

**EXHIBIT A
OPTION #1
DRAFT CONDITIONS OF APPROVAL**

**P15-0290, Alok Ventures LLC
Design Review
4745 Augustine St.
September 9, 2015**

PROJECT SPECIFIC CONDITIONS

Planning Division

1. The proposed development shall conform substantially to Exhibit B (dated "Received" July 13, 2015) and revised plan sheets A201 and A101 (dated "Received" July 22, 2015), on file with the Planning Division, except as modified by these conditions. Minor changes to the approved plans shall be approved by the Community Development Director if determined to be in substantial conformance with the approved exhibits.
2. The project developer shall obtain growth management approval prior to building permit approval. The project shall meet all requirements of the City's Growth Management Ordinance, and the developer shall enter into a growth management agreement with the City.
3. Unless a phasing plan is approved by the Director of Community Development, the applicant shall construct the interior improvements to the existing dwelling, Building 1, Building 2, and related site improvements at the same time.
4. The existing dwelling unit shall have a maximum of two bedrooms. This restriction shall be clearly noted on the building permit plans and shall be recorded as a restrictive covenant prior to occupancy. The restrictive covenant shall be subject to the review and approval by the City Attorney prior to recordation.
5. The project developer shall submit a final exterior lighting plan for the project for the review and approval of the Director of Community Development prior to issuance of building permits. Lighting shall be downward-facing and/or shielded and shall be designed to reduce glare on adjacent properties.
6. The project developer shall submit revised balustrade designs for the balconies and exterior staircases to the satisfaction of the Director of Community Development and Chief Building Official, prior to issuance of building permits. The balusters shall complement the proposed architecture, be consistent with the Downtown Design Guidelines, and meet Building Code and fire safety requirements.

7. The windows shall be recessed at least one inch from the outside face of wall, not including the depth of the trim surrounding the windows. A window cross-section detail showing the window recess shall be included with the plans submitted for issuance of building permits and shall be subject to the review and approval by the Director of Community Development prior to issuance of building permits for the project.
8. The garage doors shall have additional detailing, such as a “carriage style” design or the addition of windows. Manufacturer’s specification sheets and/or photographs of the garage door design shall be included with the building permit plans and shall be subject to review and approval by the Director of Community Development prior to building permit approval.
9. Prior to building permit issuance, site and landscaping plan sheets shall be revised to consistently show the mow strip along the centerline of the driveway. The driveway shall have a minimum width of at least 9 feet.
10. Prior to building permit issuance, a construction parking plan for the tenant of the existing dwelling unit shall be subject to review and approval by the Director of Community Development.
11. The garage parking spaces shall be maintained for parking of automobiles at all times and shall not be used for storage in a manner that would interfere with the ability to park cars within the garage. Furthermore, the parking of boats, campers, and trailers shall be prohibited on site or in any parking space. The applicant and/or property manager shall be responsible for enforcing these restrictions, which shall be stated clearly in all leases.
12. The project applicant or developer shall work with the Pleasanton Unified School District (PUSD) to develop a program to offset this project’s long term effect on school facility needs in Pleasanton in addition to the school impact fees required by State law. This program shall be designed to fund school facilities necessary to offset this project’s reasonably related effect on the long-term need for expanded school facilities. The method and manner for the provision of these funds and/or facilities shall be approved by the PUSD and in place prior to building permit issuance. Written proof of compliance with this condition shall be provided by the project applicant or developer to the City, on a form generated by the PUSD, prior to building permit issuance.
13. Prior to building permit submittal, a list of the green building measures used in the design of the units, covered by this approval, shall be provided to the Planning Division for the review and approval by the Director of Community Development. The units covered by this approval shall be designed to achieve a “certified rating” of a minimum of 50 total points, achieving at least the minimum points in each category, using BuildItGreen’s current GreenPoints rating system.

The green building measures shall be shown on one of the first two pages of the plans submitted for issuance of a building permit. **Each point identified shall have a notation indicating the sheet the point can be found, and each sheet shall note where the point is located.** All proposed green building measures shall be shown throughout the plan set, as appropriate, as determined by the Director of Community Development.

A special inspection by from Planning Division shall be coordinated with regards to landscaping, irrigation, and exterior materials. All of the green building measures indicated on the approved checklist shall be inspected and approved by either the City of Pleasanton, a third party rater, or the applicants shall provide written verification by the project engineer, architect, landscape architect, or designer.

14. The applicant shall effectively screen from view all ducts, meters, air conditioning equipment, backflow preventers, and any other mechanical equipment, whether on the structure, on the ground, or on the roof, with landscaping and/or materials and colors that architecturally compatible with the main structure. Screening details shall be shown on the plans submitted for issuance of building permits, the adequacy of which shall be determined by the Director of Community Development prior to building permit approval.
15. A final landscape plan and irrigation plan shall be submitted to and approved by the Director of Community Development as part of the building permit plan set prior to building permit issuance. Said landscape plan shall be consistent with the approved landscape plan plus any conditions of approval, and shall be detailed in terms of species, location, size, quantities, and spacing.
16. Plant species shall be of drought tolerant nature with an irrigation system that maximizes water conservation (e.g. drip system). The project shall comply with the State of California's Model Water Efficient Landscape Ordinance and shall implement Bay Friendly Basics. The project applicant or developer and future property owner is encouraged to use reclaimed gray water, rain water, etc., for landscape irrigation. If used, the details shall be shown on the permit plan set to the satisfaction of the Director of Community Development before issuance of a building permit.

A licensed landscape architect shall verify the project's compliance with the ordinance: 1) prior to the issuance of a building permit; and 2) prior to final inspection. The verification shall be provided to the Director of Community Development, prior to building permit approval.

17. Prior to occupancy, the landscape architect shall certify in writing to the Director of Community Development that the landscaping has been installed in

- accordance with the approved landscape and irrigation plans with respect to size, number, and species of plants and overall design concept.
18. A minimum of one appliance or system that meets Energy Star standards shall be installed in each unit. The proposed appliance or system and how it adheres to Energy Star standards shall be stated on the plans submitted for the issuance of a building permit.
 19. A minimum of one water conservation device such as low-flow faucets, toilets, shower fixtures, etc., shall be installed in each unit. The water conservation device(s) shall be stated on the plans submitted for the issuance of a building permit.
 20. Each unit covered by this approval shall be constructed to encourage telecommuting by providing telecommunications infrastructure such as cabling for DSL service, wiring for total room access, etc. The applicant/building developer shall show the infrastructure on the building permit plan set prior to issuance of a building permit.
 21. The project shall comply with the current City/Pleasanton Garbage Service recycling and composting programs.
 22. All conditions of approval shall be attached to all building permit plan check sets submitted for review and approval. These conditions of approval shall be attached at all times to any grading and construction plans kept on the project site. It is the responsibility of the applicant/property owner to ensure that the project contractor is aware of, and abides by, all conditions of approval. It is the responsibility of the applicant/property owner to ensure that the project landscape contractor is aware of, and adheres to, the approved landscape and irrigation plans, and all conditions of approval. Prior approval from the Director of Community Development is required before any changes are constituted in site design, grading, building design, building colors or materials, fence material, fence location, landscape material, etc.
 23. The applicant/responsible party shall be required to pay \$2,500 per new unit into the Bernal Park Reserve Fund prior to issuance of building permits.

Engineering Division

24. Prior to issuance of a building permit, the property owner shall make a pro-rata payment to underground overhead utility lines along Augustine Street. The amount of the fee shall be determined by the City Engineer.

Fire Department

25. Building heights shall be limited to a maximum of 30 feet to the eave or highest wall top plate, whichever is highest.

26. All construction shall conform to the requirements of the 2013 California Fire Code; City of Livermore Ordinance No. 1985. All required permits shall be obtained prior to work commencement.
27. Automatic fire sprinklers shall be installed in all occupancies in accordance with the 2013 California Building, Fire and Residential Codes; City of Pleasanton Ordinance No. 2083. Installations shall conform to NFPA Pamphlet 13, Occupancy Hazard Approach for commercial occupancies **OR** NFPA 13D with local amendments for one and two-family occupancies.
28. The Fire Prevention Bureau reviews building/civil drawings for conceptual on-site fire mains and fire hydrant locations only. Plan check comments and approvals DO NOT INCLUDE:
 - a. Installation of the on-site fire mains and fire hydrants.
 - b. Specific installation drawings submitted by the licensed underground fire protection contractor shall be submitted to the Fire Prevention Bureau for approval.
 - c. Backflow prevention or connections to the public water mains.
29. The following items will be provided prior to any construction above the foundation or slab:
 - a. Emergency vehicle access shall be provided to the site or tract, as specified in the approved Site Plan, including the area where construction is occurring. If Public Works Improvements are part of the project to access the site, an emergency vehicle access plan shall be submitted for review and approval.
 - b. If permanent access or site paving is not provided, the carrying capacity of the emergency vehicle access shall be 69,000 pounds under all weather conditions.
 - c. Designated construction material storage and construction worker parking shall not obstruct the emergency vehicle access route(s).
 - d. Where on-site fire hydrant(s) are required, they shall be installed, flushed and all valves open prior to any construction above the foundation or slab. This includes concrete tilt-up and masonry buildings.
 - e. On-site fire hydrant(s) shall not be obstructed and shall be sufficiently above grade to have all hydrant valves and outlets accessible for emergency use
 - f. Where a project is phased as part of the development approved by the City, specific access, water supply and fire hydrant installations will be required as part of each phase. As needed, a phasing plan with these improvements will be required.
30. Address numbers shall be installed on the front or primary entrance of the building. Minimum building address character size shall be minimum 4" high by

1/2" stroke. If building is setback from primary access 50 feet or greater address size shall be increased for visibility and in accordance with Livermore-Pleasanton Standard Operating Procedures – Premises Identification Standards.

STANDARD CONDITIONS

Community Development Department

31. The applicant shall pay any and all fees to which the use may be subject prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.
32. To the extent permitted by law, the project applicant shall defend (with counsel reasonably acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

Building and Safety Division

33. The applicant shall obtain a building permit and any other applicable City permits for the project prior to the commencement of any construction.
34. To initiate the building permit plan check process, the applicant shall submit the following:
 - a. Three (3) full-size sets of construction plans (wet-stamped and signed);
 - b. Two (2) sets of the necessary structural and Title 24 calculations;
 - c. Two (2) copies of a site-specific soils report;
 - d. Completed Building Permit Questionnaire; and
 - e. Necessary fees.
35. All building and/or structural plans shall comply with all codes and ordinances in effect before the Building Division will issue permits.
36. Prior to issuance of building or demolition permits, the applicant/building shall submit a waste management plan to the Building and Safety Division. The plan shall include the estimated composition and quantities of waste to be generated and how the project developer intends to recycle at least 75 percent of the total job site construction and demolition waste measured by weight or volume. Proof of compliance shall be provided to the Chief Building Official prior to the issuance

of a final building permit. During demolition and construction, the applicant/ building developer shall mark all trash disposal bins “trash materials only” and all recycling bins “recycling materials only.” The project developer shall contact Pleasanton Garbage Service for the disposal of all waste from the site.

37. At the time of building permit plan submittal, the project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures to prevent stormwater runoff onto adjoining properties.
38. All demolition and construction activities, inspections, plan checking, material delivery, staff assignment or coordination, etc., shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday. No construction shall be allowed on State or Federal Holidays or Sundays. The Director of Community Development may allow earlier “start-times” or later “stop-times” for specific construction activities (e.g., concrete pouring), if it can be demonstrated to the satisfaction of the Director of Community Development that the construction noise and construction traffic noise will not affect nearby residents or businesses. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. Prior to construction, the applicant shall post on the site the allowable hours of construction activity.

Planning Division

39. Design review approval shall lapse within one (1) year from the date of approval unless a building permit is issued and construction has commenced and is diligently pursued toward completion, or an extension has been approved by the City pursuant to Section 18.20.070 of the Municipal Code.
40. The height of the structures shall be surveyed and verified as being in conformance to the approved building height as shown on Exhibit B or as otherwise conditioned. Said verification is the project developer's responsibility, shall be performed by a licensed land surveyor or civil engineer, and shall be completed and provided to the Planning Division before the first framing or structural inspection by the Building Department.
41. The applicant shall submit a pad elevation certification prepared by a licensed land surveyor or registered civil engineer to the Chief Building Official and Director of Community Development, certifying that the pad elevations and building locations (setbacks) are pursuant to the approved plans, prior to receiving a foundation inspection for the structures.
42. Final inspection by the Planning Division is required prior to occupancy of the dwellings.

43. Each new building shall be constructed to allow for the future installation of a photovoltaic system and a solar-water-heating system. The applicant or building developer shall comply with the following requirements to make the residence photovoltaic- and solar-water-heating-ready:
- a. Electrical conduit and cable pull strings shall be installed from the roof/attic area to the building's main electrical panels;
 - b. An area shall be provided near the electrical panel for the installation of an "inverter" required to convert the direct current output from the photovoltaic panels to alternating current,
 - c. Engineer the roof trusses to handle an additional load as determined by a structural engineer to accommodate the additional weight of a photovoltaic and solar water heating system beyond that anticipated for roofing;
 - d. Plumbing shall be installed for solar-water heating; and
 - e. Space shall be provided for a solar-heating tank.

These measures shall be shown on the building permit plan set submitted to the Director of Community Development for review and approval before issuance of the first building permit.

Engineering Division

44. The haul route for all materials to and from this development shall be approved by the City Engineer prior to the issuance of a permit.
45. Any damage to existing street improvements during construction on the subject property shall be repaired to the satisfaction of the City Engineer at full expense to the project developer. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.
46. This approval does not guarantee the availability of sufficient water and/or sewer capacity to serve the project.
47. The project developer and/or the project developer's contractor(s) shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site.
48. All dry utilities (electric power distribution, gas distribution, communication service, Cable television, street lights and any required alarm systems) required to serve existing or new development shall be installed in conduit, underground

in a joint utility trench unless otherwise specifically approved by the City Engineer.

49. The project developer shall submit a final grading, drainage and utility plan prepared by a licensed civil engineer depicting all final grades, drainage control measures, and existing and proposed utilities. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of a grading permit.
50. The project developer shall include erosion control measures on the final grading plan, subject to the approval of the City Engineer. The project developer is responsible for ensuring that the contractor is aware of such measures. All cut and fill slopes shall be revegetated and stabilized as soon as possible after completion of grading, in no case later than October 15. No grading shall occur between October 15 and April 15 unless approved erosion control measures are in place, subject to the approval of the City Engineer. Such measures shall be maintained until such time as a permanent landscaping is in place.

{end}

**EXHIBIT C
OPTION #2
DRAFT CONDITIONS OF APPROVAL**

**P15-0290, Alok Ventures LLC
Design Review
4745 Augustine St.
September 9, 2015**

PROJECT SPECIFIC CONDITIONS

Planning Division

1. The proposed development shall conform substantially to Exhibit B (dated "Received" August 30, 2015), on file with the Planning Division, except as modified by these conditions. Minor changes to the approved plans shall be approved by the Community Development Director if determined to be in substantial conformance with the approved exhibits.
2. Plans submitted for plan check shall eliminate (or substantially reduce) the extended portion of the structure to fit above the first floor foot print and shall be subject to review and approval by the Director of Community Development prior to building permit approval.
3. The project developer shall obtain growth management approval prior to building permit approval. The project shall meet all requirements of the City's Growth Management Ordinance, and the developer shall enter into a growth management agreement with the City.
4. Unless a phasing plan is approved by the Director of Community Development, the applicant shall construct the interior improvements to the existing dwelling, the new building, and related site improvements at the same time.
5. The existing dwelling unit shall have a maximum of two bedrooms. This restriction shall be clearly noted on the building permit plans and shall be recorded as a restrictive covenant prior to occupancy. The restrictive covenant shall be subject to the review and approval by the City Attorney prior to recordation.
6. The project developer shall submit a final exterior lighting plan for the project for the review and approval of the Director of Community Development prior to issuance of building permits. Lighting shall be downward-facing and/or shielded and shall be designed to reduce glare on adjacent properties.
7. The project developer shall submit revised balustrade designs for the balconies and exterior staircases to the satisfaction of the Director of Community

Development and Chief Building Official, prior to issuance of building permits. The balusters shall complement the proposed architecture, be consistent with the Downtown Design Guidelines, and meet Building Code and fire safety requirements.

8. The windows shall be recessed at least one inch from the outside face of wall, not including the depth of the trim surrounding the windows. A window cross-section detail showing the window recess shall be included with the plans submitted for issuance of building permits and shall be subject to the review and approval by the Director of Community Development prior to issuance of building permits for the project.
9. The garage doors shall have additional detailing, such as a “carriage style” design or the addition of windows. Manufacturer’s specification sheets and/or photographs of the garage door design shall be included with the building permit plans and shall be subject to review and approval by the Director of Community Development prior to building permit approval.
10. Prior to building permit issuance, a construction parking plan for the tenant of the existing dwelling unit shall be subject to review and approval by the Director of Community Development.
11. The garage parking spaces shall be maintained for parking of automobiles at all times and shall not be used for storage in a manner that would interfere with the ability to park cars within the garage. Furthermore, the parking of boats, campers, and trailers shall be prohibited on site or in any parking space. The applicant and/or property manager shall be responsible for enforcing these restrictions, which shall be stated clearly in all leases.
12. The project applicant or developer shall work with the Pleasanton Unified School District (PUSD) to develop a program to offset this project’s long term effect on school facility needs in Pleasanton in addition to the school impact fees required by State law. This program shall be designed to fund school facilities necessary to offset this project’s reasonably related effect on the long-term need for expanded school facilities. The method and manner for the provision of these funds and/or facilities shall be approved by the PUSD and in place prior to building permit issuance. Written proof of compliance with this condition shall be provided by the project applicant or developer to the City, on a form generated by the PUSD, prior to building permit issuance.
13. Prior to building permit submittal, a list of the green building measures used in the design of the units, covered by this approval, shall be provided to the Planning Division for the review and approval by the Director of Community Development. The units covered by this approval shall be designed to achieve a “certified rating” of a minimum of 50 total points, achieving at least the minimum points in each category, using BuildItGreen’s current GreenPoints rating system.

The green building measures shall be shown on one of the first two pages of the plans submitted for issuance of a building permit. **Each point identified shall have a notation indicating the sheet the point can be found, and each sheet shall note where the point is located.** All proposed green building measures shall be shown throughout the plan set, as appropriate, as determined by the Director of Community Development.

A special inspection by from Planning Division shall be coordinated with regards to landscaping, irrigation, and exterior materials. All of the green building measures indicated on the approved checklist shall be inspected and approved by either the City of Pleasanton, a third party rater, or the applicants shall provide written verification by the project engineer, architect, landscape architect, or designer.

14. The applicant shall effectively screen from view all ducts, meters, air conditioning equipment, backflow preventers, and any other mechanical equipment, whether on the structure, on the ground, or on the roof, with landscaping and/or materials and colors that architecturally compatible with the main structure. Screening details shall be shown on the plans submitted for issuance of building permits, the adequacy of which shall be determined by the Director of Community Development prior to building permit approval.
15. A final landscape plan and irrigation plan shall be submitted to and approved by the Director of Community Development as part of the building permit plan set prior to building permit issuance. Said landscape plan shall be consistent with the approved landscape plan plus any conditions of approval, and shall be detailed in terms of species, location, size, quantities, and spacing.
16. Plant species shall be of drought tolerant nature with an irrigation system that maximizes water conservation (e.g. drip system). The project shall comply with the State of California's Model Water Efficient Landscape Ordinance and shall implement Bay Friendly Basics. The project applicant or developer and future property owner is encouraged to use reclaimed gray water, rain water, etc., for landscape irrigation. If used, the details shall be shown on the permit plan set to the satisfaction of the Director of Community Development before issuance of a building permit.

A licensed landscape architect shall verify the project's compliance with the ordinance: 1) prior to the issuance of a building permit; and 2) prior to final inspection. The verification shall be provided to the Director of Community Development, prior to building permit approval.

17. Prior to occupancy, the landscape architect shall certify in writing to the Director of Community Development that the landscaping has been installed in

accordance with the approved landscape and irrigation plans with respect to size, number, and species of plants and overall design concept.

18. A minimum of one appliance or system that meets Energy Star standards shall be installed in each unit. The proposed appliance or system and how it adheres to Energy Star standards shall be stated on the plans submitted for the issuance of a building permit.
19. A minimum of one water conservation device such as low-flow faucets, toilets, shower fixtures, etc., shall be installed in each unit. The water conservation device(s) shall be stated on the plans submitted for the issuance of a building permit.
20. Each unit covered by this approval shall be constructed to encourage telecommuting by providing telecommunications infrastructure such as cabling for DSL service, wiring for total room access, etc. The applicant/building developer shall show the infrastructure on the building permit plan set prior to issuance of a building permit.
21. The project shall comply with the current City/Pleasanton Garbage Service recycling and composting programs.
22. All conditions of approval shall be attached to all building permit plan check sets submitted for review and approval. These conditions of approval shall be attached at all times to any grading and construction plans kept on the project site. It is the responsibility of the applicant/property owner to ensure that the project contractor is aware of, and abides by, all conditions of approval. It is the responsibility of the applicant/property owner to ensure that the project landscape contractor is aware of, and adheres to, the approved landscape and irrigation plans, and all conditions of approval. Prior approval from the Director of Community Development is required before any changes are constituted in site design, grading, building design, building colors or materials, fence material, fence location, landscape material, etc.
23. The applicant/responsible party shall be required to pay \$2,500 per new unit into the Bernal Park Reserve Fund prior to issuance of building permits.

Engineering Division

24. Prior to issuance of a building permit, the property owner shall make a pro-rata payment to underground overhead utility lines along Augustine Street. The amount of the fee shall be determined by the City Engineer.

Fire Department

25. Building heights shall be limited to a maximum of 30 feet to the eave or highest wall top plate, whichever is highest.
26. All construction shall conform to the requirements of the 2013 California Fire Code; City of Livermore Ordinance No. 1985. All required permits shall be obtained prior to work commencement.
27. Automatic fire sprinklers shall be installed in all occupancies in accordance with the 2013 California Building, Fire and Residential Codes; City of Pleasanton Ordinance No. 2083. Installations shall conform to NFPA Pamphlet 13, Occupancy Hazard Approach for commercial occupancies **OR** NFPA 13D with local amendments for one and two-family occupancies.
28. The Fire Prevention Bureau reviews building/civil drawings for conceptual on-site fire mains and fire hydrant locations only. Plan check comments and approvals DO NOT INCLUDE:
 - a. Installation of the on-site fire mains and fire hydrants.
 - b. Specific installation drawings submitted by the licensed underground fire protection contractor shall be submitted to the Fire Prevention Bureau for approval.
 - c. Backflow prevention or connections to the public water mains.
29. The following items will be provided prior to any construction above the foundation or slab:
 - a. Emergency vehicle access shall be provided to the site or tract, as specified in the approved Site Plan, including the area where construction is occurring. If Public Works Improvements are part of the project to access the site, an emergency vehicle access plan shall be submitted for review and approval.
 - b. If permanent access or site paving is not provided, the carrying capacity of the emergency vehicle access shall be 69,000 pounds under all weather conditions.
 - c. Designated construction material storage and construction worker parking shall not obstruct the emergency vehicle access route(s).
 - d. Where on-site fire hydrant(s) are required, they shall be installed, flushed and all valves open prior to any construction above the foundation or slab. This includes concrete tilt-up and masonry buildings.
 - e. On-site fire hydrant(s) shall not be obstructed and shall be sufficiently above grade to have all hydrant valves and outlets accessible for emergency use
 - f. Where a project is phased as part of the development approved by the City, specific access, water supply and fire hydrant installations will be required as part of each phase. As needed, a phasing plan with these improvements will be required.

30. Address numbers shall be installed on the front or primary entrance of the building. Minimum building address character size shall be minimum 4" high by 1/2" stroke. If building is setback from primary access 50 feet or greater address size shall be increased for visibility and in accordance with Livermore-Pleasanton Standard Operating Procedures – Premises Identification Standards.

STANDARD CONDITIONS

Community Development Department

31. The applicant shall pay any and all fees to which the use may be subject prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.
32. To the extent permitted by law, the project applicant shall defend (with counsel reasonably acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

Building and Safety Division

33. The applicant shall obtain a building permit and any other applicable City permits for the project prior to the commencement of any construction.
34. To initiate the building permit plan check process, the applicant shall submit the following:
 - a. Three (3) full-size sets of construction plans (wet-stamped and signed);
 - b. Two (2) sets of the necessary structural and Title 24 calculations;
 - c. Two (2) copies of a site-specific soils report;
 - d. Completed Building Permit Questionnaire; and
 - e. Necessary fees.
35. All building and/or structural plans shall comply with all codes and ordinances in effect before the Building Division will issue permits.
36. Prior to issuance of building or demolition permits, the applicant/building shall submit a waste management plan to the Building and Safety Division. The plan shall include the estimated composition and quantities of waste to be generated and how the project developer intends to recycle at least 75 percent of the total

job site construction and demolition waste measured by weight or volume. Proof of compliance shall be provided to the Chief Building Official prior to the issuance of a final building permit. During demolition and construction, the applicant/building developer shall mark all trash disposal bins “trash materials only” and all recycling bins “recycling materials only.” The project developer shall contact Pleasanton Garbage Service for the disposal of all waste from the site.

37. At the time of building permit plan submittal, the project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures to prevent stormwater runoff onto adjoining properties.
38. All demolition and construction activities, inspections, plan checking, material delivery, staff assignment or coordination, etc., shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday. No construction shall be allowed on State or Federal Holidays or Sundays. The Director of Community Development may allow earlier “start-times” or later “stop-times” for specific construction activities (e.g., concrete pouring), if it can be demonstrated to the satisfaction of the Director of Community Development that the construction noise and construction traffic noise will not affect nearby residents or businesses. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. Prior to construction, the applicant shall post on the site the allowable hours of construction activity.

Planning Division

39. Design review approval shall lapse within one (1) year from the date of approval unless a building permit is issued and construction has commenced and is diligently pursued toward completion, or an extension has been approved by the City pursuant to Section 18.20.070 of the Municipal Code.
40. The height of the structures shall be surveyed and verified as being in conformance to the approved building height as shown on Exhibit B or as otherwise conditioned. Said verification is the project developer's responsibility, shall be performed by a licensed land surveyor or civil engineer, and shall be completed and provided to the Planning Division before the first framing or structural inspection by the Building Department.
41. The applicant shall submit a pad elevation certification prepared by a licensed land surveyor or registered civil engineer to the Chief Building Official and Director of Community Development, certifying that the pad elevations and building locations (setbacks) are pursuant to the approved plans, prior to receiving a foundation inspection for the structures.

42. Final inspection by the Planning Division is required prior to occupancy of the dwellings.
43. Each new building shall be constructed to allow for the future installation of a photovoltaic system and a solar-water-heating system. The applicant or building developer shall comply with the following requirements to make the residence photovoltaic- and solar-water-heating-ready:
 - a. Electrical conduit and cable pull strings shall be installed from the roof/attic area to the building's main electrical panels;
 - b. An area shall be provided near the electrical panel for the installation of an "inverter" required to convert the direct current output from the photovoltaic panels to alternating current,
 - c. Engineer the roof trusses to handle an additional load as determined by a structural engineer to accommodate the additional weight of a photovoltaic and solar water heating system beyond that anticipated for roofing;
 - d. Plumbing shall be installed for solar-water heating; and
 - e. Space shall be provided for a solar-heating tank.

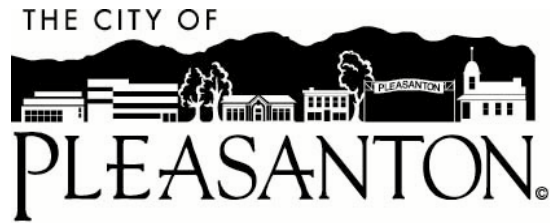
These measures shall be shown on the building permit plan set submitted to the Director of Community Development for review and approval before issuance of the first building permit.

Engineering Division

44. The haul route for all materials to and from this development shall be approved by the City Engineer prior to the issuance of a permit.
45. Any damage to existing street improvements during construction on the subject property shall be repaired to the satisfaction of the City Engineer at full expense to the project developer. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.
46. This approval does not guarantee the availability of sufficient water and/or sewer capacity to serve the project.
47. The project developer and/or the project developer's contractor(s) shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site.

48. All dry utilities (electric power distribution, gas distribution, communication service, Cable television, street lights and any required alarm systems) required to serve existing or new development shall be installed in conduit, underground in a joint utility trench unless otherwise specifically approved by the City Engineer.
49. The project developer shall submit a final grading, drainage and utility plan prepared by a licensed civil engineer depicting all final grades, drainage control measures, and existing and proposed utilities. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of a grading permit.
50. The project developer shall include erosion control measures on the final grading plan, subject to the approval of the City Engineer. The project developer is responsible for ensuring that the contractor is aware of such measures. All cut and fill slopes shall be revegetated and stabilized as soon as possible after completion of grading, in no case later than October 15. No grading shall occur between October 15 and April 15 unless approved erosion control measures are in place, subject to the approval of the City Engineer. Such measures shall be maintained until such time as a permanent landscaping is in place.

{end}



Planning Commission Staff Report

July 22, 2015

Item 6.a.

SUBJECT:	P15-0290
APPLICANT/ PROPERTY OWNER:	Alok Ventures LLC
PURPOSE:	Application for Design Review approval to construct three apartment units and related site improvements behind the existing dwelling unit
LOCATION:	4745 Augustine St.
GENERAL PLAN:	High Density Residential
SPECIFIC PLAN:	Downtown Specific Plan: High Density Residential
ZONING:	RM-1,500 (Multi-Family Residential), Downtown Revitalization, and Core Area Overlay
EXHIBITS:	<ul style="list-style-type: none"> A. Draft Conditions of Approval B. Plans and Green Building Checklist dated "July 13, 2015" C. Progression of Architectural Design D. Location and Noticing Maps

BACKGROUND

A single-family dwelling was constructed on the subject site in 1959 and is currently being rented. Alok Ventures LLC, the property owner, has applied for design review approval to construct three apartment units (in two buildings), six garage parking spaces, and related site improvements behind the existing dwelling. Design Review applications of this nature are subject to review and approval by the Planning Commission.

SITE DESCRIPTION

The project site is a 7,497-square foot lot (approximately 50' wide x 150' deep) located Downtown at 4745 Augustine St., north of Old Bernal Ave. The site is generally flat and contains a single-family dwelling, uncovered parking, and a corrugated metal storage

shed in the rear of the property. The existing home measures 938 square feet and is one-story (13'-3") in height. The site and its surroundings are shown in Figure 1. Existing site photos showing the residence and rear shed are provided in Figure 2.

Figure 1: Subject Site Location



Figure 2: Site Photos



Existing residence fronting Augustine St.



Rear shed proposed for removal

The site is surrounded by residential and office commercial uses, which is typical of many residential properties located Downtown. There are one-story single-family homes on the north and south side of the subject site and one- to two-story multi-family apartments to the rear (west), fronting Harrison Street. An office building is located across from the property, on the east side of Augustine Street. The rest of the block

contains both single- and multi-family residential uses, in one- and two-story configurations.

Development on the project site is governed by the following land use designations and regulations:

- General Plan: The General Plan land use designation is High Density Residential, which allows residential densities of over 8 dwelling units per acre.
- Downtown Specific Plan and Design Guidelines: The subject property is located within the Downtown Specific Plan Area. The Downtown Specific Plan land use designation for the property is also High Density Residential, which allows residential densities of over 8 dwelling units per acre. Given its location, the site is also subject to the Downtown Design Guidelines.
- Zoning: The site is zoned Multi-Family Residential (RM-1,500), Downtown Revitalization, and Core Area Overlay and is subject to the development standards of each district. The Core Area Overlay District provides modified development standards for smaller multi-family rental housing projects, such as the one proposed, that supersede some of the requirements of the RM-1,500 District. These requirements are discussed further in the Analysis section below.

PROJECT DESCRIPTION

The applicant proposes to add three units, in two buildings, behind the existing dwelling on the site. All four units would be rental housing. The project also includes improvements to the existing home's interior and related site improvements, specifically the provision of garage parking, fencing, open space, and landscaping. The existing metal storage shed would be removed in order to accommodate the proposed project.

Site Plan and Project Data

As proposed, Building 1 includes one 1-bedroom unit (Unit A) over a 3-car garage, directly behind the existing home. Building 2 includes two 2-bedroom units (Units B and C) over a 3-car garage at the rear of the lot. Floor area totals are provided in Table 1.

Table 1: Project Data

<i>Project Component</i>	<i>sq. ft.</i>
Existing Home	938
Proposed Unit A (1-bdrm)	651
Proposed Unit B (2-bdrm)	829
Proposed Unit C (2-bdrm)	829
<i>Subtotal Residential Area</i>	3,247
Total Floor Area	3,412

Note: Total floor area includes mechanical and trash rooms and excludes garage areas.

All four units would have vehicular access to the site via the existing drive aisle, which is proposed to be reconstructed with permeable pavers. Six parking spaces are proposed to serve all four units. A mailbox for each unit would be located in the front yard adjacent to the sidewalk. Trash receptacles for all four units would be located in Building 2 and screened from street views.

Architectural Design and Building Massing

Building 1's massing would be squarish with a gable roof similar to and in line with the roof form at the front of the existing home. A balcony on the rear (west) elevation would extend 5 feet out from the building plane. The massing for Building 2 is more articulated. The second story would step back and in, and the roof design includes both side and front gables, which creates more variety in the design and breaks up the squarish massing. Both buildings are proposed to have light grey horizontal smooth lap siding, white vinyl windows, and grey concrete roof tiles. Both buildings are proposed to be nearly 22 feet in height.

The existing home would be modified as part of the proposed project. Improvements include: redesigning the interior layout and reducing the number of bedrooms from three to two; removing windows to allow for privacy and to accommodate fire prevention requirements; and designating and fencing private open space. No other exterior improvements, such as to colors or materials, are proposed for the existing dwelling.

Landscape Plan and Fencing

There is limited existing landscaping on the site. No trees greater than 6 inches in diameter would be removed as a result of the proposed project, though some smaller shrubs and trees would be removed. The dripline of the large tree on the adjacent property to the south would not be affected by the proposed project.

A landscape plan includes low plantings in landscape strips around the perimeter of the site and along the north and south frontages of the new buildings. Horsetail reeds (*equisetum hyemale*) and Dwarf Pink Kangaroo Paw (*anigozanthos "pink joey"*) are proposed along the drive aisles and front yard, and would be the plantings most visible from Augustine Street.

New 6-foot high redwood privacy fences are proposed in the side yards of Units B and C and in the rear yard (between the two units) to separate and create privacy in the open space areas for each unit. A 4-foot high slatted redwood fence is also proposed to delineate the open space area for the existing home. The existing fence along the perimeter of the site is proposed to remain.

ANALYSIS

The proposed project conforms with the requirements of the General Plan, Downtown Specific Plan, and Zoning Ordinance, and the architecture is consistent with the Design Guidelines as detailed below and in Table 2.

Table 2: City Requirements vs. Proposed Project

Site Development Standard	City Requirement per RM-1,500 and Core Area Overlay	Proposed Project
<i>Residential Density</i>	1 unit/1,500 sq. ft.	1 unit/1,874 sq. ft.
<i>Floor Area Ratio</i>	50% maximum	46%
<i>Building Height</i>		
Per Code Rule of Measurement*	40 feet maximum	19.25 feet maximum
Grade to Top Ridge of Roof Measurement	--	22 feet maximum
<i>Setbacks</i>		
Front (east)	15 feet minimum	16 feet (existing home)
Side (north)	5 feet	13 feet (Building 1) 6 feet (Building 2)
Side (south)	5 feet	6 feet (Buildings 1 & 2) (existing home is 4'-8")
Rear (west)	10 feet minimum	10 feet (Building 2)
<i>Open Space</i>		
Private	1-bdrm units: 75 sq. ft. minimum 2- or more bdrm units: 50 sq. ft. per bdrm minimum	Unit A (1-bdrm): 100 sq. ft. Unit B (2-bdrm): 330 sq. ft. Unit C (2-bdrm): 298 sq. ft. Existing home (2-bdrm): 121 sq. ft.
Group	None	None
<i>Parking</i>		
Private	1.5 spaces per 1- or 2-bedroom unit (i.e., 6 spaces minimum for proposed project)	6 garage spaces
Guest	None	None

**Note: Per PMC Chapter 18.84.140, for this type of proposal, height is measured from grade to mean height between eave and ridge.*

Uses

The Downtown Specific Plan includes Design and Beautification Policy #16 which seeks to enhance the charm and diversity of the West Side neighborhood around Rose Avenue by encouraging second units in the rear of existing homes and the construction of duplexes instead of multi-story apartment buildings. According to Chapter 18.36.030(C) of the Pleasanton Municipal Code (PMC), the RM-1,500 district allows multi-family dwellings in a combination of attached, detached, and duplex units. Additionally, the purpose of the Core Area Overlay includes facilitating the development of smaller multi-family rental housing projects (10 units or less), such as the proposed project, by allowing for modification of standard requirements.

Based on the General Plan, Specific Plan, and Zoning Ordinance designations and requirements applicable to the site, multi-family residential uses configured in separate buildings are an appropriate use on the site. The proposed units are relatively small compared with other units currently being developed in the City of Pleasanton with a similar number of bedrooms. As a result, although the rental rates of these units are not yet known, they can be expected to be more affordable than larger apartment units with similar characteristics.

Site Plan and Density

The appropriate density of properties designated as High Density Residential in the General Plan is determined case-by-case (within a minimum of 8 units/acre), based on site characteristics and proposed amenities. Construction of the project as proposed would result in a total of four units and 3,412 square feet of floor area on a 7,497 square-foot lot, resulting in a density of 23 dwelling units per acre and an FAR of 46%. The proposed project meets the setback and building envelope requirements of the Core Area Overlay (within an underlying RM district). Open space is provided in the form of at-grade landscape and hardscape areas in the front and rear yards for the existing home and Units B and C, respectively, and in a second floor balcony for Unit A. Therefore, as proposed, the project complies with the development standards required for the site, as identified in Table 2.

Staff finds the site layout to be functional and sensitive to adjacent residential properties. The project would provide additional rental housing Downtown, while generally maintaining the existing streetscape along Augustine Street, and an older single-family home would be improved.

Staff believes that the proposed development meets the purposes of the Core Area Overlay District: the one-story front dwelling would be retained and the new units would be placed at the rear of the lot; on-site parking would be located off of a single driveway, thus reducing paving and maintaining on-street parking opportunities; and the proposed building height and separation of the new buildings from other neighboring structures would allow the project to blend in with the surrounding development, particularly to the rear of the site, including adjacent two-story uses on Harrison Street.

Moreover, staff believes that the density proposed for the site is appropriate based on the compact site planning, building height of 22 feet, and architectural design and building articulation. The project design would ensure that the proposed residences are compatible with apartments and single-family homes in the vicinity of the site and in Downtown as a whole.

Architectural Design

The Downtown Design Guidelines recommend the use of traditional materials, finishes, colors, and detailing. Specific Downtown Design Guidelines that pertain to the proposed project include:

- Duplex or triplex units behind single-family homes are to match the materials, elements, and architectural style of the front home.¹ Single-story units are preferred where feasible.²
- Transition from multi-story, multi-family housing to adjacent single story single-family homes can be made with stepping down of building forms. Dormers, articulated chimneys and stairways, landscaping, architectural molding, and window bays that reduce the mass of the building wall can also be helpful.
- Multiple Family housing complexes should be designed to follow the rhythm and scale of the surrounding homes.
- Duplexes or triplexes located behind single-family homes are preferred over large-scale structures to maintain the small-town character of Downtown neighborhoods and to retain the single-family residential streetscape.
- The architectural style of the development should match an existing style in the immediate neighborhood. If many styles exist, select the one which is most appropriate for the development.
- New construction is to use a rich variety of detailing appropriate to the style of the building and that found in similar homes in the neighborhood. This includes elements such as roof eave, door and window trim, balconies, railings, and material accents such as tile or shingle patterns.

Staff finds the architectural form, horizontal lap siding, window treatments, and colors to be generally consistent with the guidelines. The applicant has provided relief to the massing, through articulation, gable roof forms, window penetrations, and balconies on all building elevations that are appropriate for the neighborhood and that provide sufficient visual interest from the street. The grey and white colors of the siding and windows complement the existing home and the mix of cool and natural tones in the vicinity.

In order to establish more cohesive architectural design and detailing, staff has included the following Conditions of Approval, as shown in Exhibit A:

¹ Components of the existing home, including the vertical siding, colors, and combination of architectural details, do not exemplify the high-quality level of design sought by the Design Guidelines. As a result, staff encouraged the applicant to look at materials, details, and architectural styles from the larger neighborhood for inspiration in order to comply with this Guideline.

² Single-story units were not feasible on the subject site given parking and other site requirements. The applicant prepared multiple site plan configurations before arriving at the proposed site plan, which staff believes meets the intent of the Design Guidelines and code requirements, while providing three additional units of rental housing.

- #6 requires that the applicant revise the balustrade design on the balconies and exterior staircases to be more consistent with the character of the proposed architecture;
- #7 requires the applicant to provide recessed windows, as encouraged by the Downtown Design Guidelines; and
- #8 requires the applicant to add additional detailing to the garage doors, such as with windows or a “carriage style” design.

Overall, staff believes that the architectural style of the buildings is attractive and appropriate for the Downtown and that the project, subject to the Conditions of Approval in Exhibit B, complies with the Downtown Design Guidelines, and would complement the existing buildings on Augustine Street and other areas Downtown.

Building Massing and Height

Although the RM-1,500 district allows building heights of up to 40 feet, the Downtown Specific Plan generally supports development lower in height, up to two stories/30 feet, as indicated by the following Specific Plan policy:

Land Use Policy #15: Initiate an amendment to Municipal Code Chapter 18.84 to limit building height in all residential zoning districts in the Downtown (including future Planned Unit Development Districts) to not more than two stories and not more than 30 feet.

While this code amendment has not yet been made, the intent of this policy is to limit development to two stories. The gable roof forms on the new buildings extend down toward neighboring properties and the existing home on the subject site, creating a transition between one- and two-story residences. The larger of the two buildings, Building 2, is located at the rear of the property where it would be less visible from the public street and neighboring properties, and where it would be compatible with the one- and two-story properties on Harrison Street.

The applicant has erected story poles with orange netting to simulate the height and mass of the proposed buildings, as shown in the photographs in Figure 3. The proposed project is anticipated to have minimal effects on sightlines from the west (i.e., Harrison Street), north, and south (see right-hand photo below, depicting the view from Old Bernal Ave.). It would have some effects on the views of ridgelines and open sky from certain locations along Augustine Street east of the project (especially where there are no mature trees), as shown in the left-hand photo below. However, given the narrow width of the lot and the related building massing, and the building height which is found to be compatible with the existing dwelling and the surrounding neighborhood, the project is not anticipated to have a significant detrimental effect on views from the street.

Figure 3: Site Photos of Story Poles Depicting Building Height & Massing



View from east side of Augustine Street



View from Old Bernal Ave. (street in front of Library parking lot)

Staff believes that the 22-foot building height and massing are appropriate for the small lot on which the project is located, consistent with the Zoning and Specific Plan development standards, and compatible with the neighboring parcels and the surrounding neighborhood.

Green Building

Multi-family projects are subject to the City's Green Building Ordinance (Chapter 17.50 of the PMC) and must achieve a "green home" rating of 50 points on the BuildItGreen's Multi-family Checklist. The "GreenPoint Rated Checklist" for the proposed project is provided as Exhibit C and identifies 60 points, which exceeds the overall 50-point minimum for a multi-family residential project and meets or exceeds the minimum points required for each category in the checklist. The State's Green Building Standards Code (CALGreen) will also apply to the proposed development and is similar to the green building measures that the City's Green Building Ordinance currently requires.

Growth Management Allocations

The proposed project would require Growth Management Allocations. If the project is approved by the Planning Commission, the applicant would need to apply for Growth Management Allocations which would be issued by the City Zoning Administrator or City Council. Staff anticipates that there would be adequate building permit capacity for the three new units.

Parking

In the Core Overlay District, 1- and 2-bedroom apartment units are required to provide 1.5 parking spaces per unit. No guest parking spaces are required, though parking would be available on-street on Augustine Street. These requirements result in a parking requirement of 6 spaces total, which the project meets by providing 6 garage spaces—3 spaces in each new building. Note that the tenant in the existing home would

park in the garage in Building 1. Vehicular circulation is designed to allow for a backing-up distance of 25 feet, consistent with PMC requirements.

Grading and Drainage

Grading for the proposed project would be limited to the preparation of the building pads and foundations, driveway, and the installation of any below-ground utilities, such as electrical conduits, sewer, and water infrastructure. Stormwater from the proposed roof areas of the project would be conveyed to landscape areas for treatment and pervious pavers would be used on the driveway and parking access areas to reduce untreated stormwater runoff to the City's storm drain system.

Design Progression

City staff worked with the applicant to reduce the building height and improve the architectural design in order to meet the intent of the Downtown Design Guidelines and other City regulations. The initial submittal, shown in Exhibit D, was three stories and too massive and out of character with the neighborhood to meet the City's design review criteria. The proposal did not reflect the massing of single-family homes and duplexes on and near the site which employ more building articulation, changes in plane, and gable and other roof forms. Staff requested substantial adjustments to the design, including elimination of the third floor of Building 1, more refined building massing and articulation, and a more subdued color palette.

The applicant implemented staff's recommendations by utilizing projecting forms and windows, recesses, and changes in materials and/or colors to create more visual interest, and an overall architectural form and design that would be compatible with the site and the surrounding neighborhood.

PUBLIC NOTICE

Notice of this application was sent to surrounding property owners and tenants within 1,000 feet of the site. In addition, because this is a residential project in the Downtown Specific Plan Area, the City sent notices to the Pleasanton Heritage Association and Downtown Improvement Association. Staff has provided the location and noticing maps as Exhibit C for the Commission's reference. At the time this report was prepared, staff had received the following comments related to this project proposal: (1) an inquiry about how to rent one of the proposed units; (2) an inquiry about zoning requirements on a nearby lot and whether a similar proposal would be feasible; and (3) a request to review the plans and concern from an adjacent property owner about the lack of parking and about windows facing onto his property.

ENVIRONMENTAL ASSESSMENT

Apartment buildings of 6 units or fewer are categorically exempt (Class 3) from the requirements of the California Environmental Quality Act (CEQA). Therefore, no environmental document accompanies this report.

CONCLUSION

The proposed development meets all applicable requirements of the Pleasanton Municipal Code, and is consistent with the provisions of the Downtown Specific Plan and the Downtown Design Guidelines. Given the constraints of working with a relatively small narrow lot, staff believes the applicant has proposed an attractive multi-family residential project. Staff also finds that the architectural style of the apartments is appropriate for Downtown and that the buildings would complement the existing buildings on Augustine Street and in the surrounding neighborhood.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve P15-0290 subject to the conditions listed in Exhibit A.

Staff Planner: Jennifer Wallis, (925) 931-5607, jwallis@cityofpleasantonca.gov

Consultant Planner: Jean Eisberg, (925) 931-5616, jeisberg@cityofpleasantonca.gov

EXHIBIT C

4745 Augustine Street / P15-0290

Progression of Architectural Design

While City staff was generally supportive of the proposal to add apartment units to this parcel, upon the applicant's formal submittal in April 2015, staff was not supportive of the project's massing, height, design, and colors. Sample elevations from this initial submittal are shown in Figures 1 and 2 below. Staff provided a range of recommendations, including to: reduce the building height and number of stories from three to two; reduce the building massing; revise the architectural form to be more compatible with the surrounding neighborhood and to be more cohesive in style and proportions; and select a more subdued color palette and high quality materials that would be compatible with the existing home on the site and the neighboring properties.

The applicant made substantial revisions to the massing, architectural form, and detailing, resulting in the project described in the staff report and provided in Exhibit B, which staff believes conforms to the Downtown Design Guidelines and meets the City's design review criteria.

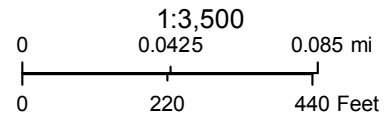
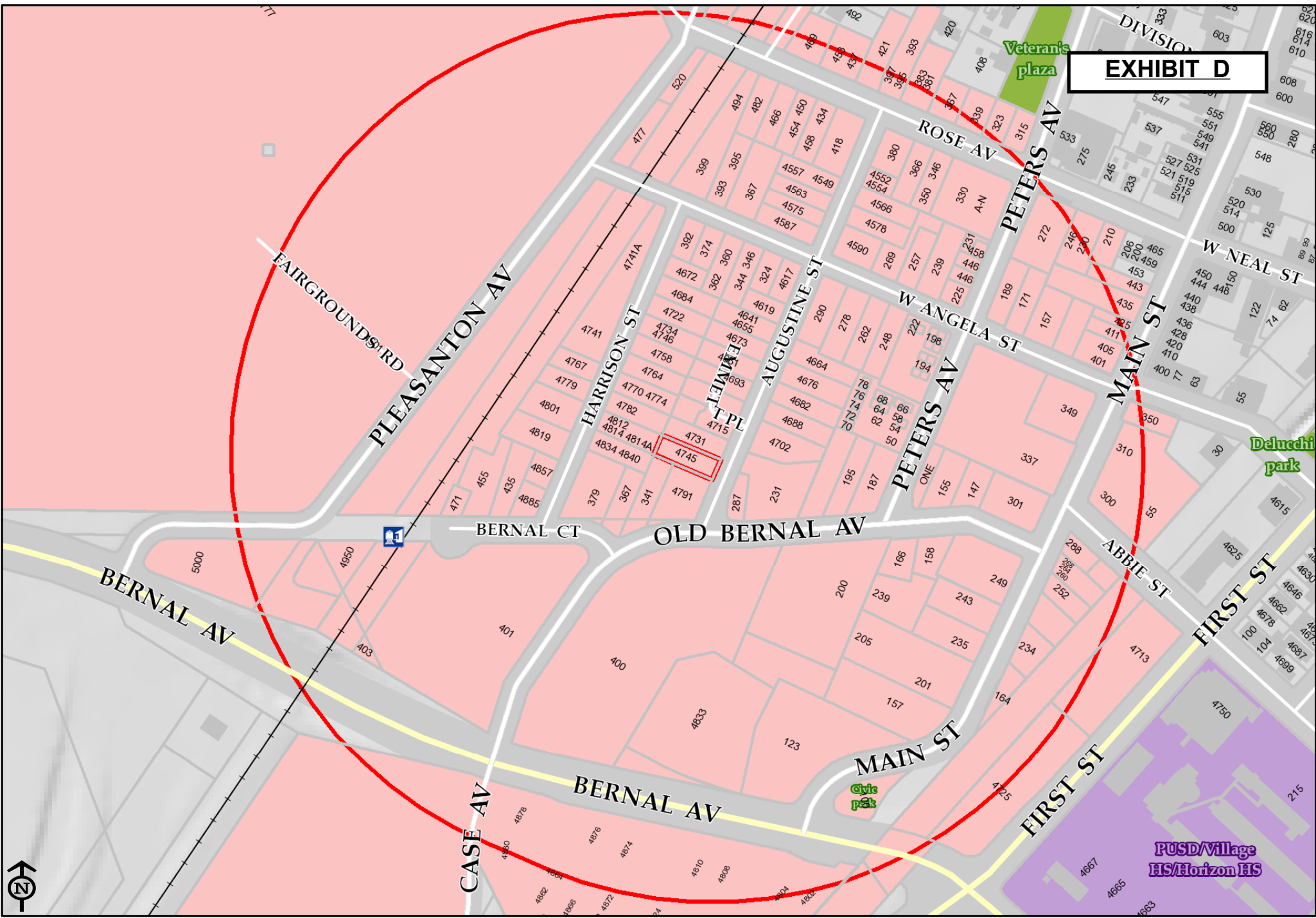
Figure 1: Building 1 Elevations (Previous Submittal – April 27, 2015)



Figure 2: Building 2 Elevations (Previous Submittal – April 27, 2015)



EXHIBIT D



P15-0290, Alok Damireddy Ventures, LLC., 4745 Augustine Street

P15-0290, Alok Damireddy 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 Wallis presented the staff report and described the scope, layout, and key elements of the proposal.

Commissioner Balch inquired if the window that will remain as shown in the revised place for the first building will be a frosted window.

Ms. Wallis replied that it is a window for the restroom, which is typically at a higher level so people are not going to be looking down and out of it. She added that it is currently not required to be frosted but could technically be frosted.

THE PUBLIC HEARING WAS OPENED.

Alok Damireddy, applicant, stated that he is the President of this company and would like to defer his comments to after hearing the opposition's testimony.

Ed Cintrone, neighbor, stated that he is the third generation of the family who has lived in the next-door house that has been there for 100 years, and they have always had a view of the ridge. He indicated that the he is not opposed to the back unit of the proposed project, but the two-story front unit is an eyesore that eliminates quite a bit of light, looks down at the two bedrooms and a bathroom of his house, and completely blocks his view of the ridge. He noted that this huge unit is so close to the back of the existing house and inquired what the distance between the two structures is, adding that there are no other units fronting the street that are that close. He indicated that there are only two homeowners on this whole street and he is one of them; all the others are renters who come in and out and will not always be looking at this big structure 24/7.

Dana Cintrone, neighbor, stated that the privacy issue is one aspect, but the fact that they are being enclosed and their view that has been there forever is being obscured are a little hard to handle, based on the fact that this new building was never meant to be there. She noted that another aspect is parking in one's own designated parking spot. She pointed out that theirs is a unique little street on which even renters park and which has no street parking available during the Alameda County Fair or some other special events. She added that parking would then be on Old Bernal Avenue which has only a few spots, so parking will become a hardship with this proposal. She suggested that there be only two instead of three structures and that they be placed in the back. Finally, she stated that there is talk about renting to low-income people, but she pointed out that these units will rent for \$3,000-\$5,000 a month, which is the owner's prerogative and over which there is no control.

Francisco Matos, Architect/SF, project architect, stated that he is very happy to be able to present this project to the City and that they made a real effort from the start to address the height concerns. He noted that he and his client have worked with

Planning staff to reduce the height of the building with the intent of minimizing the building's impact, but at the same time complying with the City General Plan to bring housing to the Downtown.

Mr. Cintrone stated that he wanted to echo his wife's comments about their street, noting that Harrison Street and Augustine Street are probably the two narrowest streets in Pleasanton. He pointed out that there are other apartments down the street with cars parked out on the street, and vehicles have to pull over to allow another car to go by. He added that there are speeders in the morning trying to get children to school. He indicated that this is really tough, and adding more cars is asking for trouble as it is just too narrow of a street.

Mr. Damireddy stated that he is pretty sensitive to the neighbors' privacy concerns, noting that this lot has a density of about five units, and he is intentionally proposing a total of only four units. He further noted that the property currently has no parking, and he is proposing six parking spots as per the Zoning Code regulations. In response to Mr. Cintrone's question regarding the distance between the buildings, he stated that the setback between the existing home and Building 1 is five feet and two inches. He addressed Commissioner Balch's question regarding a frosted window in the restroom and indicated that it could be arranged. He stated that he has been a long-time resident of Pleasanton, that he likes the Downtown and would like to have the units so people can come in and enjoy the Downtown as well. Finally, with respect to rental rates, he noted that they are much lower than the stated \$3,000 or \$4,000 a month, and added that one of his tenants is in the audience and can speak to that.

THE PUBLIC HEARING WAS CLOSED.

Chair Allen asked Ms. Wallis to talk about what the original proposal was and what was done to protect the neighbors' view and privacy concerns in terms of removing a window so it would not be looking into the neighboring home.

Ms. Wallis displayed the slide showing the original and proposed structures, and referring to the drawing of the original proposal, pointed to the double window on the upper right-hand corner on the north elevation, which would be in the bedroom of Building 1; and then pointed to the double French doors with single windows on each side on the bottom left-hand corner on the west elevation on top of the balcony. She then referred to the revised plans showing that the window has been removed from the upper right-hand corner of the north elevation, leaving only one window on the west elevation, which had to be enlarged to meet building, light, and ventilation requirements.

Chair Allen inquired if this new design would then preclude someone from looking into the neighboring home.

Ms. Wallis replied that it was the assumption as the neighbors' home lines up with the existing home on this site so it would be farther back; the balcony is towards the center of the property, and somebody standing on the balcony would not be able to look directly around this building and down onto this house. She added that the only other location that people potentially could look out would be from the bedroom window or as they are walking up the stairs into their front door.

Mr. Weinstein stated that Ms. Wallis and other staff worked extensively with the applicant to revise the initial iteration of the project that was submitted, which actually was a three-story building where Building 1 is right now. He added that the buildings are substantially reduced in mass from what was initially proposed.

Commissioner O'Connor inquired if that three-story configuration would have met the height requirement.

Mr. Weinstein replied that the height requirement is 40 feet. He stated that there are policies in the Downtown Specific Plan that suggest that buildings should be two stories in height at max, and this building at 20 feet here is well below that 40 feet maximum height.

Commissioner Ritter noted that it sounds like the issue with the neighbors' concern is mostly Building 1. He inquired if there are any restrictions for the applicant to build a second story on the existing house as well.

Ms. Wallis replied that there are currently no restrictions to build a second story due to the parking requirements and Conditions of Approval that require the existing home to maintain a maximum of two bedrooms; hence, the applicant could technically add onto the first home, but they could not add bedrooms.

Commissioner Ritter inquired if that is the reason the applicant is doing Building 1 instead of making their existing house bigger.

Ms. Wallis said yes.

Mr. Weinstein added that there is also a policy in the Specific Plan that promote retention of the existing streetscape as well, and so keeping the one single-story single-family residential building in the front of the project site is something that achieves that policy.

Commissioner O'Connor inquired if that policy is mandatory or recommended.

Mr. Weinstein replied that it is actually in the Downtown Design Guidelines.

Commissioner O'Connor inquired, for clarification, if the applicant would have been able to add a bedroom to the original house if he did not build the first building behind the house, as they could have the same number of bedrooms in total.

Ms. Wallis said yes.

Commissioner Balch inquired whether that was discussed as an option when staff was working with the applicant on the revised plan.

Ms. Wallis replied that it was just discussed with respect to reducing the massing down to two stories but was not necessarily in relation to the total number of bedrooms or units.

Commissioner Ritter stated that it sounds like the applicant wants to rent it out as a rental unit and keep it separate from the house.

Commissioner O'Connor noted that this is probably the only option he can think of that would preserve the view towards the center of the property.

Commissioner Balch noted that the street view would have changed, and the desire is not to change.

Commissioner Piper inquired if the applicant could just do a one-story unit, punch out the back to make the house larger with more bedrooms and add a garage, and then keeping the integrity of that whole front unit intact as one single-story larger home.

Ms. Wallis replied that was potentially possible.

Commissioner O'Connor inquired if that was considered by staff when the project came forward, trying to preserve the viewscape by some options other than a two-story building there.

Ms. Wallis said no, not specifically so.

Commissioner Balch stated that he can count eight bedrooms on the entire parcel: two in the initial house, one in Building 1, and two in each of Building 2 and 3. He asked staff if that was correct.

Ms. Wallis replied that they are separate bedrooms and that the bedrooms in the existing home will be reduced from three to two.

Commissioner Balch noted that there are six on-site parking spaces, so one person is definitely parking on the street perceivably.

Ms. Wallis said yes.

Chair Allen noted this would be the case if all bedrooms were used by independent people. She added that she was surprised to see the zoning requirement of 1.5 cars for a two-bedroom unit but that one and two bedrooms are probably being blended and ends up using 1.5 as the average.

Commissioner Balch commented that it could be a child.

Ms. Wallis stated that parking requirements in the Downtown Specific Plan Core Area actually have reduced parking requirements than elsewhere in the City because housing units and walkability are being encouraged in the Downtown.

Commissioner Piper referred to the applicant's statement that there is currently no existing parking on-site and inquired if that is accurate and if that is because there is a whole huge lot to park in.

Ms. Wallis replied that there is a driveway but no garage or covered parking; there would just be open parking in the back. She added that there is no parking on the street as well.

Commissioner Piper commented that there certainly is a lot of space for parking currently. She then stated that she appreciates Ms. Cintrone's statement about low-income because these are certainly not low-income units, which she believed was the intent here. She commented that what the applicant probably meant was that these would be smaller units and, therefore, would fetch a smaller amount of rent. She asked staff if that was correct.

Mr. Weinstein said yes, that it is a conjecture. He explained that there is this concept called "design for affordability," and what staff has typically seen in the City in looking at rents versus apartment sizes is that there is a correlation between apartment size and cost. He noted that it is not always direct and not always consistent for every single apartment built in the City, but generally, the smaller the unit, the cheaper the rent will be.

Commissioner Piper noted that Downtown Pleasanton is an exception.

Mr. Weinstein replied that smaller units in Downtown will typically be less expensive than bigger units.

Commissioner Piper noted that it makes sense. She then stated, for the record, that it is quite a narrow street and that when she drove by the subject property, she actually did have to pull over in order to allow another car to pass so.

Commissioner Balch stated that he is not hung-up on the parking issue – seven bedrooms with six on-site parking with one person parking directly on the street; but he is toying with the idea of looking into punching out the back and reducing the massing on Building 1 to promote harmony in the neighborhood. He noted that he does not think it is required but that he can see it as a possibility.

Commissioner O'Connor stated that he does not have a problem with the parking either, but wished there had been a little more investigation into preserving the view within the property. He indicated that he understands the applicant meets the requirements but he is trying to be sensitive to the neighbors to keep the views while preserving the same number of bedrooms. He added that he is generally not in favor of continuance for these things but that he would certainly be open to it for this project if it has not been considered.

Chair Allen stated that she is exactly in the same place: parking is fine, but clearly there are options that are worthwhile to explore and should be explored. She added that she believes it is worthwhile to take the time to look at other options since there is no precedent of three units on these buildings that she has seen on Augustine Street as she drove by; this is a different design than what the City has had before and potentially sets a precedent that could cause some long-term impacts in other situations.

Commissioner Ritter stated that Building 2 looks fine, but he has a little bit of struggle with Building 1 and how it connects or attaches next to the existing house. He noted that it looks like it was not designed together, and from a flow standpoint, it just sort of pops out. He indicated that he wants to support the applicant in getting that space so he could rent it because it is per the Code and they actually have the right to do that on their own property, but he would like to have a little better integration between the existing house and Building 1.

Commissioner Piper stated that her thoughts are similar to those of the rest of the Commissioners. She indicated that she would like to see a change on Building 1 to be sensitive to the neighbors and their views for many, many, many years. She added that she was fine with the parking because it is conforming, although she assumes and feels in her heart that parking spaces are being lost, not gained, with this plan, as residents are being added, and with units that small, her experience has been that people use the garage as storage, so they are not actually parking in the garage and but on the street.

Commissioner Balch stated that he thought about the garage storage as well and inquired if the garages are all connected.

Mr. Weinstein replied that he believes there are no dividing walls. He noted that Condition No. 11 requires that the parking spaces in the garage be maintained for parking and would need to be enforced by the property manager. He added that this is a standard condition that is imposed on projects where there might be a parking constraint and the potential for garages to be used for storage.

Commissioner Piper noted that she sees that in almost every CC&Rs that she reads, but it is just not the reality.

Commissioner Nagler stated that he does not have anything to add to what has already been mentioned. He indicated that the Commissioner's direction to ask for more work to be done is appropriate. He added that it struck him, as he was going through this, that Building 1 begs the question of how set the Commission is on the requirement of maintaining the street view as compared to maintaining the neighbor's view. He noted that it is a trade-off and that he is fine with it if it requires more deliberation.

Commissioner Balch commented that it would be interesting to know if the Commission is willing to possibly sacrifice a parking spot to preserve a view.

Commissioner O'Connor stated that he would not have a problem with that. He noted that there are a lot of Downtown properties that have two- and three-bedroom homes with one-car garages. He stated that as far as maintaining the street views, the Commission is talking about the possibility of a second story and finding no change in the street view. He added that the street view changes by putting a second story directly behind the home as it is only five feet behind the home.

Commissioner Balch commented if the street view is going to be lost anyway, it might be well to lose it a lot and get what is needed to please more people.

Commissioner Nagler commented that if the Commission is agreeable that the number of total units proposed is acceptable, that is, four units with two bedrooms each, extending the existing building and remaining a one-story building by definition would make parking pretty difficult because there is only so much of a footprint that is extended to the rear. He indicated that he is not sure if it is even the Commission's place to suggest this, but clearly the problem would be solved if the existing home were torn down and a front unit were built that replicated Building 2; Building 1 would become a mirror image of what is being proposed as Building 2, and four two-bedroom units each with a total of six parking stalls would be maintained. He reiterated that he is obviously not proposing that the Commission adopt this, but again, if this item is going to be continued, then this is an idea to be considered.

Commissioner O'Connor inquired, for verification purposes, if the proposal is for the front house to have two bedrooms, the first building to have one bedroom, and the two buildings in the back to have two bedrooms each, for a total of seven bedrooms. He noted that the existing home currently has three bedrooms, and if the first building behind was eliminated and the building in the back remained with four more bedrooms, there would still be seven bedrooms, even with the elimination of a building, and there would still be the separate unit.

Commissioner Nagler noted that this would be the architect's task, and because there could be a variety of issues, he believes the item should probably be continued.

Commissioner O'Connor agreed that he does not want the Commission to be designing this but that he would like the applicant to further explore what to do to maintain the view.

Chair Allen stated that what she is hearing is that the Commission wants to give staff the flexibility to try and maintain the view while retaining the goals of the applicant, with the option of potentially swapping a parking spot, and the concept of moving the first building from a single-story to a two-story with a good nice design.

Mr. Weinstein advised that it would be good to establish some sort of timeline as well.

Commissioner Balch proposed 60 or 90 days.

Commissioner O'Connor that would give the applicant sufficient time to work with staff.

Mr. Weinstein replied that 90 days might be appropriate.

Commissioner Balch moved to continue Case P15-0290 and directed the applicant to work with staff to address the neighbors' view concerns and to bring back the proposal to the Planning Commission within 90 days. Commissioner O'Connor seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Allen, Balch, Nagler, O'Connor, Piper and Ritter

NOES: None

ABSTAIN: None

RECUSED: None

ABSENT:None