

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

DRAFT

Wednesday, July 13, 2016

CALL TO ORDER

The Planning Commission Meeting of July 13, 2016, was called to order at 7:00 p.m. by Chair Ritter.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Balch.

1. ROLL CALL

Staff Members Present: Gerry Beaudin, Director of Community Development; Adam Weinstein, Planning Manager; Julie Harryman, Assistant City Attorney; Steve Otto, Senior Planner; Eric Luchini, Associate Planner; Jay Lee, Associate Planner; Jennifer Hagen, Associate Planner; Natalie Amos, Associate Planner; and Kendall Rose, Recording Secretary

Commissioners Present: Commissioners Nancy Allen, Jack Balch, David Nagler (arrived at 7:09 p.m.), and Chair Ritter

Commissioners Absent: Commissioners Justin Brown and Greg O'Connor

2. APPROVAL OF MINUTES

a. June 22, 2016

Commissioner Allen moved to approve the Minutes of the June 22, 2016 Meeting as submitted.

Commissioner Balch seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Allen, Balch, and Ritter
NOES: None
ABSTAIN: None
RECUSED: None
ABSENT: Commissioners Brown, Nagler, and O'Connor

The Minutes of the June 22, 2016 Meeting were approved as submitted.

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

Carrie Cox: I speak to you tonight with great optimism, pride and gratitude. The Citizens for Planned Growth have achieved what seemed impossible—collecting over 7,000 signatures without using a collecting firm and without the benefit of two major collection spots; the Safeway at Bernal and the Safeway at Santa Rita. Neither allowed collection after Measure K. Over 2,000 signatures were collected in the final week. This normally would be the most difficult period but people wanted to sign. This tells you of the momentum that was building. The signatures were collected by the Citizens for Planned Growth with courtesy and dignity. I collected many signatures myself. People thanked us. I doubt that in the City of Pleasanton there will ever be an initiative or referendum go this smoothly with collection. The police were never called. Never were we asked to leave a location because of a complaint. The Citizens for Planned Growth will run their campaign the same way—with honor and dignity.

It is now up to you and the City Council to allow the people's desire for a vote in December. The Registrar of Voters has certified our sufficiency for signatures. I ask that you approve the initiative without any further delay. The cost to the citizens will never be this small again. Delaying past November could cost the City as much as \$300,000, and anger thousands of citizens who expect to vote in November. It is really simple and should not require any further study or delay, big box or no big box on Johnson Drive. Thank you for allowing me to speak.

Bill Wheeler: I'm the owner of Black Tie Transportation still at the corner of Johnson Drive and Commerce here in the lovely town of Pleasanton. I'm also head of Citizens for Planned Growth which collected 7,000 signatures on a petition to get the Johnson Drive big box initiative on the November 8th ballot. The petition signatures were certified by the Registrar of Voters this week and the City Clerk put them on the City Council agenda's consideration for July 19th.

We hope that the City Councilmembers will see that this will allow the citizens of Pleasanton to vote on whether they want a big box store in the JDEDZ and will place the initiative on the November 8th General Election ballot. Including the big box store in the JDEDZ is a major decision that will affect the majority of citizens of Pleasanton, so they should have a vote, and clearly 7,000 citizens expressed their desire to participate in this way. Any further delay in putting it on the ballot by asking yet for another study or creating a special election would only mean increased costs to the City. The one thing

we have learned through our process of gathering signatures is that Pleasanton residents have a polarizing position and opinions about adding a Costco on Johnson Drive. Many worry about the traffic and congestion a big box store has on a gas station and a gas station will bring to the area, especially when there are two other stores in an eight mile radius.

On the other side, some residents want the Costco for the convenience and shopping close to home. Either way, they are looking forward to expressing their opinions through their vote in November much like they will when they vote for the City Council and hopefully for more than one candidate for Mayor. This ballot Initiative presents this Commission with a golden opportunity to re-think the plan for the JDEDZ. We need a positive gateway that reflects the true character of Pleasanton. It will provide you with a clear mandate to build or not build a Costco and this is when you can make some further plans about this area. Thank you for allowing me this platform for the last few months. I look forward to working with you on getting the very best solution for the JDEDZ and for the residents of Pleasanton. Thank you.

Chair Ritter: Is the meeting for the Costco discussion on the City Council agenda? What's the update?

Beaudin: The City Council will discuss that item on July 19th, Tuesday night.

Noted Present:

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

4. REVISIONS TO THE AGENDA

There were no revisions to the agenda.

5. CONSENT CALENDAR

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

a. P16-0949, William Tungpagasit

Application for Conditional Use Permit approval to operate a tutoring facility located at 6754 Bernal Avenue, Suite 750. Zoning for the property is PUD-C (Planned Unit Development – Commercial) District.

b. P16-0975, Dr. James Delano

Application for Conditional Use Permit approval to operate a veterinary clinic within the existing building located at 4487 Stoneridge Drive. Zoning for the property is PUD-I (Planned Unit Development - Industrial) District.

Commissioner Allen moved to make the required Conditional Use Permit findings and approve Cases P16-0949 and P16-0975, subject to the Conditions of Approval as listed in Exhibit A of the respective staff report.

Commissioner Nagler seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Allen, Balch, Nagler, and Chair Ritter

NOES: None

ABSTAIN: None

RECUSED: None

ABSENT: Commissioners Brown and O'Connor

Resolution No. PC-2016-19 approving Case P16-0949 and Resolution No. PC-2016-20 approving case P16-0975 were entered and adopted as motioned.

6. PUBLIC HEARING AND OTHER MATTERS

a. PUD-114, Guy Houston

Application for Planned Unit Development (PUD) Development Plan to allow for the construction of three new single-family residences and three second units and rezoning from the A (Agriculture) District to the PUD-RDR/A-OS (Planned Unit Development – Rural Density Residential/Agriculture and Open Space) District for the property located at 11300 Dublin Canyon Road.

Jennifer Hagen presented the staff report and described the scope, layout, and key elements of the proposal.

Commissioner Balch: Just a quick clarification if I may, the FAR on the bottom of page 9, its 7,000 feet of developable area. Can you elaborate on the process to come up with that number? I typically see more of just an FAR percentage, right? 25% is what you discussed here?

Hagen: Typically, in most areas of the City they are 25%, 30%, 40%, but due to the large size of the lots, all of these lots were minimum one acre. Even at 20% that would be a 10,000-square-foot home which we thought for this area of the City and in the rural character of the neighborhood still was probably a little bit overbuilt. Therefore, we decided to go with a flat square footage instead of a percentage in this case.

Commissioner Balch: And do we have precedent for that in other PUD processes we've gone through?

Hagen: Directly across the street, one of the parcels; Mrs. Young's property. They had three parcels. Two of them they went with the square footage. There were two smaller parcels but one of those was a larger parcel. In that case they did go with the flat square footage because it was larger and they felt it would be consistent with the other square footages to just have a flat square footage. So there is a precedent directly across the street and elsewhere in the City.

THE PUBLIC HEARING WAS OPENED.

Guy Houston, Applicant described the scope, layout, and key elements of the application.

Commissioner Balch: Are you comfortable with the well being abandoned as presented in the modified conditions?

Houston: No, this is a surprise. These lawns are so big—in particular, Lot 3 where that well would be housed, it's about 1.5 acres. The vision for this is planting a lot of fruit trees so having that well makes all the sense in the world. We don't see the reason of why it should go away and it would certainly be a benefit to the property. I've checked with Zone 7, it could only be used for that site, for that property and it can't be exported anywhere else. They don't want you to get into the water business which makes sense. We would like to keep that well. The only other question I had was on the limitation with the FAR. The FAR is so low but are you talking about additions on to the house? Not if somebody wants to build a garage or an ancillary structure separate?

Hagen: In this case, any garages over 600 square feet do count and you're already at your 600 square feet. Yes, in this case, anything above what you have does count.

Houston: Okay, so you have about 700 feet left.

Hagen: There was a table that was included in the staff report on Page 10 that shows for Lots 1 and 2 it's between 600 and 700 square feet that they could add on for Lots 1 and 2. And, Lot 3 is maxed out for the most part. It would only be permitted 80 square feet. The difference in the three lots is that Lot 3 does have an additional garage/workshop which is already included so that's where the square footage difference comes from.

Houston: So I think we agree with the proposed conditions, but the well is something that we think....I don't understand the reason for it and we'd like to keep the well.

Commissioner Nagler: Would you mind discussing the well for a moment and why the recommendation to cause the well to be abandoned?

Hagen: It was a concern that we received from one of the Commissioners as well as from neighbor concern just due to ground water and the drought and the like; just wanted to reduce the taking from the City's aquifer which has already been depleted. It was just a concern that was heard in other projects and it was something we decided to include as a condition for you to consider.

Commissioner Allen: Is the purpose of the well is for the landscaping primarily?

Houston: Yes, landscaping. I know everybody loves Crepe Myrtles but we also like fruit trees as well so this area in here, these are planned to be various fruit trees. There may be more in some other areas. Since it is such a large parcel and we're going from five to three, it's 1.5 acres, so having that well, it's off-line from the City's system formally and it'd be much easier to keep up that property with a well versus going in and getting a permit and drilling one anyway. It's there, it's existing, and the church used it for some years. It's still operating; we'd like to keep it.

Commissioner Allen: Jennifer, what do other properties like this do? Do they get recyclable water or what would be the alternative?

Hagen: Typically, they are hooked up to the City's water system with the water meters. Depending on the drought, there are restrictions to the City's guidelines so you have to follow with that. One of the options is to go to the wastewater treatment center and haul that in themselves. That is one option. Otherwise, they just would be required to hook up to the City's water meter and follow the City's water regulations. With lots like this all of the landscaping that's installed is required to meet the drought tolerant landscape requirements so they already have a step up on a lot of these existing single family homes in the City because there is no lawn.

Commissioner Allen: Thank you. One more question—so if they went out to get a permit to drill their own well, would that well likely have the same impact the existing one would in terms of impacting neighbors potentially?

Hagen: It would. I'm not aware of any new well permits that are being issued at this time and the cost of a new well from my understanding is extremely high so it's not something that's commonly done and I'm not aware of it actually happening anywhere else in the City at this time except for existing wells.

Commissioner Allen: Thank you.

Houston: From what little I know about it, there's no prohibition against drilling a well and getting a permit to do that. Depending upon your depth, it may be anywhere from \$25,000 to \$30,000 to drill a well. Those numbers I've heard, so we'd like to keep it.

Chair Ritter: There's an easement to get to the creek from Street A that's in there. I just wanted to clarify, that's on Lot 1?

Hagen: Yes, they've also included a second easement. They have one access easement that's going to be here from the driveway that they can get all the way through, but if they need be as part of the agreements that they have between all of the parcels, they're going to have a secondary access easement in here.

Commissioner Balch: ...and one from the other side.

Hagen: Yes, on the other side of the creek, the church will be able to maintain it from the north side as well.

Houston: The easement purpose is of mutual benefit so if there were any real problems the property owners are probably much more affected by this than the church who's way up high and wouldn't be affected by a flood or anything that happened to the creek, so to get into their creek you have the church kind of go through our property to get to the creek on that side and then vice versa. We can get into their creek for any emergencies we have, so it's a mutual easement that's beneficial to all.

Chair Ritter: Okay, no further questions. Thank you.

Houston: Thank you very much.

Chair Ritter: Okay, anybody else who would like to speak, please bring your yellow card up. I have one speaker card for this Diane Kolb?

Diane Kolb: I live on Dublin Canyon Road; the Lester property. I have a question. When we got City water, Pleasanton said we had to cap our wells. If we got the City water, the wells had to be capped. We had livestock and we capped our wells. This project, why is there a project of them keeping their well if they're going to have City water? What happens? Why were we mandatorily required to get rid of our wells, yet there's a well. That was my main concern because you made us cap ours. When we used City water and when the creek goes dry, it's our water that feeds the livestock and I don't understand why we had to close ours. It was 2 wells. Thank you. I just wanted to bring that up.

John Wiegand: Good evening. I'm glad to be back here tonight. I am the corporation president for the Pleasant View Church of Christ and we have some of our members here tonight in support of our proposal. We emphasized when we were here in January this sale is going to be an incredible benefit to the church. We've always been able to maintain our operating budget in balance but we've never really had the ability to bring some capital improvements to the property that are necessary to our situation. For example, we've been using septic tanks. We really need to hook up to the City of Pleasanton's sewer system. The cost of that is at least \$95,000. We need to repave the driveway, repave the paved part of the parking lot and pave the gravel pit. That's going to cost about \$75,000 and there's a number of infrastructure issues in our building; matters that were compliant with the code that was in place at the time the building was constructed but we really want to bring the building up to code now and that's going to cost \$300,000 to \$350,000. So there has been a lot of controversy in Pleasanton about churches wanting to sell their property and leaving the community. We want to sell this unused part of our property because we are committed to staying in this community and the funds from selling this unused part of the property is what's going to allow us to be able to do this.

We heard the comments in January about wanting to make this project consistent with the General Plan so we worked with our developer and I think we now have, to my understanding, without having any expertise in this area, we're now compliant with the General Plan so we're asking for your approval of the project. Thank you.

Chair Ritter: All right, that's the last speaker card so we'll pull it back to the Commission and decide what we want to do.

THE PUBLIC HEARING WAS CLOSED.

Commissioner Balch: I'll come forth and say I was the one that asked about the well question. I asked about it mostly because the condition was initially drafted to say the well could potentially be used for construction as well as irrigation after the fact and given that I know construction water for dust mitigation and what not can be significant, I didn't personally want the well or potable water being used for that. I wanted recycled water to be used.

That being said, I didn't go as far as staff's revised recommendation to cap the well. I thought about it significantly and I will say I'm still there thinking about it because having been raised on a property that had a well and knowing a little about them, it's a great benefit if this property is allowed to retain the well. I didn't know it had a well in the initial workshop. I bring it up now as something to consider. In terms of the overall project, I was on the minority side at the time because I was okay with the five, but I kind of think this is everything we mutually said. I personally think this is everything in line with what we asked if not, in my opinion, a little bit more. So I'm extremely pleased that staff and the applicant worked together to get to this point.

Chair Ritter: Staff, Diane brought up a good question on the well. Could you help us answer that one?

Hagen: I don't have any specific background. There are a few differences. One, the Lester property is not in the city, it's in the county. So it was a county property that was hooking up to City water services. Without knowing specifics I don't know if the capping of the well was a county requirement or a city requirement, but there may have been some special circumstances involved in that.

Commissioner Balch: The other thing with wells though is that generally if you have a well, it's not a metered thing. You don't pay for the water you pump underground which is why the state is very interested in it. Capping them or frankly, the state might want to put a water meter on them. I don't know, but not necessarily from this body. But that's why it's such a benefit because its water from the aquifer for the property.

Chair Ritter: So are these Pleasanton water or all through the well?

Weinstein: Yeah, so I think the issue for staff and I'll echo what Commissioner Balch said, we're not going to be vociferous advocates for getting rid of the well. That said, we added this condition in response to comments we've received because this is an aquifer that we all rely on. When they get water from the well that won't be City of Pleasanton water but we get a lot of water from the aquifer especially during years of drought. We all depend on this aquifer, and the aquifer is really complex and it's unclear, it's hard to ascertain how the water flows through it, but this is the aquifer that we get our water from during drought years and its fossil water. It's water that's been built up over tens of thousands of years and it's not being replenished probably at a sustainable rate so it behooves us to conserve the water as best we can and to the extent we can limit the amount of wells that are out there, that's something that benefits the City's overall water supply because again, it's something we depend on during drought years. That said, this one well is not going to make a huge impact on our overall water supply but it is in the City's interest to limit wells in and around the city.

Chair Ritter: Does the church use its own well or City water?

Hagen: City water.

Chair Ritter: The new development will use City water or well water?

Hagen: City water.

Chair Ritter: And well water for only the landscaping?

Hagen: Only for Lot 3.

Houston: When I checked with Zone 7 their big emphasis was, we don't want you in the water business so you can't be exporting this property. In the big picture, it's a big piece of property at 1.5 acres and taking care of fruit trees and any other agriculture that might be on the property might make it more pleasant. It's not going to have a tremendous impact on the aquifer, but you can imagine like at the recycling center, people could drive up and take out 250 gallons per and go to their homes off of that well, yeah, that would be a problem. So Zone 7's feeling was as long as you don't export it off of the property, then we're good.

While I got your attention, one thing—Condition 45—it has to do with retaining trees and we want to keep every tree we can. The only thing we'd like to add is, where feasible, we'll make every effort. If you have a curb that's in a tree, we can't save that one, but we want to make every effort to save every tree but we want to put where feasible or make best effort. Thank you.

Chair Ritter: Okay, thank you.

Commissioner Nagler: On Guy's comment. I'm fine with qualifying the language just because it's probably going to happen and obviously there's an interest in maintaining as many trees as possible. First let me start by saying, I think you guys have done a great job responding from the workshop. I think this is an example of how workshops are a valuable part of the Commission's work and that we could actually end up with a better project if the applicant is responsive to what the Commission is saying and I think you've done that in this instance and I think that's a great compliment to you and it makes for a better project. And it seems like the outstanding issue is this well which is kind of interesting that it comes up again, but it does seem to be the outstanding issue.

And to echo Commissioner Balch's comments, honestly I'm of a mixed mind because of fairness, the well ought to be capped; that just by happenstance this piece of property historically had a well on it and therefore there is access to water which is a rare commodity these days and probably will be for quite some time and I'm not sure just out of fairness whether this well ought to be maintainable. On the other hand, it's going to have almost no impact on the rest of the community in fact, and if out of it the property is better maintained, then it is a benefit and the flipside is true; you're lucky to have it. So I'm of a mixed mind honestly that you could leave it.

Commissioner Allen: So I want to ditto my Commissioners all the way and really to commend Mr. Houston and his team. This is a great example as you all said of listening to our feedback and coming back with a project that addressed every single issue and more. Thank you. It makes our job really easy. It's a great job and a role model.

In terms of the well, I'm also divided a little bit. I guess I think more of capping it because I place a slightly higher value on equity, and if we're not issuing new well permits these days and we're telling other people to eventually cap wells then I think we need to be fair and consistent and we may be having more projects like this in the

future. Secondly, we are in drought and even though I may not notice or none of us may notice individually what is happening, it does drain this limited resource that we're all using in Pleasanton and water is a top concern, so I don't feel its right to knowingly now allow the well.

Then my third point is that I happened to be riding my bike on the Marilyn Kane Trail in Bernal Park the other day and noticed one of our City employees in a truck that was going and getting recyclable water to water all of the trees we just planted in Bernal Park and I was shocked. I said to myself, wow, the City is really being diligent about using recyclable water to maintain the trees we have so let's expect that of some of these new properties like this too.

Beaudin: Can I just interject? I really want to make sure you all are making a decision with all of the information that you need. So Zone 7 issues well permits when well permits are requested. To my knowledge, I did have a request from a resident not associated with this application but in recent months, and I did learn a little bit about the well process. They will accept an application and they have their own criteria that they go through. There's no moratorium even during the drought interestingly enough. Someone could go to Zone 7 and apply for a well permit and go through their process which is completely separate from the City process, so I just want to make sure you all know that. I have a personal perspective on this, but from an information and decision-making perspective, I want you to know that these folks could leave here tonight, say we want a well permit for all three of these and if they were willing to pay for it, I know Zone 7 would at least consider it. So I want you to have that.

Commissioner Balch: Unless we condition it in the PUD.

Beaudin: That's correct.

Chair Ritter: My thinking on the well is, you know, they've obviously paid money and installed it and I'm wondering why we're telling residents to cap their well if they get connected over to City water. I didn't know that. Do we do that?

Beaudin: When we annex we try and convert things to our services. So we make an agreement with the county and we do a local service agreement and so the expectation would be that we're managing the resource in a different way and people don't need to have a septic system or be on a well. There are public health issues that go with both of those kinds of infrastructure and there's a lot more maintenance that goes into it and potable water versus non-potable water on a site comes with its own maintenance and obligations and risks. So, that's the reason. We want to make sure when we do that service agreement, those are the services people are getting and using.

Chair Ritter: Okay, well my thinking on the well is their landscaping is well below what some of our current homes have and they've already got the well there and it's just been not used and I'm not really in favor of telling them to just cap it because they're using it just for landscaping and they're already going to be on City water for the rest of the development so I don't mind Condition 18 as written.

Commissioner Balch: Maybe I've walked into a hornet's nest with the well and I didn't intend to, but again my initial position on the well was just that it wouldn't be used or tapped or drawn for the construction phase primarily because that was initially what I thought would be the biggest use or draw on it. I probably am actually closer to you Commissioner Ritter on the position of the well and leaving it in place only because my revised take is that it's been in place, the church has been using it, and the draw would probably be minimal in light of the WELO compliant landscaping.

Commissioner Balch moved to forward Case PUD-114 to the City Council with a recommendation for approval by making the findings in the staff report and with the modifications to the Conditions of Approval as described in the memorandum submitted July 13, 2016 to the Planning Commission from staff, with the following modifications: (1) do not revise Condition No. 55 to prohibit the use of well water for outdoor landscaping; (2) request the trees listed in Condition No. 45 to be retained where feasible as approved by the Director of Community Development; and (3) add a new condition that no additional wells shall be constructed on Lots 1 and 2.

Commissioner Nagler seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Allen, Balch, Nagler, Ritter

NOES: None

ABSTAIN: None

RECUSED: None

ABSENT: Commissioners Brown and O'Connor

Resolution No. PC-2016-21 approving Case PUD-114, was entered and adopted as motioned.

b. PUD-118, Mike Carey

Applications for: (1) certificate of appropriateness to demolish all existing structures; (2) rezoning of an approximately 13,040-square-foot site from O (Office) to PUD-MU (Planned Unit Development – Mixed Use); and (3) PUD Development Plan approval to construct: (a) an approximately 2,229-square-foot three-story mixed-use building with office/retail space on the first-floor and three apartments on the second- and third-floors; and (b) three, three-story detached single-family homes with potential office space on the first-floors and related site improvements at the property located at 4791 Augustine Street.

Natalie Amos presented the staff report and described the scope, layout, and key elements of the proposal.

Commissioner Allen: Natalie you said that the guidelines don't specify metal, but I want to be really true to the guidelines and I'm looking at page 36 of the Downtown Design Guidelines that were updated right after the historic guidelines were done two years ago and it actually precludes metal specifically. It says, "Use natural exterior materials. Fake stone, rough-hewn wood or plywood, metal, or plastic should not be used as exterior

siding.” Then further on another point it says, and I realize this second point is a little grey, but the first one on siding to me is black and white. The next one says, “Metal roofs are discouraged; however, metal shingles that resemble shake or tile with a dull finish and muted color may be approved.”

Furthermore what I did is look at the Council meeting that was used to approve this and I found that metal was brought up to the Council and the 4-1 vote was we do not want it and there were a set of decisions and then that drove these guidelines. Relative to historic standards and I didn’t know this at the workshop; this level of discussion because all we discussed was those two little houses and whether they were historic, but I had no idea that this was a potential issue. So, you know, I’m a little concerned about the use of metal because I think if you start using it and it sounds like it wasn’t intended to be used, as we know, it’s a precedent for other homes and we could end up with a lot of homes that have this. So I wanted to just ask you, when you said it wasn’t mentioned, on the siding it was specifically excluded.

Amos: Yes, for siding it is listed, but the applicant is using it in small portions of the architecture for that part of it. They do have it in some elements. It could be open and the Planning Commission could decide that we could remove the metal if that is part of the conversation the Planning Commission wants to have.

Commissioner Allen: And on the roofing are we using as they say these small metal shingles that resemble shakes or tiles, or it looked like we were using more of the long sheets.

Amos: Correct; it’s shown in the color material plan sheet but it is a longer version of it.

Commissioner Allen: So it appears we’re not being consistent with this.

Chair Ritter: You said other residents downtown use the same type of roofing? Or sheet metal?

Amos: So for example there is a house on Neal Street that does have a metal roof that has the longer part of it that went through design review a few years ago before the standard was established, yes.

Weinstein: If I could just add too, I think staff in general feels a little more strongly about the metal roof and the appropriateness of the metal roof than the metal siding. I think we’re comfortable with both. I think there’s lots of different metal. We’re using these guidelines and Commissioner Allen is right, metal is not listed as one of the appropriate building materials. But there’s a long history of bad metal being applied to buildings and there’s just different levels of quality and standing seam roofs for instance have been used throughout California and throughout the U.S. in a way that is supportive of historic architecture and I think in staff’s mind, a standing seam roof with its crisp look and sustainable feel—they’ll outlast regular roofs sometimes by a couple of decades—is appropriate and maybe preferable to something like a comp roof which is not prohibited in the guidelines. Again, you’re welcome to disagree with us, but the metal, I think Natalie stated it well, is being used on very limited portions of the architecture. We look at the architecture as a whole and there are lots of traditional elements that are being

applied here and there are lots of guidelines that need to be reconciled for a project like this so we look at them altogether. I don't want to disagree with Commissioner Allen's assessment of the guideline regarding metal, but I just want to make the point that we're looking at all of the architectural components of the project together and we felt like due to the limited amount of metal being applied to the siding and the other traditional elements in the overall well designed nature of the project, that the metal was okay.

Chair Ritter: The intent of it was we don't want a bunch of stainless steel metal siding and sheet roofs, but you could buy wood floors made out of porcelain now so it's kind of the concept. You don't want them to look like metal, as you said.

Commissioner Allen: I didn't want us to get into a discussion because each of us could vet this different and I could see where staff came from. I just wanted to say with regard to these guidelines, there was a discussion at Council, the Council is smart, and the Council has seen high quality metal. There are great examples in Napa. I actually like the design, but is it consistent with these new guidelines that were just developed? And I worry that we could be getting ourselves in trouble if we start opening this door when the door was just specified two years ago.

My second area of questioning which I'm realizing was something I wish I had brought up in the workshop, but for some reason we really didn't discuss it too much or I just passed it by, was the setbacks on this property. It just struck me we have a 30-foot building and the setback at least on the front of Bernal is one-foot. What is the standard zoning setback for office? And what is the standard zoning setback for the homes on Augustine that we just recently approved that are under construction?

Amos: The front yard setback in an Office zoning designation is 20 feet. For those houses that are north of the subject site on Augustine for the RM zoning designation, they are allowed to be reduced to 15 feet because they are in the Core Area Overlay District and are zoned RM which allows for those modified development standards. For this particular property, because it's zoned Office, it does not get to take advantage of that modified development standard; however, the PUD offers flexibility in terms of those development standards. But, to answer your question it would be 20 feet for a front yard setback.

Commissioner Allen: For a PUD, you could do anything you want, but that's the standard. It ranges between 15 and 20.

Amos: Yes.

Commissioner Allen: Thank you, and how about side setbacks?

Amos: For the Office zoning district, it's a minimum of 10 feet on one side but combined to be 20 between the two so 10 feet on each side. For the rear yard setback I believe it's 10 feet.

Commissioner Allen: Do we have 10 feet between the buildings?

Amos: From building wall to building wall, if I recall correctly, might be around 8 feet but the architect might be able to speak to that.

Commissioner Allen: The last project we had from Mike Carey was the townhouses on Peters and St. Mary's and the wonderful little plaza we'll have. What was the setback on that project? Something made me think it was around 15 feet.

Amos: The front yard setback from Peters is 20 feet measured from the property line to the garage, and then the second story is cantilevered so it's slightly closer. But, from the ground level its 20 feet.

Commissioner Allen: Okay, thank you. I just remember we had a discussion about needing to make sure it was way back because otherwise it would start to look overwhelming. And my last question is on parking. So at our last workshop we said zoning would have us at nine and you might be willing to go to six and since the workshop we now have changed the use for Residence 1 as I understand it. We've added a multi-use dimension which is going to be not residence, right?

Amos: Correct.

Commissioner Allen: And it's about 300 square feet?

Amos: Yes.

Commissioner Allen: So therefore, would the actual zoning requirement be upped by one? So are we sitting now at a requirement of 10?

Amos: If you were to count the total square footage between the two, its likely to be an additional space, so it would be 10.

Commissioner Allen: Okay, and we can decide what we'll land at, but this change did up our parking requirement by one?

Amos: Yes, if you take it at the code.

Commissioner Allen: Thank you.

Chair Ritter: Okay, let's open it up to the applicant. If anyone wants to speak, I have four speaker cards including the applicant. Mike Carey. Mr. Carey thanks for doing the workshop. Thanks for taking the time and going through that process.

THE PUBLIC HEARING WAS OPENED.

Mike Carey, Applicant: Thank you. Thank you for all of the workshop discussions. I just wanted to address a couple of things real quick on Commissioner Allen's discussion of the historic parts as far as the metal and things like that. I'm a little bit confused, so I want to clarify that. I think the historic ordinance that went through everything was for the historic homes and that's different than new construction and what we're open for interpretation for. Is that correct?

Beaudin: Adam and I were just discussing that. It's residential development downtown period.

Mike Carey, Applicant described the scope, layout, and key elements of the application.

Commissioner Nagler: On the parking question Commissioner Allen raised, what are your thoughts about that?

Carey: I mean, we really vetted the parking heavily when we were here last time. Parking is the big issue. We worked really hard to make it all work. We thought we nailed it. At the end before the workshop, we realized that technically the studios are burdened with two parking spaces per studio whether they are 100-square-foot studios or 300-square-foot studios like they are. They are tiny studios, so for me to stick to a rule of an Office zoning that we're in the middle of potentially changing to C-C, the properties next door have the Core Overlay which only have to do one, so everyone around us has to do one. The front pieces have to do two for studio and then we talked about the reality of the code allowing us to go up to four, five, six-bedroom for two spaces. So Tim could flip it to two, two-bedroom units and we only have to figure out four spaces. But three micro-mini studios are up for six. I don't think it's reasonable. I think it needs to be figured out by staff and the code amendments we're doing. Also our discussion in the workshop was if we converted the front use, which we're really sticking to residential on, into a commercial office use, you guys were kind of torn and all the minutes say we could probably work with you and if you work on Residence 1, we could maybe not hit you up for the extra parking space. That was in all of our minutes, in our discussions, heavily vetted so we're hoping that because we modified it to make it a flex space that we could stick with not an additional space for it.

We also talked that we want the market to kind of dictate that space. So whether that's a house and somebody buys it and they want their home office there like we all do at our house, or they really want to put a sign up and call it "Tim's Architecture" I want it to be whatever the market demands, right? So we don't want to mandate it micro into a sense that it has to be this so therefore if you have a home office in your house, you don't have to add extra space. I think that should be left alone too and we're working with the studios. We don't want to move them. We want to keep them 300 square feet and we think they're satisfied with one like the other properties would be allowed one. So that's it. Thank you guys.

Tim Ward, Architect: A couple of things—and I kind of apologize that we made this vision of adding more space to the Residence 1, and I'm not sure if you have that aerial view of the revised residence? It was kind of a 3-D thing. Okay, and I think that's a great improvement. The two fit together really well, and so from that perspective I think it was really constructive that Natalie kind of bugged us about this and you mentioned it in your workshop and we appreciate that. In regards to the materials, I think the key thing that I was trying to do and I think is important is to get a variety of materials there so we don't get a monolithic sort of block. And whether its asphalt shingles or metal roof or different colored asphalt, it needs to be broken up, and likewise with the bays that we use some metal on. I think there are other materials that are optional that probably do fit into the guidelines so I don't think that's a real problem.

We've always tried to keep this curb cut over here. I told Mike this, if I could go straight in here, I could get another space there, you know, a conventional—you come in and have parking on both sides. From the tree, it'd actually line up and the drive would come in here. And I think it would be very easy to then pick up that seventh space if that was what the Commission felt was necessary.

Commissioner Nagler: I was thinking of something similar. If we were to allow that tree to be removed, what kind of tree is it?

Ward: We wouldn't take it out. It's a big one and it really does some screening there that's really pretty sweet. The arborist said it is really about how we handle the pavement out in that area and that it's pervious and we don't excavate a lot to do it. It would be easy to add a space to the right and still get a generous area around that tree.

Chair Ritter: Without removing the tree?

Ward: Yes, without taking it out. And then as far as the setbacks, I mean, we started this with a PUD in mind where we could establish the setbacks. I know if we have to go to a 20-foot setback, we became sort of a block building with parking in front. That's kind of what started to happen in the first studies with Mike, and this corner is way too special for that.

Commissioner Balch: So the metal is on two parts; the siding and the roof itself. Is there an alternative siding you would propose that could still cause it to be broken up as you were saying is needed?

Ward: On the base we might go from the metal siding to some kind of a Craftsmen shingle, you know, where they do the wide and then the narrow. It's sort of a patterned shape. It's a little more precise than putting a bunch of shingles on it, but it has a nice look to it. I think that would fit well. I think we would still stain it so you go into the white mode so it's not quite so.....you know, I'm not trying to make it cartoonish....

Commissioner Balch: And the metal siding as I tried to find on the plans, it's only on the third story, correct?

Ward: Yes, it was just for an accent. It's not like that's the only material we have to use. I really agree with staff on the metal siding. You see a lot of it now. The old roofs on churches were all copper roofs, and of course that's kind of a problem now with runoff, but we've done rusting metal roofs quite a bit, Corten which is a nice product. It's kind of a sheet metal and it could be galvanized in flat sheets, ribbed sheets, all kinds of things. But again, we could find another material too.

Chair Ritter: Thank you Tim. Okay, we have three speaker cards.

Tom Zaro: My grandfather Jaquemar Zaro came over from Italy and he worked in Remillard brick factory and he resided at that residence right there; 4790 Augustine Street. The brick chimney came from the Remillard Brick Factory. There's a little out building there, it's all brick. All of that came from the Remillard Brick Factory. They've

been building next to it. They preserved the original house there and down the street they preserved those houses. And then across the street they preserved that and made a little business out of it, so I was hoping we could preserve the house where my grandfather lived and my father, and also my father had a small business and he served the community for over 30 years until he died. So that's my case. I hope we can preserve those buildings and see it work his plan in. Thank you.

Ed Cintrone: They're building three units next to me; three houses on the other side of my property. I came in and I asked if you guys would allow in the back a three-story building and you refused it. Now, he's coming in and wants to put a three-story building in and I don't understand how it could change from one little section to the other. And then also, what do you guys consider a heritage tree? There are huge oak trees there that have been there for over 100 years and he wants to tear everything down and gut it; the whole landscape, and then he wants to build these with a three-story building with tin roofs and stuff and he doesn't even come close to what is on Augustine Street. There's nothing like that there, you know, so he's not really preserving one of the old streets in Pleasanton. I mean Augustine was my great, great uncle. He's the one that started the racetrack and they named that street after him. And now they're going to tear everything down and there's no retail on that whole Bernal Avenue. I just don't understand how they can tear down and cut down heritage trees. That's all I can say.

Alok Damireddy: My company owns the property next door to the north. I have about eight points and you might have a few questions on them. So the FAR ratio; I'm a little concerned about that. From my calculations it shows a 60% ratio, a lot size of 12,632 square feet. There are 12 parking spots that are required I guess, but a 300:1 ratio of mixed use, I would presume three parking spots, and that would bring it to 15. The other thing I wanted to point out is my property, it wasn't one spot per unit, but rather 1.5 parking spots per unit so I created six parking spots. Now, I specifically emailed staff about the three stories and when I proposed a 30 foot building it was shot down so I'm not sure how staff here wants to recommend a three-story building. It wasn't about the height of the buildings but rather the number of stories. That was what was cited as the cause.

I know the PUD allows for some flexibility but I don't know how it would be consistent with the rest of the neighborhood there. I'm just concerned that staff is supporting this when the same thing about eight months back was not supported. I haven't seen any story poles so I don't know if that's something that's going to come up. I'd like to see this project undertake PG&E undergrounding of the electrical lines on that street. The other concern I have is about Residence 3's setback to the north. It probably has a five-foot setback from what I can see here to my property line.

You know, this is something I'd like to thank Mike on. He reached out to me and I support the rezoning of this into a residential neighborhood. I think it adds value to the property there, but what I don't support is three-story buildings and other concerns I've raised. So I hope I get some communication back. I think the general process about how the City communicates back to people who commented is probably not the best because I did email the planner on duty about my concerns. I didn't get any notifications back from the work session, so in the future I hope the City has a way to communicate back to citizens who have responded in general. But in a nutshell, you know my

concerns are around the three-stories and the parking spots. I think we need 15 parking spots from my calculations. Thank you.

THE PUBLIC HEARING WAS CLOSED.

Chair Ritter: Okay, so if there are no more speaker cards, we'll close it to the public hearing and bring it back for questions of staff. I'll just start. Based on the last speaker, the next door neighbor, can you help us answer some of those questions please? Let's start with the three-story question. I know we brought that up before and what makes this one different?

Weinstein: So I mean there are a couple of differences here. And we're definitely sympathetic to the issue of consistency. That's something that we strive for and I think what we're often up against is the fact that each site where there's a project proposed is a little different. This one is a site that's right on Bernal and Augustine. The streets are fairly wide. Bernal at least has more traffic. It's designated for office uses in the Downtown Specific Plan. Mr. Damireddy's project on the other hand was an infill project in the back of an existing single family residence and Mr. Cintrone who also spoke raised concerns about the height of that project, and it was clear from looking at the initial plans for Mr. Damireddy's project that a three-story house on that site really would tower over the house that was right next to it in a way that this project wouldn't. We worked really closely with Mr. Damireddy and he was very cooperative actually with us in re-designing his project, and we ended up with I think the number of units that he wanted but we reduced the height of the project so it seemed in that case it was a win/win situation that reduced the height, got the same number of units he initially wanted, the parking was accommodated with a smaller building, so again, I think it's an issue of context. We feel that three-story buildings on this site closer to Bernal are appropriate while a three-story building further into the residential neighborhood would not be.

Chair Ritter: And the other one was the comments communicating back. Did we just miss an email, or...I don't know if we have an answer to that?

Amos: Staff did receive his email and it was provided to the Planning Commission for the work session. I don't recall seeing a specific question there. I did respond back thanking him for his comments and that we would definitely share it with you, so if I missed a question in that email I apologize. I took his comments on this is what he was required to do and he was looking more at this project.

Chair Ritter: Okay.

Commissioner Allen: Just a clarification on the parking, I realize we have two different zoning districts between these two property sites here but is it true that in the property next door that the parking requirement was 1.5? I know Mike said it was one, but is it 1.5?

Amos: It is 1.5 because of the Core Area Overlay district allows for that flexibility.

Commissioner Allen: For an apartment, whether it is one bedroom or studio?

Amos: It's based on the number of bedrooms, yes.

Commissioner Balch: That was the one where we kicked it back and continued it as I recall because we were evaluating the view line to the ridge. He was preserving the front unit but building like a two-story on the second building and a bigger building.

Commissioner Allen: Again, I just wanted to double-check because Mike said it was one but in fact it is 1.5 and that's the RM district. And Mike has been saying, treat me like the RM district, so I just wanted to double-check what that number is.

Carey: I'm just going to clarify. I appreciate everybody's comments, the family, and the neighbors too. Everyone has concerns, and we're trying to get a great project that fits with what could one day be the beautiful civic center across the street. We're not taking out all the trees. There's only one heritage tree going. I wanted to clarify that. So as far as the parking, I know there's going to be a big discussion on that. Tim's already working on ideas and thoughts, but he would probably opt that if you do want to stick to the studios for whatever size they are, we would probably redesign the top and make it two-three bedrooms because that's four spaces instead of six with three micro studios. That would be just where it would probably go in our eyes; the same space, the same square footage, the same box on top of the commercial building, but we could probably dump that because parking kills the idea of viable different housing option for the town and the residents, and so we would move that in a different direction depending on where you go with it.

Commissioner Balch: Tim mentioned the driveway change to get that additional spot by the tree. Are you supportive of that or not supportive?

Carey: Well, the only thing we were really trying to avoid is curb cuts. Staff hates curb cuts, people hate curb cuts, and we'd be cutting into the street. It's had two entrances for 100 years. The idea was to not disrupt any of that. Tim's told me he can whip up one more by really getting creative and moving stuff around. I really didn't want to move the curb cuts. It's not just the cost, it's do we move it down, do we leave a half space or full space.... there's a floating space there and I was hoping from our workshop discussion that you guys were open if we blended it into Residence 1 being a flex space, it could be left out of it. I understand we're up for the studio discussion of six, four, two, whatever, right?

Chair Ritter: You did research on that house and I saw a termite report?

Carey: Yes, so on that, the City did an historic analysis by the ARG Group. They paid a little over \$70,000 to study 201 homes. Of the 201, 88 came back to be criterion three historic designated. So that's like 42% to 43% of what they studied. So there are a ton of them that don't meet it. They're old, they have some significance to us, and a lot of history with the Zaro family. My mom passed away last year. I wrote an offer on the property 17 years ago in a probate sale estate. We lost it to the owner who bought it for \$210,000 and then I got a chance to buy it back 17 years later, two years after my mom passed away and I jumped on it. So we bought it and it's got some significance for me. I understand. We're using the bricks. I don't know if Tom knows that. We're keeping the bricks and using the bricks. I talked to his daughter. We'd like to stamp something in. I

think it was the Zaro Brick Company. I mean that's not a consolation prize for him I'm sure, but we want to work with the site, keep all the historic stuff on it, and I lost my train of thought. You asked me what...? Oh, they spent \$70,000 on 201 homes and when I asked staff for this study they said commercial's exempt. So I ordered my own. I did a bunch of research. I interviewed the guy that worked for ARG for years and then started his own company. He did the study. It cost me \$4,800 and my study's like 30 pages. The City's study is like three pages for every site and \$70,000 breaks down to like \$350 per house. I spent \$4,800 on my study. We researched the Sanborn maps, the museum; it's a very thorough report. It's old but it doesn't technically have historic significance and it's been changed and modified and I won't get into it, but we really studied it and started to work with it at one point. We were trying to make it work, and the termite report, the structural engineer and the contractors I had said it's on dirt. I mean, the piers, we crawled it; it's just not safe to today's standards. It will just crumble if we move it or took it apart and it's just not feasible to work in the project. I've done three projects and we've kept the old house every time.

Chair Ritter: Okay, thanks.

Commissioner Balch: So the FAR at 60% as the speaker talked about, I think it does say in the staff report that it was 58%. I think we've talked about that and that appears to be an office overlay element that was an allowed use. 12 spots; we're going to talk about the parking I'm sure later, but I think staff mentioned they count possibly 10 and then Commissioner Allen asked earlier, 1.5 per we already discussed. 30-foot building also already discussed. Story poles—not requested in this instance because of the office overlay, correct? Am I correct on that?

Weinstein: That's right. We routinely require them for solely residential projects. We didn't require them this time for this project because it was a mixed use project. It could be required in advance of the City Council meeting. The applicant did provide some imagery that shows what the project will look like from different perspectives so we felt like that was sufficient without having story poles.

Commissioner Balch: Okay. PG&E underground—it's not getting anywhere with me, but I'll just ask, is that a requirement? Not a requirement? How do you handle that?

Amos: It's actually a condition of approval. It's in the draft conditions, number 85.

Commissioner Balch: Okay, and then Residence 3 setback to the north five feet. I think that's okay, right? Four feet is the required setback between property lines?

Amos: The PUD offers flexibility.

Commissioner Allen: What is the standard though?

Amos: The standard would be 10 feet. If it was the O (office) zoning district, it would be 10 feet.

Commissioner Balch: And do you know what this one is?

Amos: I believe its five feet.

Commissioner Balch: And we talked about the communication.

Commissioner Nagler: I don't have questions. I have comments.

Chair Ritter: Okay, let's start with comments.

Commissioner Allen: I have one more question for Mike. Mike, and I apologize I didn't ask you earlier, if we were to preserve all three trees, there are three heritage trees and one is being removed. What would it take to keep all three?

Amos: I'm just going to point out where this tree is. It's right here, so the third tree is right here.

Commissioner Allen: Okay, so that answers my question.

Chair Ritter: Okay, let's move on with comments.

Commissioner Nagler: Let me just go through the issues. First of all just to repeat something I said at the workshop, I appreciate the creativity of this project and the fact that it is a bit out of the ordinary, but in a way that is of high quality and helps us move the architecture in downtown Pleasanton along so that we don't end up without the interest that evolving architecture often brings, particularly the City core, and that this project asks us to be more creative in the type of architecture that fits our design criteria, I appreciate that, and I think that's important. Therefore, specifically on the use of various materials, I appreciate the point that Commissioner Allen made about the siding. I would want the design guidelines to be different in some ways but they are not. And so I would support asking that the applicant change or remove the metal siding. I'm okay with the metal roof because the guidelines as you point out are not as stringent on the point, but also I think it adds to the interest of the architecture. There's nothing unattractive or cheap about it, and I think that the channel metal roofing is very much an important element to the overall look and architecture of the structures and that we shouldn't start changing it. So I'm fine with the metal roof.

On the setbacks, I appreciate that the setback particularly on the mixed use building is much less than what we typically require and we've talked about that previously and I've certainly thought about it. I think I'm fine with it mostly because we want to communicate that this is a mixed use building and that there is a commercial element to it. Given the size of the lot and the fact that the applicant is attempting to get the number of buildings onto it that they are, and in conjunction with that, that we want the mixed use building to clearly have a commercial component to it, I'm fine with the less than standard setback on that building, and that the setbacks on the rest of the project are within striking distance.

On the parking, it's a tough one and I harp back to the fact that nothing has really changed on this question since our workshop and that our workshop fully discussed and vetted this issue. The one thing that maybe has changed is the mixed use on Residence 1, so one could reasonably argue that there is a requirement for one

additional parking space that has been overall added to the project based on the change that we asked for. Otherwise, what we discussed at the workshop remains true today and I would like a general operating principle that what we decide and the guidance we give at workshops prevail unless something new is learned. And Commissioner Allen, on several of her points, raised a good point of explanation that at the time of the workshop some details were not known and that's a legitimate reason I think to change the guidance from a workshop or to change one's opinion. But if nothing does change I believe that the guidance we give at workshops to the extent possible should prevail in our final action. So to that degree, the fact that the studios are as small as they are, that the development is as close to public transportation as it is, that it is in the City core as it is, leads me to continue to believe that the conclusion reached at the workshop is the right one on parking; however, I do support the change in the curb cut-out and I would like that additional space to be added because it is possible to do and I think it would be a reasonable change.

Commissioner Balch: That was a good synopsis. So harking back to the workshop, I remember you and I were very tight in hand on that comment about the mixed use addition, and basically to paraphrase, it was "we'd like to see it in Residence 1" and I made sure I clearly stated that I knew it would cause the parking question to come up when or if the mixed use came in.

I personally am extremely happy that the applicant was willing to change the plan to accommodate this mixed use in Residence 1. I think, as Tim has said, this completely makes the project look better, definitely from the street. I just want to compliment everyone working together to get that because I think this mixed use is outstanding. In terms of the siding being metal, I can go with that. I think that's a good statement. If it is expressly prohibited as Commissioner Allen pointed out, we need to stay with that. I also support the roof metal staying consistent. I think Commissioner Nagler pointed out it adds to it and adds interest and I think that is needed. I personally think the look is really nice on the plan showing those finishes you used.

Curb cut—I support the principle of what you're saying in adding a spot. I worry that it kills an on-street parking spot, so I don't know if someone could let us know that now or not. With where that cut is now, it appears that several parking spots are possible on the street. I would hate to be moving the entrance to lose a spot on the street.

Commissioner Nagler: We're shifting it, aren't we?

Commissioner Balch: Hopefully so and I think if we're shifting it and not losing two on the street to gain one on the lot, I'd prefer that. I don't know if people have caught onto it, but I read it in the staff report, Condition 3 does state that this mixed use in Residence 1 cannot be used for residential. I remember at the workshop that we clearly talked about what options were available for mixed use in Residence 1, and I clearly said I like the project as is and would hate to see a change because of that. Yet it is changing. I'm quite okay personally if the mixed use in Residence 1 was used for residential. I think the intent of it is that it could be used for other stuff in the future, whether that be a residential like the micro-unit that's above the mixed use or whether that's residential as associated with the primary homeowner, or whether that is the office. You know, maybe he has a place of business and he has an employee which is

not allowed in your home but could be used in a mixed use, as I presume, right? Because that would qualify for that situation, right? Because you cannot have an employee when you work at your home, but this would allow this person to have their employee in their office, correct?

Amos: You could have an employee if you apply for a permit, a non-exempt home occupation permit. You could have it in that capacity.

Commissioner Balch: Okay, maybe I didn't catch it then, so I guess what I'm saying is that I'm supporting more flexibility with it than just the non-residential element in Residence 1 but I really appreciate where we've gotten to.

Commissioner Allen: I want to start off with Commissioner Nagler's comment too that I appreciate the creativity and the architecture. I actually like it a lot. The use of materials – I think we need to be consistent where we just did guidelines that are crystal clear in certain areas, so I'd like to see an alternative to siding and I am okay with the roofs since the guidelines do give us some flexibility there.

On mixed use for Residence 1, I am not okay with supporting this project if we do not define this as Office. The reason is that we're not going for a General Plan Amendment and this project, right or wrong, in today's weird environment is zoned Office, and we're sort of working with this to create a mixed use. But we've got to keep some amount of office business in there or we really aren't doing what we're saying we're doing, and right now the project, as of the workshop, the project was less than 10% office business and it was over 90% residence. If we do add this 300 square feet for business, at least it puts us over 10%. We're probably sitting at 12% office, but essentially we have a residential project for the most part and that is not consistent as I've heard staff in their report and as I read the zoning and this project should demand going for a General Plan Amendment if we go that way. So, that's my reason for requiring Residence 1 to be a business.

Commissioner Balch: The mixed use in Residence 1?

Commissioner Allen: The mixed use of Residence 1. I mean I'm right on the edge with even that bumping up, but I understand why we're there. On parking, there is a new piece of information that came up in workshop. At the workshop we were under the belief from the information we had from Mr. Carey that the residence next door was required to have one parking spot for a studio and as he said today, he was saying the residence next door had one parking spot they were required to have and in fact we learned today from staff that it's 1.5; that the residence next door and the RM district requires 1.5 parking spots per apartment unit. Correct me if that changes but that's what I heard you say, so that changes my thinking of where I was at. If that's really the rules, I think we need to be fair and consistent with that thinking versus giving this property a better deal than someone else. So I would say the math would come up with the three studios being 1.5. That equals 4.5 units. The new commercial space for Residence 1 is one, so that's another one and then the commercial that's in the multi-use building is three so if my math's right, that's 8.5 spots of parking that would be required. And someone's got to figure out how to do it. I'm not in favor of curb cuts if it means a street spot is lost. Traditionally if a street spot is lost, we also require someone to give it back.

Commissioner Nagler: If we move the curb cut, are we losing a parking spot on the street?

Amos: There's no designated striping in that area. It's unlikely that you'll lose a spot if you're moving the curb.

Commissioner Allen: Okay, so that's where I come out on parking. And I know if we go the parking way it impacts density and the layout, but then I come back to the one issue that I'm really struggling with this on this whole project, and that is compatibility with the neighborhood. I've been reading these design guidelines and thinking about them. New construction needs to be especially sensitive to surrounding structures. There's a lot of discussion about massing, about paying attention to what's there. I know this is an older neighborhood and that doesn't mean we need to build single family homes. That's not what we're trying to do. We're trying to upgrade a neighborhood, but I really, really think that whether you call it a multi-use building or what, this building that's on a setback of one foot that's 30 feet high and three-stories is just not a fit with that little neighborhood. I asked Natalie how many projects have we approved that are 30 feet, three-stories and a one-foot setback and there were none. I mean, we had a challenge with Mike's project on Peters Street and you know, with needing a 20 foot setback; now those buildings are a little taller but it was a 20 foot setback and Mike said to us the reason I'm going 20 feet is I've done other projects that people have complained about because they had an 8 or 10 foot setback and the 30 feet was a little overpowering around smaller homes, and so I am fundamentally not feeling like I can find this project is compatible today with this neighborhood at this massing and I wish I asked and I'm sorry I didn't, and I'll bring up later but I think for some of these projects, story poles are going to be critical; that sometimes you don't know how something's going to look until it's built and anyway, so I couldn't find for this being compatible without me personally seeing story poles and if I saw them I'm afraid it would be a problem.

Beaudin: Commissioner Allen, can I just ask? The one foot setback; is this the mixed use building that's of concern?

Commissioner Allen: It's mainly the mixed use building, one foot on Bernal. You know, and Bernal homes have setbacks; even the business building does, and I believe also Augustine I think has a pretty narrow setback. All the other homes on Augustine are required to have 15 feet. The building next door is 16 feet and I think this is less than that.

Beaudin: I'm not going to dispute the ground level setback, but on Sheet A-1, there is a one-foot setback and the first floor of the building is at that setback. The building changes angles on the second floor and actually does step back and the roof does come down at that corner and so where it does get taller there is the setback from the Augustine frontage. So I wanted to share that corner with you so it's clear that it's not 30 feet straight up.

Commissioner Allen: I knew it wasn't straight up but I'm just still thinking it's still a big thing and it starts at one foot.

Beaudin: And I think that was by design from staff's perspective to bring the building that's supposed to have more of an office flexible use character over time closer to the street so it does set itself apart from what might be more traditional residential character.

Commissioner Allen: And I can see part of that, but we're in an Office district which says 20-foot setbacks, and you know, Mike and I had this discussion today—we have different points of view. But, we were talking about setbacks and it's like what will the library look like one day? And I don't know the answer because it's not done, but I would hope it's not a one foot setback to the sidewalk. I would hope there's some greenery, some kind of greenery and softening area.

Commissioner Nagler: There's going to be greenery and parking between the street and the building.

Commissioner Allen: Well, something.

Commissioner Balch: No, there's going to be.

Commissioner Allen: I mean that's great! I would hope there would be something that you can feel great about walking down that area and feeling like it's a community and to me right now, there's nothing that's right on the curb, or right on the sidewalk.

Commissioner Balch: If I may though, downtown, when you walk down Main Street, what are the setbacks of any of those?

Commissioner Allen: So in the guidelines, and that's right on, the guidelines say in downtown you can do that. I mean that's the objective. They're big buildings, big windows. This is not that. I mean, it's only 10% commercial and it's only 1,000 square feet. It's small and it's really a residence. I mean, it's kind of soft; it's a soft one or two person firm. It's not some big office building, but I mean, this says retail, Main Street and even Peters in some cases you can be right on, but it clearly says and has different rules when getting into these neighborhoods.

Beaudin: I'm going to make one last pitch just in terms of the rationale for the setback and I'm not opposed to the line of thinking and I think it's a great conversation. The concern I have is that folks feel like this is going to be right on the sidewalk and really there is that piece of public right-of-way that everyone thinks is theirs, but it really belongs to the public and it varies in dimension anywhere from nothing to 10-15 and in some cases 50 feet.

Commissioner Balch: We talked about this over on Dublin Canyon.

Beaudin: Yes, on Dublin Canyon it came up. The property line-nobody sees it and people feel like it's their property but it's really not and the same is true here. The Bernal public right-of-way is wider than the Augustine public right-of-way so where there's potentially a five-foot setback on Augustine because the property line is invisible, the structure's actually a fairly similar distance from the back of sidewalk and where there's a one-foot setback on Old Bernal, there's actually a very similar setback to what's on

Augustine, so the home will appear as if where nobody can see a property line and nobody's looking at dimensions in a table. This structure will appear to be an equal distance from the back of the sidewalk, so I want that to be out there because it's easy to look at the table and say it's a one-foot setback, but from a design and final product perspective, what we try to do is get this building closer to the corner so it had a different character, and if that's not consistent with the Commission's expectations for this site, then we do need to adjust that. But that was the direction; it was putting the parking behind and getting more of a commercial presence for a commercial district or an office district for that particular piece of the structure. The residential development you'll find on the upper floor is pushed back away from the street in a way that is more typical to the setbacks that would be in other residential districts and I hear the point that our office zoning has a 20-foot front yard setback. I'm just not sure it would accomplish the design objectives we had for this particular project and that might be different from where the Commission wants to go with it, but that's the direction we gave to the applicant in this particular case.

Commissioner Allen: Thank you for clarifying that. Could I ask one clarifying question? And I appreciate the City has their piece for where the setback comes in, but that applies to all of our setbacks. So when our leaders had defined setbacks in our documents, like 20 feet or 15 feet, that's on top of whatever the right-of-way is, correct?

Beaudin: It's from the property line.

Commissioner Allen: Just so we're being apples and apples.

Commissioner Balch: Well, no because the property line and the right-of-way could be different, correct?

Beaudin: The property line and the back of sidewalk are often different.

Commissioner Allen: Okay, that's what's different.

Commissioner Balch: Your property line could be right at the curb cut.

Beaudin: ...or could be in the middle of the street in some cases. In really old parts of town, sometimes the property line is in completely the wrong place relative to where somebody wants to do development, so it's a situation we often have to deal with and we'll often adjust things if they're in the wrong place when we have development applications but we always go, it's a measurement from the property line unless it clearly says in the code or in the PUD that it's measured from the back of sidewalk.

Commissioner Allen: And Mike and I looked at the property line today. I saw the property line and I know exactly where it is that I'm talking about the one foot measurement from. So just know that I'm talking about reality. This is for a bigger topic later, but it does point to kind of the importance of story poles or something to really help us get at what this animal or whatever it is that we're envisioning building really is and how it fits in the neighborhood because absent that we're kind of all having different assumptions about what it is.

Chair Ritter: Well, I want to go back to what Commissioner Nagler said. You know, we spent a lot of time at the workshop and we suggested a bunch of things and the applicant came back and actually listened to us in my opinion and did a lot of what we asked. The other thing I'm haunted by is that I see that office space for lease sign that's a permanent sign and I just think it's silly that this is an office zone and you've got a space for lease that's a permanent rental space for office and we can't even find tenants for so long they made a permanent sign out of it, so I am in favor of what they're doing here with the redesign. The siding; I agree with Commissioner Allen on the metal. There are options I think. You can have things that are metal that don't look like metal so I think that was a good point. The setbacks, if you drive down Augustine, there's some other residences along that street that are real close to the road, so I don't think it's out of place the way staff and the applicant have put it together on the corner there, and as far as parking, I'm always in favor of more parking on your own property. If you can get parking on your own property and make it work, if we can get an extra space, I would be in favor of shifting without losing space on the street.

As far as story poles, I'm struggling on that one because usually we use those to show neighbors where hillside views are and a lot of times it's just to help out the neighborhood to understand it, especially if it's an infill. This is on the corner of a busier street, so I'm indifferent on the story poles on this one because they're all still within the limits. They're not going above what the code says and it is on a corner so that makes me feel to not make it such a demand.

Commissioner Balch: I actually think I'm probably a little closer with Commissioner Allen on the story poles. I think we probably should have put them up. I personally would like to see them up before the Council if we're as a body supporting that as staff's recommendation. One of the things with the parking for me is that I really like the concept of what you're doing here with the micro-units/lofts. The floor plan of the mixed building with the second and third floor and the loft on that, you know, it's not like the third floor is the same floor size or plan as the ground floor, right. It's obviously tapered, but even much more so because it's only a loft. It's truly just a little bedroom up there and so with the pitch and stuff. I greatly appreciate the massing comment and conversation because I think that is important to keep in mind. I will tell you that hearing this, I would struggle immensely on how do you get adjoining zonings well designed, right? An office zoning touching a residential zoning on a street in an area where we think it's going to be developed in the future with the whole civic center plan, and I would hate to see this die because it's a little bit ahead of its time on the block. I'll just say that. Someone has to go first and frankly the neighbor who's building the front as the existing residence, the middle as the two-story and the back as a two-story as well, but the same units with the parking in the middle. It is exactly the transition type of building that I think we should have next to this because here you're doing your mixed use and residential and your next unit or block over is your true residential and it's a little lower. I just think it does blend well. I would hate to see us hit too high of a threshold to develop a site that would be unattainable. And I really like, and I don't know why I'm so stuck on it, but I really like the concept of the micro-units and if the parking killed it and you would change the application, I personally would find that a loss.

Chair Ritter: And I'll agree. I think we need affordable housing downtown.

Commissioner Balch: Well, this is super affordable because there's not much space.

Chair Ritter: And that would be meeting that requirement.

Commissioner Balch: I do think, and I don't want to state it per se, but I like the idea as Commissioner Allen brought up if the parking is such a concern, I like the idea of creating an additional on-site spot. I really do to address our concern with the mixed use. I don't know if we fully have addressed my comment about the mixed use being residential only though. I don't know if we were there. It sounded like maybe you were not there with them. I don't know, but I want to just continue to keep that because that's what it's all about. In staff's resolutions it basically says that the mixed use on Residence 1 shall be only non-residential. I completely want to add water or weight to what Commissioner Allen said; that if you keep it where it has to be office, it does put us over the 10%. I have a struggle with that requirement both ways.

Commissioner Allen: Where do other people come out on Jack's last comment about requiring Residence 1 to have that office be office versus not? Where do you two come out on that?

Chair Ritter: So if it is an office, you lose a space?

Commissioner Nagler: Or you gain a space?

Commissioner Balch: Well, in the workshop it was all residential and Commissioner Nagler and I were on the fence that said basically, we really like the design and staff recommended that maybe there's a mixed use solution that wouldn't necessarily tick over the odometer on another spot, right? Well, they designed it for that, but along came a requirement that it's not for residential use. It's got to be for an office or mixed use.

Chair Ritter: They said it was flexible though.

Commissioner Balch: Well not now because the condition would make it....

Chair Ritter: ...so if we made it flexible?

Commissioner Balch: Therein lies the discussion. Do you want someone to have a bedroom in that room or not is really what you need to answer.

Commissioner Nagler: So the issue is Commissioner Allen is pointing out that if it ends up residential, this problem should have required a General Plan Amendment.

Commissioner Allen: Maybe you should check with Julie on that, but that's my point. It's less than 10% and it's really a residential project if you don't do much more.

Commissioner Balch: But if you kick it to office for example, you kick your parking up possibly another notch.

Commissioner Nagler: The question is whether we want to eliminate the flexibility going forward in order to allow this for sure to not be a General Plan Amendment.

Commissioner Allen: Should we ask staff their perspective on this?

Chair Ritter: What are you hearing us say staff?

Weinstein: I don't think you should get hung up on a threshold for the amount of commercial space on this site. It's a PUD and there's not a specification in the Downtown Specific Plan for what the square footage should be. A thorough reading of the Downtown Specific Plan is that the entire ground floor of an office site should be office, right? So we really backed away from that. I want to be really clear about that. This is already a very flexible interpretation of what the DSP calls for, but staff's position has always been that all of the buildings along Old Bernal should have street front commercial space. And we feel pretty strongly about that and that's why we imposed a condition that says that the new space added to Residence 1 should be commercial space. I think Commissioner Allen is exactly right; that it's just not a lot of commercial space overall and I think we are sort of pushing what the office district means and we're really appreciative of the effort that the applicant has made in redesigning that little space, but it doesn't seem too much of an ask to make that commercial and not have it be used as residential because I think if we added the flexibility in this housing market, it's going to be a residential space. It's not going to be a commercial space, so it didn't seem to us to be that much of an ask and the applicant is getting a really good amount of residential space out of this project in this office district. It's not a residential district, so that's our position.

Commissioner Nagler: To put it in practical terms, if this space on Residence 1 were required to be commercial space, I guess the owner of the building could rent the space out to somebody else, right? A law firm?

Commissioner Balch: A law firm, a one man architect, you know, accountant.

Commissioner Nagler: Okay.

Commissioner Balch: Can I make a motion?

Commissioner Nagler: So just to be clear what's going to be in the motion....

Commissioner Balch: We're going to remove the metal siding. We're going to require the curb cut to get the additional on-site spot making it go to seven; the shift. And, we're going to require story poles by Council. Is that the appropriate condition? We'd like story poles so the Council can consider it I guess is the.....

Commissioner Nagler: And you are or are not going to require in your motion the commercial space?

Commissioner Balch: I'm going to require the commercial space.

Beaudin: Can I make a few clarifications while we answer the question you had about story poles? Okay, so if it's going to be an office space right now, it's a three-piece bath....

Commissioner Balch: With the ADA requirement right?

Beaudin: In the office space; the new mixed use space which will now be a commercial office space, I'm not sure you need a shower in an office so we would want to shift that over to a two-piece bath rather than a three-piece. Does that make sense to everyone? So that it's more of a restroom?

Commissioner Balch: Although candidly, if you are working in the office, you want to go jogging, it'd be nice to have a shower in your office.

Beaudin: That's true. It's a balancing act there.

Commissioner Nagler: Is the deal in modern offices to put in.

Beaudin: Maybe a shower is but a bathtub isn't.

Commissioner Nagler: Okay fine.

Beaudin: You know, it's one of those things that if we want to make it really clear this is not a bedroom. It's a point. Then the other thing is these trees on the property; both heritage trees that are set to remain. What I'd like to do is that if we're going to relocate the curb cut, that we do have a condition of approval that includes working with a licensed landscape architect and/or arborist to make sure we have a really good plan in place to protect the root system during construction and for the new parking lot because I think we want to make every effort to save those trees if we can and this will have a different kind of an impact. We'd want that information.

Commissioner Allen: If there's any risk, and you can talk to the arborist, that that curb cut strategy poses to the trees, I'm assuming we would bring that back. We wouldn't just have the curb cut take priority over pulling the tree out, right?

Beaudin: Well, so what will happen is we'll relocate the curb cut and five years from now or two years from now the tree will suffer and will die if we don't take the proper precautions. So I would suggest having a plan in place for the construction and for the materials that are used to make sure we give the tree every opportunity, and there is no guarantee that the tree will survive, but working with the landscape architect here at the City and with the professional from the applicant's side, I think we can come up with a plan that gives both trees the best chance of surviving.

Commissioner Balch: And I also want to mention I'll bring it up that Condition 93 gives the discretion of the City Engineer to require water meters for each lot and we're going to make that mandatory and not discretionary to the direction of the City Engineer.

Chair Ritter: Don't we normally use that?

Commissioner Balch: We do but it gives discretion and you take it away. Okay, so how do we condition that the story poles will be added before it goes to Council for their consent or approval?

Weinstein: Just add the condition. We have a month before Council so it seems like that's sufficient for story poles?

Carey: We also had the discussion about the photo montage that we did before that that was another option; it's the virtual flyover.

Commissioner Balch: I think though at this point, I will speak for me, but for me it sounds like there's enough interest from neighbors that the story poles will be something that we should do.

Chair Ritter: It helps the neighbors.

Commissioner Balch: I'll start with that and before I make the motion, I want to say that the conversation about keeping the house that was on the lot versus not, that conversation was held during a workshop pretty extensively and that's probably why it wasn't mentioned here so much. I will tell you from my quick read, the house is in disrepair and I personally, based on the reports that were generated, you know, I apologize that this is a turning page in the City's history as something of personal significance to you, but the report shows it has no citywide historical value. I hate to say that.

Commissioner Nagler: It's on a personal level, but not citywide.

Commissioner Balch: Yeah, so that was discussed and I saw it from my notes here as a comment for the speaker. So I just wanted to mention.

Beaudin: We'd like to make the story poles a recommendation from the Commission rather than conditional approval because it's not the project per se, it's a procedural issue. So what we'd like to suggest is that the Commission make that strong request to the applicant to install those story poles prior to the City Council so that they have that information and then the conditions would be the other things we've already talked about.

Amos: Can I make a clarification on this please? If you're asking for story poles, you're asking for each building? Or is it just for the mixed use building?

Commissioner Allen: I think all of them.

Chair Ritter: I think just number one. It's a corner.

Commissioner Balch: Why did you ask for clarification? Why don't we do, doubling the mixed use. I think we're all there on the mixed use. What about Residence 1 as well? So that way the 2 nearest the street, the biggest impacts?

Commissioner Nagler: Okay how about that. That'd be great.

Commissioner Balch moved to forward Case PUD-118 to the City Council with a recommendation for approval by making the findings in the staff report and with the following modifications to the Conditions of Approval: (1) remove the words “unless otherwise approved by the City Engineer” from Condition No. 83; (2) add a condition to substitute the metal siding for a different material at the discretion of the Director of Community Development; (3) add a condition to relocate the curb cut to add one additional parking space onsite, in conjunction with tree protection measures identified by an arborist; and (4) add a condition to change the bathroom in Residence 1 to a two-piece or shower configuration instead of tub. The Planning Commission also strongly recommended the applicant install story poles prior to the City Council hearing. Commissioner Nagler seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Balch, Nagler, Ritter
NOES: Commissioner Allen
ABSTAIN: None
RECUSED: None
ABSENT: Commissioners Brown and O’Connor

Resolution No. PC-2016-22 approving Case PUD-118, was entered and adopted as motioned.

7. MATTERS INITIATED BY COMMISSION MEMBERS

Commissioner Allen: I have something, and it has to do with this whole story pole discussion, and what I realized and I’m going to test it with you guys and I’m going to look for staff for some thoughts, but there is a house that I was part of a unanimous approval last year that’s now under construction on St. Mary’s Street. It’s right next to the Mike Carey project and next to the plaza. I approved that based on the staff report and answers to my questions that were I think good guesses which you would not be able to see the house. The developer said this flat out to my question and it’s even in the minutes; “You won’t be able to see that house from St. Mary’s Street because it will be blocked by the salon.” And the staff report and feedback, no one contradicted that. And the staff report said it would be minimal and that everyone could view minimally differently, but I received feedback from some residents that were really shocked by it so I went out and checked it out.

You can see it. So the question is, what can we do and I talked with staff a little bit. The question’s really looking forward. It is what it is for now. We encountered the same thing today with this project and we each have a different vision of what mass is and what compatibility is. So, I wanted to get staff’s feedback on what we can do to get more proactive ahead of time in dealing with this so that we can make the best decisions and each of us have a common picture of at least what the thing is that we’re looking at.

And I also noticed that when I was looking at the minutes from a Council meeting two years ago, when they approved the historic guidelines, they actually have a point in there that was approved by a 5-0 vote that story poles should be added to any

downtown projects as part of the project whenever they were needed. So they also confirmed that we just need to ask for it or has it as a standard. But I wanted to find out from staff what we can do to get that built in as part of our process.

Chair Ritter: When is it required and when is it not required?

Commissioner Nagler: Before you guys respond to these, let me just say to help flesh this out because I appreciate the comment you're making about that particular project, but then in general; that story poles are important but also have limited utilities because a story pole was put up on the project on Spring Street and I don't know that that communicated the mass of the building at all.

Commissioner Allen: You're right on.

Commissioner Nagler: So it's an excellent point and it is to be worked out with staff, but given the utility of modern computer programming and renderings, that the story pole may or may not be the right thing to do. Maybe every project in the City we should require a computer-generated 3-D renderings from a half a dozen perspectives or something, right?

Commissioner Allen: Something that shows the mass clearly.

Chair Ritter: Exactly, what's your thought on these?

Beaudin: Okay, so all great points and you know, I'll start maybe from where I think the start is and that is, I feel responsible for Commissioner Allen feeling like the information wasn't there so it is a point taken in terms of where buildings are going to be visible from and how we characterize view shed and potential view impacts and where buildings are going to be seen.

You know, we talked in some detail about this and I think for me the idea of our downtown changing is going to result in buildings that are more visible mostly because the scale of things that are there, and there's a lot of one-story buildings particularly on the side streets, and those single story buildings, typically what comes up around them will be more than one story. And so that building that's currently under construction does not have any of the exterior finishes or materials on it, so it does stick out like a sore thumb right now. There is the Carey Hoddnefield project coming in behind the single story structure on the corner on Peters which I think will help fill that particular block in and hopefully this new building when it's got the roof material and the exterior cladding, it starts to fit in with the character of the downtown. So that's specific to that one example, but I think that just needs some time to fill in.

There's pros and cons. To Commissioner Nagler's point, I don't think I've ever seen an applicant submit a rendering or a photo simulation that doesn't serve their project pretty well, and so it's a great tool and I think it does help us better. I think that story poles help with height. They can help you visualize where the envelope of the building's going to be but the renderings really start to give you the texture, the setbacks, a better feel that the massing; how it's going to be developed and refined, and so it's using all of the tools that we have in combination and I think we do a good job from a submittal requirement

perspective right now of letting people know these are going to be issues that are going to come up and I think what we need to do going forward is let them know that story poles are going to help us tell part of the story and renderings are going to help us tell another part of the story and it's really our job to help make sure that things are as accurate as possible; the story poles get put up at the right height, renderings accurately show the details and massing, and you know, they're not leaving a tree in where it's helpful and taking it out where it's not and making sure the landscape plan lines up with the architectural plans.

So it's going to be a more holistic approach to our review and hearing the concerns has really helped us think about it over the last few days and we appreciate Commissioner Allen bringing these concerns to our attention and we'll do it. We'll work with applicants and we'll let them know this is the expectation in Pleasanton, but particularly in Pleasanton in downtown we'll try to be as consistent as possible with folks around the community, but I certainly get the scale and massing for downtown.

Commissioner Balch: Can I just ask, one of the things I've seen in other cities is the posting of a courtesy notice at the site. I don't know if we do that here, but I think about the two-story restaurant going in on Main Street and they're advertising for themselves now. So now they've got their architectural rendering right up on their fence saying this is what's coming and it's actually creating a buzz to their benefit, right? When I think about Spring Street and the neighbors' conversation tonight about where we're at in the process and where they kind of come in, it seems like it didn't align as well as I would have hoped and, even for me, I don't know when an applicant's going to be asked by staff to put story poles up. If there's no workshop and they're coming in straight for approval, I know workshops have been kind of a quagmire if they're required or not, but it seems like we're being much more consistent which I personally think tonight shows two examples of great uses of a workshop. You know, are the story poles up by the workshop or are they up between the workshop and now? You know, sometimes I don't go out to the site until I see it in the packet on Friday and I've got to get there by Wednesday, right? So that's kind of I think a little bit of education back from staff on how you'd like us to do it and once you've determined how you think you can process it.

Also, Fremont is the city I've seen them do it where they'll post a courtesy notice of basically almost anything and they put up a 4x8 sheet of plywood and it's stamped on it. I don't read them too often, but they typically have a rendering and typically some quick item notice so that you can go and voice concerns, and that gets up real early in the process. When you think of this project, if it was on the corner saying this was coming up for a workshop and then you know, by the way if you're interested....

Commissioner Allen: I like that idea a lot because even in a workshop we're guessing the issues.

Chair Ritter: With the technology that we have nowadays, we should put right on that notice the website you can go look at the pictures of the renderings, you know? I think a rendering is more valuable than a story pole personally because you could see how it would look in the position, if it's a good rendering.

Commissioner Balch: As long as you quality control it.

Chair Ritter: Yeah, so that's the challenge. I don't know if there's such a site we could do that at. You use Google Earth for things. Can't you render things onto that?

Commissioner Balch: I'm interested because as I think about today, the first item didn't have really good renderings. In fact, it was only their rendering but it wasn't imposed on the site. And the second one had really good renderings and imposed on the site. So it's an interesting thing between applicants.

Chair Ritter: So I guess this is more of a note to staff of a concern than an agenda item, right?

Beaudin: So we're doing a few things on the other side of the wall over there. We have a new Permit Center Manager who showed up about two and a half weeks ago and I mentioned this to Commissioner Allen. We're really looking at our internal processes from pre-application, and I joke, through code enforcement. Really what I'm talking about is through the final building certificate of occupancy. But really, it's legitimately from start to finish in terms of our process and so planning notices, how people come through our building permit process, how we deal with code enforcement cases, technology, all these things are on this person's work plan and working collaboratively with other managers and staff throughout our department. So if you all can be a little bit patient, I think we're going to come back to you all with some informational updates.

Commissioner Balch: The other thing I'll just mention as a comment is that I noticed the conditions because I read them probably finer tooth as time goes on, but the conditions do change between similar applications and for example, the two we had on the agenda tonight, similar conditions and similar items in let's say 95% of the conditions, but the manner in which they're written or in the order or tone they take is inconsistent, and I'm slightly puzzled by that because I would expect basically a check the box when this applies and it goes over to the list type of a thing and then you have your customized conditions based more on the site. And I mention that as a consideration.

Beaudin: I'll tell you I sat with our new Permit Center Manager two days ago and again, it was Monday and we looked at the project conditions and we went through and there's a redlined version of conditions of approval and we're going to work towards a master conditions list so that we do a reverse engineering process for our folks. There's a big long list of conditions we use on a regular basis and we'll remove the ones that aren't applicable to the project and they will be consistent when you see packet after packet. Like I said, it's off and running and you'll notice it and it's coming sooner than all of you might think otherwise based on how quickly we've done things because we have somebody dedicated to this now. I don't want to go into a ton of detail because I want to work with other staff and my managers across the department, but it's something that we take seriously and we're going to continue to improve, and it's from noticing to conditions, I mean all aspects of our development review process.

Chair Ritter: Great. Good luck!

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

a. Reports from Meetings attended

Chair Ritter: Bicycle and Pedestrian meeting?

Commissioner Allen: I was there. There were more attendees than ever. There were about 50 and they were from across the Bay Area, and it brought forward independent of blame or anything, it just brought forward how much further we have to go in Pleasanton to improve bicycle safety. And Jerry Pentin was there and encouraged people to come to the Council meeting to heighten awareness about the importance of investing more in bike trail and bike safety because right now, Jerry is the only cyclist on the Council and it really is an important area.

The second point here is I ended up going on a ride with a group; the Pleasanton Peddlers, for the first time about a week and one half ago, and I was actually shocked on a Thursday to see about 40 people; half women, half men, all ages riding from Pleasanton to Livermore at 14 miles an hour. Many of them work and they took part of the day off or something, but that's a lot of commitment for that many people to be out riding and they have three rides a week. I was expecting five people, but I mean there are a lot of people that are cycling for health as much as anything.

Chair Ritter: That's a big group. I've ridden around Lake Tahoe. I'm a bicyclist also, contrary to the way I look, but haha, we do have a lot of fun. One thing I just wanted to bring up to my fellow Commissioners is that when we created, I was on the Trails Committee once and then we created the Bicycle Committee and now it's the Bicycle and Trails Committee and there's a discussion about making the Bicycle Committee possibly come under more planning focus with Tassano type stuff and the trails being more parks and rec because they kind of mix, and I just wanted to float that out there about things that I've heard because when I was on Parks and Rec we never heard anything about traffic studies. When I'm on Planning I hear a lot about that, so just a thought that might come up at these meetings.

Beaudin: It is a Bike Pedestrian and Trails Committee and so the committees were merged at a point in the past.

Chair Ritter: I was on that. I was on the Trails Committee and on the merged committee. It kind of lost its focus on on-street biking. That's the challenge I'm hearing.

Beaudin: You all are aware that we're doing a Bike and Pedestrian Master Plan update currently, so that process is on-going and we're prioritizing a list of improvements that—it's pretty long, and we actually, Measure B and Measure BB money is coming to the City on an annual basis and we want to make sure we're spending the money in a way that's consistent with the community's expectations and prioritization.

Chair Ritter: That's great.

b. Future Planning Calendar

Chair Ritter: Chabad/Masons?

Weinstein: So ignore that for the time being.

Commissioner Balch: Can you tell us where that escrow is?

Weinstein: So it's apparently in escrow and we heard that it'll be wrapped up at the end of August, but take it with a grain of salt. But related to that, your decision on the Masonic Lodge and the dispute with the Millers was appealed to the City Council and that will be heard probably on August 16th, but I know that date is a bit up in the air. It will be pushed beyond that it seems like from Gerry, but it's an appeal that will be going to the City Council in the future by the Masons.

Commissioner Balch: I should have mentioned it back at the beginning of the meeting when we were talking about the minutes, but one of the things I asked Julie after was, you know, when I read the minutes, I kind of reconciled the minutes to the notes I had taken on my copy of the agenda and it was very difficult. In the future, I think we should try to do a little bit better to help them along with the revised resolution. You know, when we read the minutes, you see, okay, Line 26 out, Line 27 in, line....it wasn't...we didn't make easy work for them and we could have done better. I could have done better and I apologize.

Weinstein: Actually I think you guys did pretty well. We went condition by condition and revised each condition. I think what will be helpful and we can send this out to you are the actual revised conditions that were sent to the Millers and to the Masons and attached to the resolution so you can see the changes that were actually made because I actually think you guys did a really good job in helping us craft the language. I mean, it took a long time, but the outcome was good. I think we had really solid direction on the specific wording for each of the conditions we wanted to change.

Chair Ritter: What we learned from that though is just starting with the conditions and going down the line and if there are any changes after we do the discussion and before we make the motion. We learned a lot from that. It would have saved about 20 pages.

Weinstein: So I just want to flag two upcoming items on the upcoming meeting calendar. The first is, at the next meeting on the 27th, the 536 St. John Street/Peters Avenue project is coming back. We did a workshop on that. That's Peters and St. John's essentially and 10 townhouses and preservation of the existing historic building on the site. So that will be back on the 27th and then it looks like Irby is coming on August 10.

Commissioner Nagler: They're keeping the historic building on the site now?

Weinstein: That's right. They cut two units off so it used to be 12 new residential units. They cut two of those out of the project and they're keeping the historic building on the site, but they're moving it to the western-most part of the site as opposed down Pleasanton Avenue.

Commissioner Nagler: Oh that's interesting. Okay thank you.

Weinstein: That's coming on the 27th and the Irby likely on the 10th, and then there's a good chance we'll have a workshop on the Zoning Code Update on the 10th as well. They'll be a Downtown Parking Update as well on the 10th and then possibly the Valley Trails PUD/Ponderosa project. That's a little bit up in the air right now. But the only

point I want to make is that the 10th is going to be a pretty big meeting, so if you can attend, please do so.

Chair Ritter: Are there any GPA's on here other than the Irby one?

Weinstein: Ponderosa is as well. Valley Trails is a GPA, not a rezoning.

Commissioners Allen and Balch absent on July 27th.

c. Actions of the City Council

No discussion was held or action taken.

d. Actions of the Zoning Administrator

No discussion was held or action taken.

e. Matters for Commission's Information

Weinstein mentioned By-Right proposal.

9. ADJOURNMENT

Chair Ritter adjourned the meeting at 10:03 p.m.

Respectfully submitted,

Adam Weinstein
Secretary