

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

**DRAFT**

**Wednesday, September 9, 2015**

**CALL TO ORDER**

The Planning Commission Meeting of September 9, 2015, was called to order at 7:00 p.m. by Chair Allen.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Chair Allen.

**1. ROLL CALL**

Staff Members Present: Gerry Beaudin, Director of Community Development; Adam Weinstein, Planning Manager; Julie Harryman, Assistant City Attorney; Jennifer Hagen, Associate Planner; and Kendall Rose, Recording Secretary

Commissioners Present: Commissioners Nancy Allen, Jack Balch, David Nagler, Greg O'Connor, Gina Piper, and Herb Ritter

Commissioners Absent: None

**2. APPROVAL OF MINUTES**

**a. August 12, 2015**

**Commissioner Piper moved to approve the Minutes of the August 12, 2015 Meeting, as submitted.**

**Commissioner O'Connor seconded the motion.**

## ROLL CALL VOTE:

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

The Minutes of August 12, 2015 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**

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

### 4. **REVISIONS TO THE AGENDA**

Adam Weinstein advised that 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.*

There were no items for consideration under the Consent Calendar.

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

#### a. **P15-0290, Alok Ventures LLC**

**Application for Design Review approval to construct three apartment units and related site improvements behind the existing dwelling located at 4745 Augustine Street. Zoning for the property is RM-1,500 (Multi-Family Residential), Downtown Revitalization, and Core Area Overlay District.**

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

Commissioner Balch referred to the Minutes from the prior meeting, noting that one of the conversation topics was actually building onto the existing family home on the front of the lot, and a few Commissioners talked about adding a second story, punching out the wall, or redesigning that building. He inquired if this was discussed at any time with the applicant.

Ms. Hagen said yes. She stated that because staff felt that adding a second story would not meet the Downtown Specific Plan guidelines, staff actually urged the

applicant not to add a second story. She added that with respect to modifying the existing home, the applicant felt that having a second building instead of adding onto the existing home would be more appropriate for either his budget or to maintain the existing rental unit at the front and the construction at the rear. She added that the applicant is here to talk about that further if the Commission desired.

Commissioner Ritter noted that there are a few second-story houses in the area and inquired why adding a second story to the building would not conform to the guidelines.

Ms. Hagen replied that there is a specific guideline that states that the goal is to maintain the existing streetscape. She indicated that the majority of the homes along Augustine Street are older, single-story homes, and to maintain that streetscape, staff felt it was more appropriate to maintain a single-story home in the front and add the massing to the rear.

Commissioner O'Connor requested confirmation of his understanding of staff's comments that in Option 2, the third unit in the rear building above the parking would have an adverse look from the front of the house.

Ms. Hagen replied that the view along Augustine Street from the front of the building over the home would not have that much of an impact with the exception that it would affect the symmetry of the home on the east elevation. She noted that this impact would be greater looking down the driveways of 4731 and 4745 Augustine Street, where there would be a clearer view of the side angle of the cantilevered unit with its awkward beams and design.

Commissioner O'Connor inquired if both the upper and lower floors would be visible, noting that there is nothing below it.

Ms. Hagen replied that they would be visible looking down the driveway.

Commissioner Balch agreed, given that the fence would be about six feet high.

Commissioner O'Connor asked if that would still be if cars were going more than five miles per hour.

Ms. Hagen noted that it is a very narrow street and vehicles are hopefully going very slowly.

Commissioner O'Connor stated that he was trying to figure out what the difference would be with the original Option 1 with a second story right behind the house. He noted that the second story would be visible from the front corner of the street in both Option 1 and Option 2. He added that he could not see the carports from the street.

Mr. Weinstein stated that the comment was intended to get to the point of the fact that there are not a lot of cantilevered buildings in Downtown, and having a view of the garage from the driveway and then having a view of the second story which is a little bit asymmetrical is an issue. He added that the design needs to use the cantilevered feature because it is relatively massive.

Commissioner O'Connor commented that he did not think it would be that visible to notice it was something that unusual. He indicated that he is just still trying to see if the viewscape for the neighbor can be saved, and this is one of the options that does that.

Commissioner Piper noted that all three options are simply redistributing the number of units and inquired if there were any discussions regarding reducing the number of units or bedrooms for the project.

Ms. Hagen said yes, but the applicant wished to proceed with three additional units.

Commissioner O'Connor commented that it would be a total of seven bedrooms because one bedroom from the original house is being removed.

Ms. Hagen confirmed that was correct.

Commissioner O'Connor noted that if the original bedroom were left in the original house, and unit behind were not constructed, there would still be a total of seven bedrooms with three in the house and an additional four in the back.

Ms. Hagen said yes.

Chair Allen inquired what the reason was for removing the bedroom in the original house.

Ms. Hagen replied it was for parking requirements.

Commissioner Nagler asked staff to share what they learned on their site visit between the last hearing and tonight with regard to the view that does exist and what actually is seen.

Ms. Hagen replied that the staff report contains pictures taken from the front bedroom as well as from the rear bedroom: the view from the front bedroom is the rear of a two-story apartment complex along Harrison Street, as well as the garage and a tree which partially obstructs the view of the ridge; and the view from the rear bedroom is a two-story building on Old Bernal Court with a garage to the rear of that property, which also partly obstructs the view of the ridge. She noted, however, that the ridgeline is visible from both the front and the rear bedrooms, above the two-story buildings.

Commissioner Nagler requested staff to confirm if he understood the staff report correctly that the construction of a building between this spot and the ridgeline is either approved or planned at some point in the future.

Ms. Hagen said no. She indicated that there are no current construction or approvals, but all of these properties do maintain zoning that allows for future construction on them.

Commissioner Ritter inquired if the maximum building height for the site to the south is 30 feet high.

Ms. Hagen said yes as it is zoned for office which allows up to 30 feet high. She added that this proposed project is zoned for multi-family, which can go up to 40 feet high.

Chair Allen stated that the staff report also talked about the trees maturing and inquired how old the trees seen from the rear bedroom are and if they could obstruct the current view in ten years.

Ms. Hagen replied that the tree on the right of the view is a fairly new, recently-planted Plum tree, and the two on the very left of the view are Heritage trees which could grow taller and which staff would most likely request to be retained with future construction. She indicated that the Plum tree is proposed to be removed as part of this development, which would provide the neighbor with a wider view to the right.

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

Alok Damireddy, Applicant, stated that his team spent six months working with City staff and the neighbors to arrive at multiple plan options, and after four neighborhood meetings and ten revisions, they arrived at a consensus with three full-scale, fine-tuned designs. He added that he also created a public poll so citizens could comment on these plans: there were about 15 respondents, most of whom had previously applied for building permits, and of the 15, 12 liked Option 1; two liked Option 2, and three liked Option 3. He noted that they made every possible effort to make sure they met all the Code requirements and to have a good balance with what they want to have on this site. He then thanked the staff and the neighbors for their cooperation.

Regarding the preservation of views, Mr. Damireddy stated that no scenic or view corridor easement exists on the current property, and the neighbors should have reasonable expectations that future construction and landscaping could and would obstruct the views. He added that the Planning Commission has a precedent of approving residential projects where there were view concerns. He stated that he has been working with the neighbors to address all these concerns and come to a consensus.

Mr. Damireddy pointed out that the current zoning on the project site allows for four additional units, and they chose to build only three, pretty small in design ranging from 697 to 829 square feet. He noted that any further reduction in size would make them too small. He added that they have addressed all of the privacy issues, especially in the north-facing elevations: the window has been minimized, and the structure to the rear of the property has been set back. He requested the Planning Commission to approve one of the options today to avoid further design issues.

Commissioner Piper inquired to whom the public poll went.

Mr. Damireddy replied that they were Pleasanton residents who were property owners and had applied for building permits over the past two years. He indicated that he pulled their emails from public records and sent them the poll.

Commissioner Balch inquired if the respondents were only within a certain area.

Mr. Damireddy said no. He stated that he pulled everyone who had applied and were approved for a building permit and had provided their email addresses.

Commissioner Balch stated that he had applied for and has an approved building permit, but he did not receive the email.

Mr. Damireddy replied that it could have been sent to a spam folder and that he could not comment on those. He added that there is a large chance that some of those on the list did not receive the email.

Chair Allen inquired if the poll had any ability for people to say why they selected Option 1.

Mr. Damireddy said no. He indicated that there was a section where the respondents could add comments, and no one left any.

Commissioner Ritter asked Mr. Damireddy if his preference is Option 1, followed by Option 2, and then Option 3.

Mr. Damireddy replied that he would pick Option 1 as it is much better designed, and Option 2 would be next because of the neighbors' concerns.

Commissioner Piper noted that Mr. Damireddy had said he had spoken to the neighbors and asked if he spoke with all four neighbors.

Mr. Damireddy said no and added that they had four meetings.

Commissioner Piper asked how many neighbors were invited and how many showed up at the four meetings.

Mr. Damireddy replied that he invited the current tenant in the home and adjacent neighbors. He stated that he was reaching out to people who had expressed concern to staff, which he took as an indication that they might have an issue with the project. He added that only one showed up at the meetings.

Edward Cintrone, a neighbor, stated that he listened to all the reports about all the structures that exist along Augustine Street, but there are only duplexes on that whole street and they set way in the back. With respect to the neighborhood meetings, he indicated that there are no neighbors; except for himself and one other owner, all the residents are renters and do not own the property, so there is no reason for them to come to the meetings.

Mr. Cintrone stated that the first unit is an eyesore and towers above the little house up front, totally blocking their view; and the second unit takes over half of their view as well. He indicated that he and his wife are in favor of three stories; it will take away a little bit of the view, but they will be sitting in the back, like the other units down the street. He added that they will be 30 feet high instead of the allowed 40 feet, and they will look really nice. He stated that he is not in favor of the Option 1 plan; Option 2 comes over

and pulls all the way up to his garage, and the height just blocks their view. He noted that the trees are Heritage trees which have been there since he was a child. He agreed that he will definitely get more of a view when the Plum tree is removed.

Francisco Matos, project architect, thanked the Commission and staff for reviewing the project. He stated that it seems that Pleasanton is known for the ridgeline, but anyone who walks up close enough to any building in this town will lose the view of that ridgeline. He noted that it is just a matter of perspective, and the way proposed building is designed will preserve the view of the ridge.

Dana Cintrone, a neighbor, stated that she had a picture of a tiny little home in a huge city with skyscrapers all around it, which resulted from people's resistance to losing what they had, and everything was built around this little home. She stated that she did not want to be the person in that situation. She indicated that they have lived in this area for a long time, her husband was raised here, and it was changed to high density years ago. She stated that this is about views and preserving some open space in that little place where they live. She added that they downsized to a smaller house in this area because of the openness they had here, and that will change when a building is built right next to their house. , and they do not want to lose that. She indicated that they do not want to keep their neighbor from having this investment, but they do not want to lose their view and openness either. She stated that talking about cantilevered design reminded her of Frank Lloyd Wright: the concept is not always that ugly, and sometimes visualizing from a plan to reality might not be that different. She added that she liked the discussion with the applicant regarding the parking situation.

Ms. Cintrone stated that she is aware that the preference is for Option 1, but as residents in the area, they did not find it very appealing as they would be driving into a very close, confined area to park. She added that if they had a choice, they would be storing their junk in a garage and park on the street. She indicated that they support Option 3 because the structure would not be that close to their house, and it would provide more openness so tenants would want to drive down there to park. She pointed out that their community is old, and it is different from other communities. She noted that it is not a cookie-cutter neighborhood; the houses on that street are not all the same, and that is the value of their community. She indicated that they trusted the Commission's good judgment and reiterated that they liked Option 3.

Girish Reddy stated that he has lived in Pleasanton for over six years and works for a software company that hires a lot of young talent who have just graduated from college and want to live in the Downtown. He noted that because there is not enough housing in the Downtown for these folks, they go and live in San Francisco, which adds an hour of unproductive commute. He indicated that there is a need for more housing with smaller units that can support these fresh graduates, and that is the reason he is in favor of this project.

Venkata Datla stated that he moved to Pleasanton eight years ago and started a software business about five years ago. He indicated that he has friends who own businesses in the Downtown, and one of the key things he noticed was that the traffic volume and foot traffic have gone down. He noted that he sees Pleasanton Downtown

evolving, and the only way it can become more vibrant is to have people live closer to the Downtown.

Mr. Damireddy noted that Option 2 does not obstruct most of the views and is obviously the best in terms of preserving views because it is set at the rear of the property. He stated that the issue with the existing building is that it is considered a legal, non-conforming structure and a new structure cannot be attached to it without modifying it and making it compliant with existing requirements: it has to have a set of sprinkler systems and its entire engineering component has to be brought up to code. He added that this would help preserve the streetscape desired by Planning staff.

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

Commissioner Piper stated that she does not like three-story structures but likes the fact that it would help preserve the neighbors' views. She noted, though, that based on what staff is saying, it does not sound like a valid option.

Commissioner O'Connor inquired how high an office building can be built.

Ms. Hagen replied that a straight-zoned office area allows up to 30 feet in height, and it could go higher with a PUD.

Commissioner O'Connor inquired if the residential zoning on this lot is for 40 feet tall.

Ms. Hagen replied that was correct. She noted that the Fire Code does not allow the eave line of the three-story building to be above 30 feet because the narrow driveway does not allow a fire truck access to go on-site. She pointed out that in this particular instance, although the Code allows for 40 feet high, the Fire Code allows the building to go only up to 30 feet high to the eave line because of the site layout.

Commissioner Balch inquired if the roofline of Option 3 is Code-compliant.

Ms. Hagen said yes.

Commissioner Balch commented that it is not compliant with exiting for all units, noting that it would have to be re-designed because the third story comes down the center between the two on the edges into the garage, and that is not allowed.

Commissioner O'Connor noted that these are unintended consequences of rezoning: some people have lived in these homes for 100 years and there goes their views. He indicated that in the past, the Commission has made recommendations when streetscapes do not exist on properties, and the situation in the Arlington neighborhood comes to mind. He indicated that when old neighborhoods start to fill up with new buildings, the daylight to the sky is reduced or eliminated. He stated that he prefers to stay with three units, retain the original house and not put in another unit, but he understands the owner's desire to have a separate rental. He added that if that is the direction and there would be a fourth unit on the property, he would rather go with Option 3, which would be a full ten feet under what the zoning allows. He indicated that



it would not be so intrusive and the staircase would have to be redesigned, but it is actually the best of the three options.

Commissioner Balch asked staff how Commissioner O'Connor's suggestion for Option 3 would work, given that it is a non-compliant-designed building.

Ms. Hagen replied that the Commission could set parameters and require it to be redesigned to be Code-compliant, as approved by the Director of Community Development.

Commissioner Balch noted that the Building Code is the trigger here and that basically, the Commission could approve a condition that it be designed correctly to be Building Code-compliant.

Ms. Hagen said yes.

Commissioner Balch stated that a three-story building is quite big, and people would not realize that until they are standing next to one. He recalled that the Kottinger re-design for the Kottinger Place/Kottinger Gardens project required a large amount of work for a three-story building.

Commissioner Ritter stated that he has some numbers which may provide some perspective: Tully's Plaza is 44 feet at the top and 33 feet at the parapet; the Oasis Café is 43 feet at the top and 28.5 feet at the ridge; the Rose Hotel is 47 feet at the top and 45 feet at the gables; the Pleasanton Hotel is 43 feet at the top and 41 feet at the ridge; the new Pastime Plaza in Downtown is 34 feet; and the Chamber of Commerce building down the street is 34 feet at the ridgeline. He indicated that he perceives the lot to the south will also come in with some residential requests, and the owners will want a garage and two stories above it because of the need for workforce housing. He agreed with the speaker about new graduates coming into town for work, but he also likes seeing daylight versus just a bunch of sprawling houses with no yard or parking on site.

Commissioner Balch stated that with any of the options, the building elevation facing the neighbors' side has small windows so it is not intrusive and no one would be looking into their property; however, there are larger windows on the rear of the building facing the 30-foot tall building ten feet off of the property line, but that owner has not showed up to a meeting or been involved. He indicated that he is not really excited about the cantilevers, but staff's commentary is appropriate that while it is not the best, it could work. He added that he is slightly dismayed about Option 1 and understands both staff's position and that of the applicant, but he would really prefer something more in that area.

Commissioner Piper commented that these three options were not noticed to neighbors and that if the Commission approved Option 3, that rear neighbor will not have known about the three-story building and would not have had the option to comment.

Ms. Hagen replied that all of the notices indicated an application for Design Review to construct three apartment units and that none of the notices indicated a height at all.

She indicated that she was contacted by neighbors to the rear and requested the website where they can review the plans.

Commissioner Piper inquired if all three options are on the website.

Ms. Hagen replied that all three options were attached to the staff report on the City's website.

Commissioner Ritter inquired if the story poles are in Option 1.

Ms. Hagen replied that they are only for Option 1 and Option 2.

Commissioner O'Connor inquired why the notice card would not indicated that the plans are available for review on the website.

Ms. Hagen replied that the website address is included on the notice card, as well; the notice states that the staff report will be available on the City's website, and it gives the website link.

Commissioner Nagler stated that sometimes the challenge of the question does not have much to do with the size or scope or mass of the project. He indicated that what makes this interesting is that one of the elements of the Downtown Specific Plan is an intent to preserve existing views, although the other elements of the Downtown Specific Plan call for maintenance of a certain kind of architecture, maintenance of street views, and an attempt to not substantially alter the look of the Downtown area by virtue of new buildings. He added that it seems to him that there is no perfect answer, and it is a question of relativity amongst the things the Commission is being asked to consider as far as the Downtown Plan.

Commissioner Nagler stated that it would be to the neighbor to have that view line obstructed: the view that is available is limited, it will always be limited, and it has the potential over time to become more obscured. He indicated that if that is the case, then the Commission also ought to have at least as much care about the architecture and the massing of the buildings and the maintenance of the look of the neighborhood. He stated that he actually thinks that a three-story building would be a tough thing for that neighborhood to aesthetically swallow. He noted that he does not have a vote tonight, but if he did, he would be supporting Option 1 on balance.

Chair Allen stated that this is a tough one for her as well and that she feels somewhat the same way as Commissioner Nagler when she came in. She indicated that it is a balancing act between preserving the view versus the Downtown guidelines in a small, tight neighborhood. She noted that she is also thinking about precedent-setting because there will be more buildings in this neighborhood, and she is concerned about creating a three-story building as well as a building that has three units versus two just because the guidelines are trying to go toward creating a neighborhood that is more consistent architecturally and that limits the massing. She stated that for that reason, she is not excited about Option 3 because the architecture is not as consistent and is more massing; and Option 2 does not totally help the view and does not protect the neighbors' views as they would like it to be: the view is somewhat limited today and will

most likely become more limited over time with development occurring next door and other places.

Chair Allen stated that the Commission could make a decision to just protect the view and do it one time on this property, but she is concerned on the other hand that the Commission is creating a precedent for other properties that are going to come along and will expect the same thing. She added that she is not excited about this design as a standard for that street and is, therefore, leaning toward Option 1.

Commissioner O'Connor stated that he has a two-story home which is probably about 27 feet tall, and has 10-foot high ceilings with one foot between the ceiling and the roof. He added that it is probably pretty close to 31 feet as far as massing goes. He agreed with the Commissioners that the views in this area are not pristine to the ridge with just a little bit showing. He indicated that he was looking more at just having open, blue sky, having space without looking out and just seeing things surrounded by buildings. He stated that he thinks Option 1 is the worst thing for the Downtown, but moving it back and even with a three-story building, that massing in the front home on the narrow street would not be something looming at 30 feet, and there are going to be homes that are going to be easily in the high 20's to 30 feet that can go up to 40 feet high. He added that he does not like Option 2 either and that the cantilever over the drive aisle and parking area do not preserve as much open sky.

Commissioner Balch questioned why an area would be zoned for 30 feet if staff does not like three stories.

Chair Allen corrected that residential is zoned for 40 feet.

Ms. Hagen explained that it is not that staff does not like three stories; it is more of the single occasion of the interior spot on a street that is predominantly single story. She noted that staff felt that a two stories is more appropriate at this particular location to be consistent with the street and the streetscape and the Downtown Guidelines. She added that a three-story would definitely be acceptable on a thoroughfare such as Peters Avenue or on a corner lot.

Mr. Weinstein added that staff looked at the character of this street as well and that staff tries to route its recommendations and policy, which was in the Commission's previous staff report. He referred to Policy No. 15 in the Downtown Specific Plan, which requests an amendment to the Municipal Code to limit building height in all residential zoning districts in the Downtown to no more than two stories and no more than 30 feet. He noted that while that Code amendment has not been codified, staff feels that designing a project here that is two stories, as opposed to three stories, meets the intent of that Land Use Policy, and that is an important part of staff's recommendation as well. He added that staff also feels that two-story buildings in this place would just look and fit better into the context of the neighborhood.

Commissioner Balch noted that this is the first application on this street and inquired if a future application for a 30-foot, three-story building down that street would conform with the zoning, similar to this one.

Gerry Beaudin stated that there is a Downtown Specific Plan update scheduled, and some of the issues being discussed regarding compatibility will come up in that process. With regard to Commissioner Balch's question, he indicated that the zoning sets a maximum or a minimum, and then the policies and context of the project will have to be considered. He stated that that is what staff is trying to apply here more specifically: 40 feet tall may be the maximum allowed by the zoning, but staff is looking at what fits and will work in this neighborhood, and 40 feet tall is not compatible and would not work in this particular context. He added that another discussion is whether it should be two or three stories.

Commissioner Balch stated that the three-story building is designed at 30 feet, equivalent to 75 percent of the 40-foot upper limit. He indicated that he is trying to understand this more but is having some difficulty because the rule of the game sets the height at 40 feet, but staff then comes in and cherry-picks. He pointed out that as Commissioner Ritter had pointed out earlier, Downtown Main Street has three-story buildings that obviously are appropriate there and have been approved by staff. He expressed concern about three-story buildings because of how much work was involved in past projects related to three stories that the Commission he has been on has considered, whereas two stories appear to be a lot easier.

Commissioner O'Connor asked Commissioner Balch if he would be concerned if it were a two-story building at 30 feet.

Commissioner Ritter noted that the new one just down the road at 225 West Angela Street facing Peter's Avenue right up next to the curb is three stories, so approving a three-story for this proposal does not set a precedent. He indicated that he is also struggling with this concept because he feels there will be more coming in. He recalled that at its last meeting, the Commission also had a conversation about having three stories on Spring Street. He agreed with Commissioner O'Connor that he does not want to see houses being built all over the area without parking spaces or landscaping or being able to look up at the sky. He indicated that he is currently between Option 2 and Option 3.

Commissioner Balch asked if the Commission would be having the same conversation if the next-door neighbor resident were not a long-term resident.

Commissioner O'Connor indicated that he would still like to preserve the blue sky.

Commissioner Balch clarified that the neighbor would own the area straight up and not the one to the left or right.

Commissioner O'Connor stated that when he looks out his window straight up without putting his head out, he does not want it to look like San Francisco or Oakland with all of the skyscrapers around.

Commissioner Balch replied that in effect, what Commissioner O'Connor is saying is that to preserve the blue sky, one can build a three-story building ten feet from somebody else's property line versus a two story at the rear property line.

Commissioner O'Connor stated that there are many three-story buildings that are as tall as many two-story buildings. He indicated that it depends on the neighborhood as well. He noted that over at Safeway by the freeway, there are three-story Brownstones right on top of one another, but that is a whole neighborhood onto itself, and any homebuyer would be aware of what they have next door. He pointed out that here, three stories is being added to an existing neighborhood.

Chair Allen asked Mr. Beaudin if he had a schedule of when the Downtown guidelines will be enhanced and when two stories, for example, would come out more prominently.

Mr. Beaudin replied that the City Council has just identified this as a Work Plan item for the Downtown Specific Plan, and so it is at its early stages and no project schedule for it has been set at this time. He indicated that what the Commission is talking about is essentially compatibility and massing. He agreed that it is a bit difficult because what is being looked at are just some side elevations, and it would be helpful to see the streetscape and the area around these properties. He indicated that the question the Commissioners have to ask themselves is essentially whether the three-story or two-story home or structure fits in this neighborhood relative to what is around it. He pointed out that there are different options before the Commission, and it sounds to him like the Commission is considering either Option 1 or Option 3; and there is about an eight- or nine-foot height difference, which is just where the massing goes on the property.

Chair Allen stated that many projects that come before the Commission have pictures of a streetscape, but this has none. She indicated that she is having difficulty envisioning it and asked if staff can help the Commission visualize or really compare Option 1 and Option 3.

Mr. Beaudin referred to the slide on the story poles which shows the 22-foot tall, two-story option; a three-story would essentially be adding another ten feet on top of those story poles, and that would show the massing of the structures.

Commissioner O'Connor commented that it would have been nice to see the line of sight from the front, where it would be going up, and the two-story house would be right behind it. He stated that it would be interesting to see how much higher the third story looks at a depth than the two story that is closer.

Commissioner Balch stated that Figure 3 on page 9 of the prior staff report is a picture from the street. He indicated that if a two-story is placed right behind the front house as per Option 1, the front house would obviously be seen from the street, Building 2 is taking all the view line from the street, and Building 3 would be in the very back. With respect to Option 3, he stated that the second middle house obviously disappears, leaving only the standard two-story, but as Mr. Beaudin suggested, another ten feet are being added to the top to simulate a three-story.

Commissioner O'Connor stated that looking now from a window, Option 2 pulls it forward, and they are almost the same.

Commissioner Balch noted that they are both 22 feet tall.

Commissioner O'Connor indicated that the view is from the side, inside the lot, and not sitting out front.

Ms. Hagen clarified that these are just generalized photos trying to follow the story poles.

Commissioner Ritter stated that the house to the west of the lot looks even higher than the story poles. He indicated that he did not get the height of those on the left side of the lot, but it just seemed like even three stories were not popping out because the houses on the west were pretty big too and they are all duplexes or four-plexes.

Ms. Hagen explained that they are older, two-story apartments that are probably 25-30 feet tall and are substantially bigger than anything else around. She indicated that she did not know what type of foundation those houses are on.

Mr. Beaudin noted that as pointed out by Commissioner Balch, the picture on page 9 of the old staff report is a very helpful graphic as it shows from the front of the house, the story poles with the two-story element appearing beyond the existing one-story.

Commissioner Balch stated that he does not know if the Commission should take a straw poll at this time to try to move along a bit, but he personally is thinking that a three-story is pretty significant so he is shying away from it. He indicated that he is, therefore, leaning towards Option 1 but realizes that he said he still would have appreciated more at the first building at the front, but he indicated that he understood.

Commissioner O'Connor stated that even with the page 3 graphic, he would still go with Option 3 because there are nine extra feet farther out in the distance.

Commissioner Ritter stated that he favors Option 2 or Option 3.

Commissioner Piper stated that she is leaning towards Option 1 because she finds it interesting that the public comment that came out from the notice is neighbors are excited about this and are asking if they can do this to their property as well. She indicated that she feels there will be a lot more of this coming in, and this is what the City is looking to have done for the revitalization of the Downtown. She noted that it is upsetting to her that it would take away from the neighbor's view, but she felt that Option 1 is the best for the whole surrounding area in the neighborhood. With respect to the precedent that is being set for those future people who will probably be coming forth asking to do some other things, she stated that she wished the unit count was lowered and be very supportive of it, but that obviously did not happen and she then prefers Option 1.

Chair Allen stated that her comments are very similar to Commissioner Piper's and that she is also leaning towards Option 1 because of the precedent concerns as well. She noted that she knows where Commissioner O'Connor is coming from, but if she had streetscapes and it could prove that that building was not massive and would fit into the neighborhood at 30 feet high, she would feel more comfortable with and be open to Option 3. She added that absent having that, she is reluctant to go there because she

thinks it creates a precedent and as some among the Commissioners mentioned, she would have liked to have one less unit as well. She stated that looking at future applications coming this way, the Commission does not always need to aim at getting the maximum on utilization of the site; it is more a matter of how the amount of units fit in the neighborhood and that specific site. She added that what happens Downtown on a major street like Peters Avenue is very, very different than what happens in this little neighborhood; it is mainly single stories with very tight lots on a narrow street.

Commissioner O'Connor stated that he would have liked to have seen more streetscapes as well, but the number of units for this project is below what is allowed on the site.

Commissioner Balch stated that four units versus three units does not feel very perfect. He indicated that parking was discussed at the last meeting and asked if any of the Commissioners might feel like trying to refigure it or sending it back, or if they are fine with proceeding the way it is.

Chair Allen stated that she should be open to sending it back, but the Commission has already spent so much time on this. She indicated that she would have liked to see three, but given the amount of discussion the Commission has had on this and where it is at this point, she would not like to send it back.

Commissioner O'Connor commented that it would have been nice to see the neighborhood present as well.

**Commissioner Balch moved to approve Case P15-0290, per Option 1, marked "Received July 13, 2015" and revised plan sheets A201 and A101, marked "Received July 22, 2015, for Case No. P15-0290, subject to the Conditions of Approval listed in Exhibit A of the staff report. Commissioner Piper seconded the motion.**

**ROLL CALL VOTE:**

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

Resolution No. PC-2015-29 approving Case P15-0290 per Option 1 was entered and adopted as motioned.

**7. MATTERS INITIATED BY COMMISSION MEMBERS**

Downtown Parking Survey

Commissioner Balch requested that the Planning Commission choose the evaluation of the Downtown Parking Plan as its priority for the next City Council Priorities.

Mr. Weinstein stated that City staff is currently working on the scope of work for that parking study to figure out what questions need to be answered that were not answered in the previous study, and identify amendments to occur in a parking strategy that could be evaluated as part of this study. He indicated that it should be ready in the next couple of months.

Commissioner Balch stated that one of the other options or elements was the feasibility of the railroad corridor lot behind the Cole's Market on the north side. He noted that a speaker has brought that up twice at past Planning Commission meetings.

Chair Allen inquired if the subject is going to the City Council for discussion the next month.

Mr. Beaudin replied that staff has heard from a number of folks that parking is a concern in the Downtown, and the Council has asked staff for an approach to address this topic. He indicated that a report on the strategy to approach the Downtown parking discussion has been set for the October 6, 2015 Council meeting, at which time staff hopes to receive some direction to get started with a work plan.

Chair Allen inquired if this is something that would typically first come to the Planning Commission for input.

Mr. Beaudin replied that staff will be developing this strategy and having that conversation with Council to see if there's a willingness to allocate staff resources and time to go ahead and approach the topic. He indicated that staff will be working with the Pleasanton Downtown Association as well as stakeholders and various groups who are affected by this for their input. He added that the Planning Commission would be included as it deals with applications in the Downtown on a regular basis and know what kinds of exceptions people are asking for and what areas of town might be more impacted.

Commissioner Ritter indicated that he will not be at the October 28, 2015 Planning Commission meeting.

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

### **a. Future Planning Calendar**

Mr. Weinstein stated that the amendment to the Municipal Code and Review of the Historic Resource Survey will be coming before the Commission at its first meeting in October; the Dog Park Minor Modification is going away completely; and the Roche Molecular project will be coming as well to the next Planning Commission meeting. He added that another project that is actually not listed on the report is the Johnson Drive Economic Development Zone Supplemental EIR for an economic development zone here in the City at the intersection of Stoneridge and Johnson Drives. He explained that this is a program-level document that evaluates the impacts of development on that site in that area. He indicated that the Commission will be getting the Supplemental Environmental Impact Report (EIR) for that project soon, and the public hearing to received comments on the document is scheduled for the next Commission meeting.



Commissioner Nagler inquired if, given that there is no specific application for that land, the EIR just categorizes types of development or square footage that is available for residents versus retail.

Mr. Weinstein replied that this is just an economic development zone, and certain development could be accommodated based on the proposed zoning and General Plan designation. He stated that the EIR evaluates the maximum reasonable building envelope that could be developed for the site, based on its proposed zoning, and includes a list of permitted and conditionally permitted uses that would be allowed in the area. He indicated that no specific development projects have been proposed at this point; it is just looking conceptually at what sort of development could happen, general types of development, their scale, and their scope, and some assumptions include including hotel uses, large format retail uses and other retail uses as well.

Commissioner Nagler inquired if the Commission will be asked to make recommendations to the Council about the zoning for that land.

Mr. Weinstein said yes, as part of the economic development zone proposed rezoning for that site. He noted that the next meeting will be to receive comments on the EIR, and the merits of the project, which would include the uses identified for that site, will be scheduled for a future meeting.

**b. Actions of the City Council**

No discussion was held or action taken.

**c. Actions of the Zoning Administrator**

No discussion was held or action taken.

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

No discussion was held or action taken.

**9. ADJOURNMENT**

Chair Allen adjourned the meeting at 8:30 p.m.

Respectfully submitted,

Adam Weinstein  
Secretary