentially put some additional parameters around change of use which we might want to be that specific on if that's a concern.

Commissioner Allen: Okay, thanks.

Commissioner Balch: So on page 16 of 18 on permitted uses or conditionally permitted uses. I was going with what Gerry said earlier, but the C-C uses that are requested are circled so "restaurants and soda fountains, not including drive-ins or take-out food establishments" is being requested as a permitted use and I apologize because I see that we have a drive-thru, drive-in—that is not this, right? So would that be the second

one underneath and therefore it's conditional but they're going back? Why isn't it circled I guess is what I'm asking. Or, how do I read that? Maybe I need some help. I'm on 16 of 18 at this point.

Commissioner O'Connor: At this point it has to be conditional.

Commissioner Balch: I would think so because it's not being requested as permitted so it would be conditional, but the design has the drive-thru so how can you reconcile that please?

Beaudin: So it's a fair question and I think one of the questions we have for you tonight is do you support the list of uses that are included for the report. And I think in the question I hear direction to make sure that we're being real clear about whether or not it's a restaurant use with a drive-thru or whether it's a restaurant use without a drive-thru and conditionally permitted only could be a concern.

Commissioner Balch: Actually, you just clarified it now that you say it that way, it actually clarifies it. I'm catching up to speed I can see this right now, but the reason I ask is when I read what they were asking for for the PUD, I would have expected the "c" to be circled as well in that line because it said these are the uses they're asking. So I didn't know they were asking for that one to be conditional. Does that make sense?

Beaudin: And I guess my question is, do we have a sub-category or different definition for the coffee shop which took it out of the restaurant realm completely.

Commissioner Balch: I think you're right, but I think I'm actually trying to interpret it, if I understand it correctly. I'm asking for clarification because I'm now confused. In a PUD we ask for these permitted uses and then we say, these are the uses we would like permitted or conditional, typically the ones I've seen, right? And then typically not listed is generally considered prohibited unless you get a PUD amendment. So what I'm saying to you is, I read this and I said, oh, the conditional is not circled because I thought we were going down the C-C column and circling everything we wanted permitted or conditional. Given that the second one was not circled, I was wondering why they hadn't circled it, given.....I apologize....do you kind of see where I'm trying to....

Beaudin: C-C should be circled. I think that's the answer to your question.

Commissioner Balch: Okay, thank you.

Commissioner Allen: I have another question and it's thinking about the Starbucks study they did at Safeway. What you pointed out is that shopping center has two Starbucks; one's in the store in Safeway and one's the drive-thru. So therefore when people come to visit Starbucks there's two choices they have so the drive-thru may not be getting the maximum capacity as if there was just one. So, do we have data or could we get data on what some other Starbucks stand-alone drive-thru's that might be around a busy freeway corridor?

Commissioner Nagler: Well, specifically the Starbucks being put outside of.....

Commissioner Allen: The Rose Pavilion?

Commissioner Nagler: Yes.

Commissioner Allen: Is that operational yet?

Weinstein: It's not operational yet. There is one also in the Vintage project at Bernal and Stanley which I think is a drive-thru?

Commissioner Allen: That's not necessarily freeway.

Weinstein: That's not freeway, no. That's a good point.

Commissioner Nagler: Good question. What was the queue allowed in the Rose Pavilion one?

Weinstein: I want to say it was 12 cars.

Commissioner Balch: But that queue could go into the parking lot and not spill onto the street.

Commissioner Allen: So it's less risk. There's a buffer zone.

Commissioner Balch: That's right and we talked about that because we were talking about the exiting. The thing with that is that it's all drive. If you drove around it and exit almost back the same way you came in.

Commissioner Brown: Nancy, I was just going to add that there is a stand-alone Starbucks within ¼ mile of this location right by the Home Depot across from the FedEx/Kinkos.

Commissioner Allen: Right, but it's still different in terms of where some of these...like Hopyard. Anyway, we'll get to that later.

Commissioner Brown: This is further apart than the one I was talking about but it's close.

Commissioner Allen: It is close. Yes, thank you.

Beaudin: We were just talking. We're going to give a call to our neighbors over in Dublin and see if they've got something right off the freeway on the other side and just get a sense for a drive-thru Starbucks if they've got that located there. We'll do that research and wherever our applicant can do to help us out.

Chair Ritter: And Peet's across the street. Specialty? Is that a drive-thru also?

Commissioner Allen: I just have one more question and it had to do with pedestrian or bicycle access, mainly pedestrian from the hotel. How is someone who's coming from the hotel get to the inside of the Starbucks? What I'm really looking at is safety and if they're crossing over the queue lane.

Beaudin: We had a similar conversation earlier today about the site plan. There is a path of travel. If you turn to sheet A-0, the site plan, it does a nice job of showing the hardscape and the pedestrian connections across the site. So next to Building B, you'd essentially have to come out of the hotel, and you are in the parking lot for a little bit; kind of the drive aisles and parking area and there is a pathway there that gets you out of drive aisles on the subject site. So that is the connection that exists right now. We were talking about the possibility of getting another connection possibly to the trash enclosure for folks who are coming over from the hotel. There is some question about a possible conflict there with people putting things away—their money and their drink down, as somebody's crossing in front of them. So we'd like to explore that a little bit more with the applicant.

And then the bike parking is in the nook that's created in front of the coffee shop. There is one bike rack location proposed for the site right now and it's next to Building A to the right of the entry door for the coffee shop.

Commissioner Allen: Okay. It sounds like you're still working a little bit on the street.

Beaudin: Yes, you can come right off of Owens next to Building B and you're out of the parking lot and you're out of the landscaped areas. I think that's a nice connection. I think a connection exists next to Building B and there's the possibility for another connection a little more directly from the hotel.

Commissioner Allen: Okay, great. That's it for me. Thank you.

Commissioner Balch: I'd like to know why it says "Owens Court". Isn't it "Owens Street"?

Beaudin: It's Owens Drive, but I think the name of the project might be Owens Court.

Commissioner Balch: Okay, I'll just go on record to say that I would not like the name of the project to be "Owens Court" for any type of driving complex.

Commissioner Nagler: Maybe this is a question of the applicant, but from traffic impacts, we are obviously focusing on drive-thru or no drive-thru. So just to focus on the impacts, do you agree or feel comfortable with the conclusion of the traffic consultant that really the impact of the EDZ being built is minimal on this project? Do you agree with that conclusion?

Beaudin: We do agree with the conclusion; however, we're proposing a lot of traffic improvements in and around Johnson Drive as part of the EDZ so things should essentially level out in this area. The Hopyard and Owens Drive intersection is a gateway intersection and we've chosen to leave those intersections as is and so there's limited amount of things we can do relative to the EDZ and other improvements that will

happen in the area over time and so if it's not a gateway intersection, we plan to make the improvements necessary to keep our level of service up to acceptable levels.

Weinstein: And if I could just add to that too, the net difference between the existing plus near term projects with and without EDZ, the net difference between those two scenarios is generally less than 10 seconds of delay per vehicle and in most cases for most intersections, at most times during the day it's a couple of seconds or less than a couple of seconds.

Commissioner Nagler: Okay, on a related question, in talking about the potential traffic mitigations, one of the traffic mitigations as I understand is potentially being proposed is to only allow right hand turns out of the parking lot, right, onto Owens.

Commissioner Brown: that would be the west driveway between Larkspur and Tommy T's?

Commissioner Nagler: Right, and that would generate U-turns at the end of the block, right?

Beaudin: Yes.

Commissioner Nagler: So given the increased traffic flows in general and the potential impact of the EDZ, staff is comfortable with creating a buy in of U-turns at the end of that block as an overall traffic mitigation method?

Luchini: It isn't a traffic mitigation but we've had a conversation with the Traffic Engineer on that and as far as the Chick-Fil-A traffic study analysis that was done there, there was a U-turn analysis done already and that's already been taken into account with this traffic study. So they are comfortable and staff is comfortable with the conclusions in the report.

Commissioner Nagler: Including the additional U-turn traffic that would be generated by the traffic mitigation on the right turn only?

Weinstein: Yes, so the traffic study looked at existing plus project conditions at that U-turn on Owens and they're finding that, again, we're looking at 95th percentile conditions, the westbound U-turn queue on Owens would be 100 feet during the AM peak hour and 75 feet or three vehicles during the PM peak hour.

Beaudin: And really just to answer the question, the Traffic Engineering staff has reviewed the traffic report and we are accepting the conclusions in the report. I had similar questions about a comparable Starbucks location. I think that's something that I'm not completely comfortable about in terms of the analysis that's been done, but in terms of the queue lengths and the level of service analysis that's been done, we are accepting that at this point in the project.

Commissioner Nagler: So the other impacts that are clear are the obvious ones—the ones on Johnson Court and on Larkspur Landing Drive or whatever it's called, so on

either end of this development and the service levels change by at least one grade in each of those streets by virtue of this development, right?

Weinstein: So in some of the other scenarios, the level of service changes by more than one grade, but what's happening in the existing plus approved conditions is that the level of service is not going beyond level of service D, so there are some cases in certain intersections with the project that the level of service is moving down a grade, but that's not considered a significant impact because that doesn't cause the level of service to go below D. So what we're saying is our impacts only in the cumulative scenario which is not only existing plus approved projects but foreseeable projects in the future. Typically the cumulative condition encompasses General Plan buildout as well. So if that's worsening those are the significant impacts that require mitigation.

Beaudin: And the mitigations when they are cumulative are what we're collecting our traffic impact fee to attempt to mitigate over time.

Commissioner Nagler: Right, and that gets back to things like right turn only. Okay, thank you.

Commissioner Brown: Sorry, but I have a couple of quick questions. Where's the IKEA in Dublin going?

Commissioner O'Connor: Down on Fallon.

Commissioner Brown: Fallon? Okay. What was the reason for restricting the uses so specifically? What was the rationale there?

Luchini: So actually that was a call made by the applicant and he'd be better off to speak about that, but I think staff's initial recommendation that we would be comfortable if they selected an applicable zoning district that already had an established list of uses such as C-C or the C-F.

Commissioner Brown: Okay, I'll ask them. And my final question was, looking at the diagram there's sort of the hairpin turn around versus going just straight out. My comment is that if somebody's going to drive through its because they want to leave and they don't want to park and right now the plan has the traffic from the drive-thru coming back around the building back in front of all the parking and people are backing out and then crossing into the lane of traffic trying to enter the drive-thru. So what I was wondering was why you just didn't go directly west and come down that other driveway?

Luchini: There actually is a driveway there directly west....right here.

Commissioner Brown: Yes, why not just take the drive-thru to the driveway.

Luchini: They have three parking spaces there so I think it was an attempt to fit a trash enclosure and get those three additional spaces to be conforming with the actual requirements.

Chair Ritter: They have six don't they?

Luchini: They have six total in that area. To go straight through the drive-thru and the trash enclosure takes two spaces.

Commissioner Brown: And you couldn't recover six spaces by extending that over? This is a workshop and I'm not trying to design from the dais here but it just seems to me that we're creating a traffic nightmare forcing it around and past traffic backing out of all of those spaces and then potentially having to get stopped by people trying to exit the drive-thru. If people are just looking to get their coffee and go, I'd rather get them to go and not cross back across so that's why I was asking the question. Again, maybe it's a fairer question for the applicant.

Luchini: I think staff would acknowledge and sought an ideal circulation pattern through there. I'm not sure that you'd be able to recover three or actually six of those parking spaces with that design, but again, it's a PUD so there is flexibility in the standards and if that's the direction the Commission wants to go, you'd have to make that recommendation to the applicant.

Commissioner Balch: Before you do then, I'll just make a comment that the Starbucks that this is designed after is the Starbucks on Airway Boulevard in Livermore. So you call Livermore and they have this exact plan.

Commissioner Brown: Yes, and I've sat in that queue.

Commissioner Balch: I've parked in that parking lot and have been seen in the queue.

THE PUBLIC HEARING WAS OPENED.

Galen Grant, Applicant: Good evening. Thank you. Good to be back. We've already gotten heavily into this project and you know this site has been really interesting. It's been a challenge. Just to give you a little bit of history and this is probably literally the 20th site plan that we've done and so it's been a tremendous labor of love to get here.

So what we have right now, what we're removing is a pretty nasty looking building that's ready to go. It's kind of outlived its life, and we initially proposed a singular building that would allow for a longer queueing along the backside. It was concealed. We submitted it to the staff and had some very productive work sessions. We talked about what the City would like, what Mr. Mash would like, and we used a lot of sketch paper. I think it's fair to say staff had some sketches of their own and one of the points the staff, representing the City, really was concerned about was, how do we get as much commercial frontage on Owens and how do we provide all of the other aspects of the development that Mr. Mash would like to see here, and can we do that in one singular building. It became clear that the compromise was, we need to have two buildings so let's break it up into a set of two buildings that complemented each other. So one building can conceal the drive-thru and can the other building touch on Owens Drive. So that's how we got here.

Mr. Mash's preference really was to do a singular building, but we agree that considering what staff would like to see and what they felt they could support, this site plan made sense. So I can kind of walk you through all of this. In fact, one of the recent meetings we had that included all of us included Jennifer before she went on leave,

Adam, the Traffic Engineering Division, and Starbucks. We talked about the queueing at length and Starbucks' queueing requirement was seven cars, and the traffic report said 12 cars and our site plan at that time had 10 cars.

We didn't have quite this configuration so Jack, the reference that you made to the other facility for Starbucks led Starbucks to say, okay, we need to get at least another car in there and what we're going to have to do is extend that end of Starbucks and give us greater length. And, one of the compromises we needed to make and as you all know because you've reviewed a lot of retail projects—there's kind of a preferred depth of retail spaces and typically it's 50 feet. It can go as high as 65. We'd hate to go any deeper than that, but similarly you'd hate to go too shallow so our Building B created by the extension of Building A to get more queueing shrunk from 50 feet in depth to 38 feet and we agreed to do that because we needed to come much closer to that 12 car queueing requirement. I had a discussion today with Adam about the agreement that I felt that we had as a result of one of the recent meetings where we had the 10 cars and the traffic report said 12 cars, and it was our understanding that if we could get one more car—if we could get to the 11th car—than that would be an acceptable solution because it's not a perfect size. It could be 13, it could be 12, it could be 11. We were at 10 and we were able to modify the site plan. It took a lot of effort to manipulate all of the different pieces and make sure we were satisfying the accessibility requirements and the distribution. At one time we had the two handicapped cars for accessible parking spaces located in front of Building A, but the request was made, can you get one car related to each building, and so we were able to do that.

So, we're very hopeful because you know we're kind of up against the wall. That 12th car; the comment was made well, can we make Building B shallower. Well, we really can't. We really can't take another 20 feet for that 12th car out of the depth of Building B because then we're looking at a building's that probably 20 feet deep or we have to severely carve into the corner of the building. We feel that what we're presenting tonight, what we're showing you, looking for your feedback is a solution that makes sense. It's reflective of our substantial efforts to reach that 12 car requirement even though we're one car short. So we're open to discussion about that issue. I'm happy to answer any questions that you may have on the architecture too.

Commissioner Balch: Those are canvas awnings?

Grant: Those are canvas.

Commissioner Balch: Okay and how far do those project out? Are they for the sun or are they actually for rain protection as well?

Grant: They're for rain protection as well so code-wise; every door requires four feet of cover so they're a minimum of four feet.

Commissioner Balch: And my other question was that staff's report mentioned the north elevation; the queueing elevation. Any comments on that or any thoughts on their request to spruce up the wall to the hotel?

Grant: Yes, we can accommodate that.

Commissioner Nagler: Eric, could you go back to the site plan? So, I hate to go back and talk about version five or whatever it turned out to be, but I'll just ask. It's two separate buildings because of the requirement for the driveway? Is that right?

Grant: No, it was two separate buildings because the City really felt that by slitting the buildings you got something on Owens and we were also able to screen the queueing.

Commissioner Nagler: So what happens if you extended A-1 further towards Larkspur Drive and, I don't know if it's possible, but you weren't required to circulate the cars back into the parking lot but instead, all the cars from the driveway exited out to Larkspur Drive and you move the....I'm just pretending that the parking requirement isn't above....

Grant: ...that there isn't one.

Commissioner Nagler: So you extend the building. You therefore lengthen the queue. You shield the queue, right? You exit the cars, as Commissioner Brown was suggesting, out to Larkspur Drive. You move the dumpster and like that to some other place and we then secondarily worry about the loss of parking spaces. Is that a possibility?

Grant: Well, parking requirements are there for a reason.

Commissioner Nagler: Well no, just to say out loud. If, for example....

Grant:Based on the geometry of the site, is it possible to do that?

Commissioner Nagler: If you weren't required to have that driveway to re-circulate the cars out into the parking lot and therefore didn't take up the space of that driveway, you know, exiting and therefore put a couple of more parking spaces there, right? See what I'm saying?

Grant: Well, I understand what you're saying about exiting directly to Larkspur and in a perfect world we would do that. I mean, we would have done that from Day 1. In fact, one of our earlier concepts have that when we had a singular building.

Commissioner Nagler: It doesn't need to be a singular building.

Grant: I understand, but the reality is that based on the parking requirement for the square footage that we're proposing and the uses that we're proposing, the parking requirement is 37 cars which is what we have. So if we lose those parking spaces and carry that drive out and extend the building out, we also have to shorten....what we're going to have to do is, in order for the traffic flow westward to wrap around the end of Building B, we're going to have to modify Building B at the same time.

Commissioner Balch: Can I follow up on your question. Maybe I could ask it another way. I think Commissioner Nagler's asking, and maybe to educate me—I don't know, you could enter one side of your lot and exit out the other side, no problem. So if you

just have a long, straight queue through the whole east/west you could do that, right? I mean, there's no restriction saying...you own that land on the west side, right?

Grant: Well, there is an access easement.

Commissioner Balch: So I'm going to ask another question or modification. Why isn't an L building not coming to fruition? Why is B not making an L with A and parking on both sides?

Grant: We didn't do an L building because we didn't want to add another entry onto Owens Drive because we wouldn't do a dead-end parking plan. We wouldn't do that.

Commissioner Brown: Why?

Grant: It's just terrible practice to bring retail cars into a dead end parking area. We just wouldn't do it.

Commissioner Balch: So the way you have this configured, as cars come out of the drive-thru they can make a right turn or a left continuing out.

Commissioner Nagler: ...As well as cars from the parking lot exiting out to Larkspur Drive that way.

Grant: Yes, there is two-way traffic through there and anyone exiting the queueing area is entering that road at a 90 degree angle so they could go right or they could go left. I mean I understand. When you look at the plan and you see the curvature of the road around the end of Starbucks it feels like its drawing the cars out of the queueing back through the site, but in reality, it's really entering that drive at the tangent point and that car can go right or left.

Commissioner Nagler: And just to be clear, my question specifically is an attempt to length the queue. That's what it was.

Grant: I understand.

Commissioner Nagler: And that you could potentially pick up additional parking spaces in the main parking lot if you didn't have that drive.

Grant: Well, no, actually you can't. I mean it sounds like you could if we didn't have Building B in there, but where are those additional cars?

Commissioner Nagler: I hear you want two exits too so I appreciate the answer.

Grant: Gerry, do you understand what I mean about the dead end parking?

Beaudin: I understand what you're talking about. I think you're dealing with a lot of development you're trying to put on the site so I think you may have to make compromises and I think if you're going to continue to try to put as much development

on this property you're going to have to consider some things that may not be a typical practice.

Grant: Well, that's true but dead end parking....we understand compromise, but dead end parking is not something that...you never want to bring retail cars into a lot, find that there's no parking and then have them somehow do a three-point turn to get back out.

Commissioner Balch: Good point.

Beaudin: I can share with you in a separate conversation a design that works in terms of keeping the space free at the end of parking lots where we don't have the ability to come straight through in a retail environment.

Grant: Well, I know that you can block out a parking space and stripe it but it's just not a good practice.

Commissioner O'Connor: So the problem started when you didn't have enough room for the queueing that City staff or the traffic study was looking for. So you said you lengthened Building A-1, A-2 and you lengthened that and had to cut back the depth of Building B in order to do that?

Grant: Right.

Commissioner O'Connor: Instead of that, why didn't you shave 10 or 12 feet off of A-2 and put a double lane queueing coming into the curve?

Grant: We did. We tried that and Starbucks would not allow that, but Adam did you ever see that option?

Weinstein: I don't think so.

Grant: Yes, we had a double throat and then it merged into a single, and we picked up about maybe four additional cars.

Commissioner O'Connor: Why did Starbucks care where their queue is?

Grant: Starbucks said they would not accept the hazard of that point of return.

Commissioner O'Connor: It happens everywhere. Where's one in Pleasanton? We have one at McDonalds at Bernal and....it does the same thing. They do it all over the place.

Commissioner Balch: Well, you can take it up with Starbucks.

Grant: We did try it and we thought that that would be a solution.

Commissioner Brown: So Herb, can I ask a question I asked Eric? What was the reason for the additional restricted uses above what C-C normally provides?

Grant: To be honest with you, we didn't intend to be that restrictive so I think we just made an error in what we're asking for, but we're not trying to be that restrictive.

Commissioner Nagler: So may I ask a question? Getting Starbucks to want to be a tenant was a big accomplishment, right? What is your suspicion about what the occupants will be in the other spaces? In other words, how has it been in your outreach to attempt to get other occupants in the other spaces?

Commissioner Balch: What other uses do you see?

Grant: Retail and restaurants, so still very generic.

Commissioner Nagler: Okay.

Chair Ritter: Okay thank you. We have one more speaker card. Do you want to say any comments? No?

Grant: I think we've covered everything. Thank you.

Chair Ritter: Thank you. We'll close the public comment. We're going to take a quick five minute break.

THE PUBLIC HEARING WAS CLOSED.

The Planning Commission took a break at 9:42 p.m. and thereafter reconvened the regular meeting at 9:49 p.m.

Chair Ritter: Okay, let's put up the questions on the screen and we'll be able to start. Granted this is a workshop. We're all just creating ideas and sharing ideas, so let's just kind of go through these and if you hear the answer already said, you can just say "good" and move to the next one.

DISCUSSION POINTS

- A. Does the Commission support the proposed site layout and building orientation including the proposed drive-through and associated queueing capacity?*

Commissioner Allen: I don't know enough to answer. I sure don't support the queueing capacity. I mean, as Galen said, it's not good practice to have dead end parking for his project from his perspective. Well, as a City representative it's not good practice for us to design a project that doesn't meet the queueing capacity. So I think it's a problem especially with this site because there's zero room for error unlike other sites like the Safeway center where the Starbucks is overflowing in the shopping center. Here the overflow is into the street and a street that's really busy and going to get busier.

Commissioner O'Connor: And my answer is also "no". When you speak about the Starbucks at Safeway I remember when we approved that project and we didn't think it was going to be as bad as they are today. But I do think we can get a lot better layout and a lot better look by not having the drive-thru and bringing those buildings forward up

to the front curb. I think it will add additional parking and alleviate a lot of the potential problems we see today.

Commissioner Balch: I don't support the current layout. I'm not familiar enough with the queueing so I will kind of more defer to staff on what the queueing should be. But, in general, I do not like this front parking lot in front of A. I would find this, call it the curb cut entry or whatever the entrance off of Johnson Court to be....I just see this as getting fraught with difficulty to get in and fraught with difficulty to get out and make the two rights right onto Johnson Court and right onto Owens Drive and frankly, I think Galen has done an excellent job advocating for his client and doing layouts and designs that are every bit as good as we'd like in the City and more, but I just have difficulty with this layout. This property is definitely a tough nut in my opinion and I hate to say it because I know his work, but I just can't get here on this one.

Commissioner Nagler: I know the second question is about the architecture, which is to say the presence of this, so I'll just say I think this is a very attractive project that would substantially increase the value and the use of this piece of property to people of Pleasanton. So I know that's what I wasn't asked to comment on, but what I'm about to say gives that context. As was pointed out, whether it's 10 cars, 12 cars, 13 cars in a queue, it's a very subjective thing and so it's impossible to say this project works with 12 and not with 11 I think. But, having said that I completely agree with the comments Commissioner Allen has made that because of the site location, because of the other buildings that are in the area and other uses including the Chick-Fil-A site we have to be extremely cautious about the traffic flow on this site and I agree with the other Commissioners that this layout for me doesn't mitigate that risk sufficiently and somehow getting the cars in a queue more to the rear of the building, so an entrance further up Johnson Court and extending the length of A or however the increase in the circulation in the parking lot, separating that circulation from the drive-thru if that were possible I think would be an important site improvement. And, also I have to say I don't have a problem with the parking being on the street the way it is. Not on the street, but you know what I mean—the parking being in front of A towards the street—in other words not having parking behind A and having A on Owens.

Commissioner Balch: Oh, so you'd be okay with no B?

Commissioner Nagler: Well, I'd be okay with no B. I just want to say as a principle because of the need to easily access the parking I don't actually have a problem with the B lot being in the front.

Commissioner Brown: Put simply it seems like the desire to have the drive-thru doesn't result in a design after 20 iterations that is perfect for the property. I don't know how else to put it, whether its 11 or 12 and I'm not even trying to design it because I'm sure after 20 iterations pretty much every combination has being considered. So, that's my overriding concern. I don't know how your proposed tenant would react, but you might want to consider not doing the drive-thru and having a better project as a result. I do agree with staff in that I do tend to prefer a building closer to the street, but like David, I'm not hard and fast on that if it's an appropriate use.

Commissioner Balch: I want to pick up on that because in terms of the site layout, you know, if I could comment, I would actually be supportive of that idea with the building, and I'm sure staff could advocate against me right now, but I'd be generally supportive of the idea of not having a building on the street at this location if it made the building and entire site layout work a little bit better. And, I don't know if an L where you can drive in front along the parallel to Owens is the answer. I'm not trying to design from the dais, but the concept of building on the street and how that would work, I'd be open to that idea.

Commissioner Brown: One comment is three drive-thru's in very popular businesses; In-N-Out, Chick-Fil-A and I don't want to presuppose what this one is although I can guess, in such close proximity competing with each other is fraught with problems, so given that the other two are approved and we can't change that, but approving a third in this small proximity is going to be pretty trafficked complex.

Chair Ritter: I concur with pretty much everybody here. I think taking, as Commissioner O'Connor said, a two-lane queue and making A-2 smaller—I still think that could be an option. I know Starbucks has done that. Also moving A-1 and A-2 and B all along the Owens Drive side and making the parking behind it so that the drive-thru could be going along Owens Drive may be an option but I'm not going to design from up here but I'd say you've got to at least have 12 or 13 spots in there just because all of the traffic from the current drive-thru's in that area.

B. Does the Planning Commission support the proposed building architecture, exterior finishes, and color palette including staff's recommendation on the north elevation on Building A?

Commissioner Brown: Yes.

Commissioner Balch: Yes, except for the name "Owens Court." And if it is that, it won't get my vote. I'll just say it straight—I don't want it called Owens Court. The court is misleading as to the location on the street.

Commissioner Nagler: Yes.

Commissioner Allen: Yes with two additional minor changes. One is on Building B. I don't know if there's a photo we can put up of Building B but there was a large, dark wall in the middle of Building B that looked a little bit wide in my opinion. Others can vet on that. Yes.

Commissioner O'Connor: Oh the west elevation.

Commissioner Allen: So that just felt pretty blocky and I would make the same request of softening that up. And the second is color of the parapet. I think we'll want to be very careful about the color. Some of the visuals mostly in the staff report show the lighter more yellow color. In contrast, this diagram showed more of a grey and darker color. I think the lighter yellow color makes me think of Jack in the Box and a service station so I mean, I think we need to be very thoughtful about a darker color and I maybe one that might complement the hotel behind it because they have a lot of nice earth tones and

you don't want it competing with that because this is lower and you're looking at the hotel often times. These diagrams show a darker color but it was more the staff report had more of a yellow so let's be careful of the tone.

Commissioner Nagler: There's definitely sophistication to this color palette that we like.

Commissioner Allen: Yes, I think this architecture is really, really nice and colorful.

Chair Ritter: And I concur with the comments regarding the color palette and exterior finishes.

C. Is the tree removal/replacement plan adequate and should the applicant contribute to the Urban Forestry Fund?

Commissioner Balch: There's a picture in the staff report of the site layout and plans. Where is this heritage tree? I'm looking at A-7 in the plans. It's this little script next to the...like the pole.

Weinstein: If you go to your tree report. I forget the number exhibit, but it's Tree No. 110 so I think it's Exhibit B. The very end of the exhibit is the tree assessment plan map and if you look at the very eastern side of the site, Tree 110 is the heritage tree. It's a pear tree and it's probably right in the middle of the drive aisle as currently proposed.

Commissioner Balch: I'm okay with its removal and I'm okay with no contributions to the tree fund or whatever. I'm okay with that out.

Commissioner Nagler: As long as the number of trees planted are at least the number that are currently in the plan, I'm fine with it and not needing a contribution.

Commissioner Brown: Yes, I mean given it's placement I'm okay with the removal. I'm willing to go with the majority on not enforcing.

Commissioner O'Connor: So I'll just step back and say I think if we move the buildings forward we can save the tree, but whether we save the tree or not, I don't have a problem with foregoing the fee. But since we're taking all of the trees out and starting over, I would like to see larger trees put in; a minimum 24-inch box so it doesn't just look like sticks when you start.

All Commissioners: That's a great comment.

Chair Ritter: I'll agree.

Commissioner Allen: I agree with removing the tree. I agree with the larger planting boxes and I would like to suggest, and I think staff had made this suggestion as well, that we increase the amount of landscaping we have and the trees in the front.

Commissioner Balch: And how are they going to redesign the lot?

Commissioner Allen: Well, when they look at re-designing. I realize we've got a tough lot, but the setback standard is 20 feet and we're allowing a setback to parking that looks like it's a matter of two or three feet. So I think we ought to expect decent landscaping especially if parking stays in front so there's a little bit of a buffer.

Commissioner Nagler: So just could I say, to be fair to the applicant, the small setback is a response to staff's desire that some of it be on Owens.

Commissioner O'Connor: When we've got a lot of trees in, I'm coming from personal experience, you've got to be careful with trees and where they go because you can get trees that are perfectly sized to block all of your tenants' signage and that's exactly what an owner of a retail establishment does not want.

Commissioner Allen: That's a good point. So we've got a balancing act here. Let me just ask—do you agree or do you not agree that it would be nice to have a little more landscaping, and I'm specifically talking about....assuming we have parking in front. That's the main area because right now if you look at the spot, there's actually bushes. There's grass and there's bushes so you actually don't see the front of the cars at the Denny's lot as much.

Commissioner Balch: My only comment to that is, I would want it so that someone walking on the sidewalk can get into there safely. From where those points are and how they denote them.....I don't....

Commissioner Allen: It's this here which is pretty sparse.

Commissioner O'Connor: As long as it's not so tall you can't see through.

Chair Ritter: It's got to be an inviting lot without blocking.

Commissioner Allen: Exactly.

Chair Ritter: I'm also in favor. I think if we can't move the buildings forward to get the drive-thru up to 12 or 13 spaces for the queueing line, I'm okay with removing the tree and not charging. I think the queueing line is the key.

D. Does the Planning Commission support the proposed uses?

Commissioner Balch: I do not. Here's why and Galen mentioned that they hadn't necessarily examined it so I'll give them the benefit of the doubt on that. But given the proposed current zoning that's C-F and you look at the C-C circled, and again, I understand that they're restricted so they may add some additional as they kind of flow through the process. There's barely a throw of C-F uses on the C-C's they circled. In fact, it's a little hard because the C-F zoning is for like a boat lot and you know, a large retail camping store and all the things that draw people off of the freeway and into their lot which this particular lot will not have an auto dealership type of thing that will draw people off of the freeway. But, when I looked at the permitted uses circled and the uses not circled, I think they have some work to do to determine exactly what they're going to allow on the lot. You know, it is a lot of restaurant and retail. The retail is like nails, hair,

things like that circled, and you kind of get the idea that bars are out and things like that. But, generally my comment is that you're a C-F straight up zoning, you're circled or permitted items requested on your PUD there's not one from the C-F that comes over. So it's truly a new zoning with a PUD element and I question that and question how far that is, but I'd give you the benefit that they're working through kind of what it is. That being said, the C-F district straight up doesn't apply either as I said with the boat zoning or boat lot type of thing. That's the only one I can remember as I'm on the spot.

Commissioner Nagler: I don't have any further comments.

Commissioner Balch: I'm going to add which is my other, which is, they designed for a drive-thru so at least that one cannot be conditional, right? If you have a drive-thru you've got to figure out if it's conditional or permitted at the start right? So my one comment is the one mentioned earlier but you clarified it.

Commissioner Allen: So I'm okay with the uses. I think it makes sense to look to see if there's some additional ones that are C-F and I think if there is a drive-thru it needs to be conditional, and I say that because Gerry and Julie you mentioned that the Starbucks...that something else could go into Starbucks that may have a different demand and we need to also have conditions that protect us against that.

Commissioner Nagler: I agree with that.

Commissioner O'Connor: So initially before it was circled they didn't have a drive-thru so I was okay. I thought that they restricted themselves somewhat with the big circle, but I did hear them say earlier that they didn't mean to be as restrictive so we'd have to see what the new list is proposed. At this point, I'm not supportive of the drive-thru.

Commissioner Balch: The difficulty is that we just had an informational staff presentation about redoing the zoning or the readability of the zoning code so when I read this again I thought, oh, now I remember why exactly we went back to doing that plan.

Chair Ritter: So my thinking is the types of businesses that we want to get in there demand parking for customers that will be within an hour or an hour and one-half, so as long as the zoning is appropriate to those needs I think that would keep the turning of the business working for that location. So C-F, C-S, whatever one of those keeps that kind of business should go in.

E. What other information would assist the Planning Commission in its decision on the proposal (e.g., additional photo simulations). Do you have any other comments on the project?

Commissioner Brown: I'm just going to reiterate my earlier comment. The Johnson Drive spillback worries me as it relates to the other two drive-thru's and going back to the prior point, I think Greg described it well in terms of expressing the additional concerns on the uses because they said they didn't need to be that restrictive and they'll revisit that.

Commissioner Nagler: I don't really have any additional comments other than to say this project obviously requires more conversation. The general use of the site I think is a good concept towards a higher purpose, but that we obviously need to see a lot more. As far as the Commission, it might be helpful if we saw more computer renderings.

Commissioner Allen: So I think we're all concerned with the queueing and we've had a discussion about whether 12 or 13 might work. I guess where I come out is, let's pretend they're able to come up with a design that meets 12 or 13. I'm still not sure that's adequate. So therefore the additional information if we went down that route that I would request is what we discussed earlier—getting some better benchmark data about comparable...fast-food, Starbucks...I mean, we could have something beyond Starbucks because we've got a risk there that somebody else could take us over so I think we need to look at freeway kind of projects that are Starbucks and others and understand what the queue is. Plus, understand what the queue is of In-N-Out Burger, just the nearby ones; In-N-Out Burger plus the Starbucks at Raley's Pavilion. But anyway, understand all of those because it could be that 12 to 13 is still a risk because again we have no backup if there's any kind of spillover.

Commissioner O'Connor: Well, I would like to see additional photo simulations. Like Justin, my concern is still that I'm not supporting the drive-thru because I think we have too many in the area. Even if we can queue it, I think we're going to create a nightmare in this little corner. It's already been added there and Denny's isn't even open right now. So, that's my concern is having three drive-thru operations in such a small area.

Commissioner Balch: So as I mentioned, I've seen Galen's work in the past. I think this is top notch on the architectural but I do have major concerns about the lot, the design and the circulation. What I want to point out to staff and everyone is that these are 9-foot by 19-foot parking spots. They are called universal in my world. I don't know if that's what they call them in retail. Universal spot means you are very compacted on your neighboring car because it's not a 10-foot wide, it's a 9-foot wide and it's what people do to get the parking coverage. It's just very popular. But, if you're trying to park in front of Building B in those five compact spots, just getting through the lot and circulation just to get into that spot is difficult with this site layout. You're going to have to get through, people trying to turn into the queue, you've got to get past the entire linear length of A just to make it down to B. So that's one illustration of the difficulty that this layout presents.

I'm really worried about the blocking or the queueing on Johnson Court and basically blocking any thru traffic up further because there's two driveways in the current Denny's configuration as I recall. There's one kind of approximately where this one's at but there's also one more northerly that is being filled in so that people can't go to the northern one to get into the lot. The uses of the C-F like I mentioned a little bit; the north side of A is a little more architectural as the applicant said they would do. The queueing which has been talked about—I'll just say I'm not stuck on the queueing because as Commissioner Nagler said it could be 10. It could be 13, but the concept of backing up on Johnson Court is one issue. We talked about any cars backing up on Owens Drive, I would be shocked if any one of us didn't get nasty grams from then on and I agree with Commissioner O'Connor that that intersection is already horrible. So you may be talking two more cars to 13 and you're on Owens, and if you block Hopyard

we're going to be hearing it forever and I would hate to vote in favor of a project that would do that.

Again, my comment about the plans labeled "Owens Court." Starbucks has a base for your evaluation as Bernal. I do worry that that is not comparable for the traffic and my only comment to that is I avoid that Starbucks because of its location and its circulation pattern. So I'm not being counted in there because it's so deep and so tricky to get through that parking lot to get to that Starbucks buried in there that I think we're misrepresenting what we might see here with the prominent freeway access and the volume of traffic going down Hopyard.

Chair Ritter: I agree with the queueing. That's the big thing I notice. Drive-thru's are the biggest thing for fast food/fast drinks so I think that's the primary goal, is to get the queueing set up so it holds 12 to 14 plus cars going out onto Owens Drive in that location because it's right on and off the freeway. Like we said earlier, the Peet's across the street isn't a drive-thru so this will be the only drive-thru on this corner which is a huge opportunity for a service.

I think designing the layout, like Commissioner O'Connor said, if it has to all be along the Owens Drive and have the queueing come all on the lot and maybe make it be one building or an L-shape, I think we might have to do that if that's the priority. If not, maybe we don't have drive-thru and it's a whole different design so those are my thoughts. Do you have enough to go back and get some ideas?

Commissioner Balch: Any other questions you have of us?

Chair Ritter: No? Okay, thank you.

7. MATTERS INITIATED BY COMMISSION MEMBERS

No discussion was held or action taken.

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

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

Commissioner Balch: Bike/Ped had a meeting but I apologize, I was the alternate, intended to go, but could not make it.

Beaudin: October 4th, we're going to be with the City Council recommending that they ratify approval of the finalized task force; the 10 member task force, and then the November 15th meeting we anticipate being with the City Council recommending a consultant for the DSP update.

Chair Ritter: So there will be no meetings until January?

Beaudin: No.

b. Future Planning Calendar

No discussion was held or action taken.

c. Actions of the City Council

Commissioner Balch: I'd like to point out their vote on the Masons and the Johnson Drive.

d. Actions of the Zoning Administrator

No discussion was held or action taken.

e. Matters for Commission's Information

- (1) Review of Draft Civic Center/Library Master Plan
(Moved on Agenda)

f. Matters for Commission's Action

- (1) Selection of one Commissioner to replace Commissioner Nagler on the Heritage Tree Board of Appeals

No action was taken.

9. ADJOURNMENT

Chair Ritter adjourned the meeting at 10:24 p.m.

Respectfully submitted,

Adam Weinstein
Secretary