



## PLANNING COMMISSION MEETING MINUTES

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

**APPROVED**

**Wednesday, October 17, 2011**

*(Staff has reviewed the proposed changes against the recorded proceedings and confirms that these Minutes are accurate.)*

### **CALL TO ORDER**

The Special Planning Commission Meeting of October 17, 2011, was called to order at 7:00 p.m. by Chair Kathy Narum.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Chair Narum.

### **1. ROLL CALL**

Staff Members Present: Brian Dolan, Community Development Director; Daniel Smith, Director of Operations Services; Janice Stern, Planning Manager; Julie Harryman, Assistant City Attorney; Steve Otto, Senior Planner; Natalie Amos, Associate Planner; and Maria L. Hoey, Recording Secretary

Commissioners Present: Chair Kathy Narum, and Commissioners Phil Blank, Greg O'Connor, Arne Olson; Jennifer Pearce, and Jerry Pentin

Commissioners Absent: None

### **2. APPROVAL OF MINUTES**

#### **a. September 14, 2011**

**Commissioner Pentin moved to approve the Minutes of the September 14, 2011 meeting, as submitted.**

**Commissioner Blank seconded the motion.**

**ROLL CALL VOTE:**

**AYES:** Commissioners Blank, Narum, O'Connor, Pearce, and Pentin  
**NOES:** None  
**ABSTAIN:** Commissioner Olson  
**Recused:** None  
**ABSENT:** None

The Minutes of the September 14, 2011 meeting were approved, as submitted.

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

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

**4. PUBLIC HEARINGS AND OTHER MATTERS**

- a. P11-0715, Craig Sjoberg (Applicant), Nahdo Selig (Appellant)  
Appeal of the Zoning Administrator's approval of an Administrative Design Review application to construct an approximately 13-foot, 8-inch tall, 240-square-foot accessory structure in the rear yard of the property located at 663 Orofino Court. Zoning for the property is R-1-6,500 (One-Family Residential) District.**

Janice Stern presented the staff report and described the scope, layout, and key elements of the proposal.

In response to Commissioner Blank's inquiry regarding whether there are view easements associated with this property, Ms. Stern replied that there were none.

Commissioner Blank then inquired what part of the structure the story poles represented.

Ms. Stern replied that she believed the story poles represented the middle of the structure, and the ridge would go down on either side.

Commissioner Blank inquired if staff evaluated installing additional landscaping to cover the hole between the trees through which the proposed structure could be seen from the neighbor's property. He expressed surprise that planting a tree in that location to screen the structure was not proposed as an alternative.

Ms. Stern replied that it could be added as a condition; however there is only a five-foot clearance in that area. She noted that there is also a eucalyptus tree in that area, and anything planted underneath it would not do well.

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

Nahdo Selig, Appellant, inquired what the height of the story pole was.

Ms. Stern replied that staff asked the applicant to install the story poles, one of which represents 13 feet 8 inches at the tallest part of the structure. She noted that while staff did not actually measure the story pole, it appears to be accurate.

Ms. Selig continued that there are several disturbing things about this proposal, one of which is that the applicant is not willing to install any landscaping in the area to cover the structure. She noted that the City typically recommends that accessory structures have the same color as the main structure; unfortunately, however, the, Sjobergs have done nothing to blend in with the neighborhood; their house is painted a light aqua with teal trimming, which is very visible from her home, while the houses in the neighborhood are predominantly earth tone.

Ms. Selig stated that she does not spend all of her time in the backyard, but she is a voracious gardener, she gardens for the Senior Center and is a member of a garden club. She added that she gardens both in her front and back yard, and she has children who play in the front yard. She indicated that to say that she could only see the structure from her backyard is not the fact, as she can see the structure from her front yard as well when she pulls up to her home.

Ms. Selig noted that for 20 years, she has driven up Tawny Drive where a homeowner on Burger Court has been allowed to construct a garage and paint it yellow-gold, which now sits like a beacon at the end of Tawny Drive. She stated that residents on Tawny Drive have to look at that on the top of the hill because it is not landscaped, and this is one of the gateways into their community. She noted that she now sees this similarity for her cul-de-sac.

Ms. Selig noted that the applicant's fence is also about four-and-a-half to five feet tall and not six feet. She indicated that there is a pool, and believes there is a law which requires a six-foot tall fence where there is a pool in the rear yard.

Ms. Selig noted that staff has recommended that perhaps part of building facing them be painted a neutral tone. She further noted that staff had indicated that the house would sit at an angle, and hence, they will view more than one-and-a-half walls.

Ms. Selig commented that the applicant is not willing to do anything about the paint, the landscaping, or the illegal interior fence, which is not high enough to keep the children in the neighborhood away from the pool as the applicant does not have an interior fence. She noted that the applicant is not doing anything like a good neighbor. She added that several neighbors are unhappy; but unfortunately, they chose not to attend the meeting, even if they have a lot to say about it, because they believe the structure will go in. She stated that she thinks the neighbors have a voice on the effect the proposal has on them and what they will look at every day when they come back to their neighborhood.

Dr. Craig Sjoberg, Applicant, stated that he would simply like to build a small structure in his backyard with one little panel that the neighbor can see. He indicated that he has never met Ms. Selig and does not have a clue regarding what he has done to irritate her, including his house being the wrong color. He questioned when what is offensive and disturbing to a neighbor becomes an offense of his rights as a property owner and taxpayer.

Dr. Sjoberg stated that for 20 years, he had a structure there of a garden variety kind, which was falling down and which he decided to replace instead of fixing. He indicated that they embarked on tearing it down and went ahead with its planning. He noted that his next-door neighbor was also building a structure that overlooks his yard a bit; he did not get noticed on that, but it did not bother or offend him as it is their property. He stated that he talked to the neighbor to put a little trellis between their houses to screen the structure, and things worked out very well.

Dr. Sjoberg stated that he measured his fence, and it is six feet tall. He then presented a picture of the three story poles: two ridge poles and one sloping down representing a side wall. He indicated that what could be seen from the neighbor's yard is two to three feet of the asphalt shingle roof, painted tan/buff/taupe to match the trees.

Dr. Sjoberg stated that when he stood up on his ladder and looked over the story poles into Ms. Selig's yard, he could see only a little bit of her lawn area. He added that he believed an additional tree in her yard would screen the structure and would grow better because there is not much he could plant under the eucalyptus tree that would not die.

Dr. Sjoberg requested the Commission to approve his project and stated that he would be happy to lower his structure a bit and paint the back side of the building facing the neighbor's home a buff/beige/taupe color.

Commissioner Blank asked Dr. Sjoberg if the previous structure was in the exact same location as the proposed structure and if the dimensions were the same.

Dr. Sjoberg replied that it was in the same location but is a little bit deeper toward his home and a little bit taller at 11 or 12 feet at the top of the dome. He explained that his previous structure was a collector of eucalyptus fallout and he wanted to have a steeper pitch to prevent that. He noted that with a couple of windows toward his home, it would look nicer and could also be used as a study and work place.

Ms. Selig stated that the previous structure was completely different from what is being proposed; it was not a solid enclosed four-wall structure. She begged to disagree with Dr. Sjoberg that if the new structure sits on the side of the hill and is 12.5 to 13 feet tall, with a five-foot tall fence, there will be more than a rooftop showing. She noted that this was listed as gazebo, but it is not; it is an accessory structure because it has four enclosed walls. She expressed appreciation for the use of a neutral color but stated that she would wait to see if it would be so.

Ms. Selig commented on the reference to their structure and stated that it was entirely different: a six-foot by eight-foot tree fort which the children built and which is now a dog house. She noted that there were three criteria placed on the structure: (1) the top of the roof must be underneath the fence line so it is not intrusive on the neighbors; (2) it would not kill the tree; and (3) recycled lumber was used and was wrapped in bamboo shade to blend in with the neighborhood. She added that she did not find it a valid reason to say that everybody in the neighborhood has one of these and, therefore, it is all right for the next person to have one as well.

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

Commissioner Olson inquired if staff has any examples of neutral color to provide to the applicant that could be put in as a condition.

Ms. Stern replied that she did not have any at hand but staff can provide some to show to the applicant.

Commenting on the structure being angled and having more than one-and-a-half walls visible to the neighbors that would be painted a neutral color, Commissioner Pentin proposed that the entire structure be painted one neutral color that fits the garden or backyard theme.

Commissioner Blank stated that, while not being insensitive to the fact that while the previous structure may have had some openings, it still had a solid roof. He added that he was struck by the fact that the applicant is willing to consider lowering the structure as recommended by staff as well as painting the back of it in a neutral color. He suggested the Commission consider adding both conditions because it puts into place the same thing that was there before.

**Commissioner Blank moved to deny appeal, thereby upholding the Zoning Administrator's approval of Case P11-0715, subject to the Conditions of Approval listed in Exhibit A of the staff report, with the modifications that the side(s) of the building which face the Appellant's property be painted a neutral color, subject to the review and approval of the Director of Community Development; and that the height of the structure be reduced as recommended by staff. Commissioner Pentin seconded the motion.**

Commissioner O'Connor requested clarification from Commissioner Blank that the recommendation on the neutral color on what could be visible would not preclude the applicant from painting the entire structure in the same color.

Commissioner Blank clarified that the sides being required to be painted a neutral color are those facing the appellant's property, but the applicant can paint the whole structure the same color if he wishes.

**Commissioner Pearce proposed that Condition No. 4 be modified to limit construction work to Monday through Friday only, instead of Monday through Saturday, as this is a residential area.**

**Commissioners Blank and Pentin accepted the amendment.**

Commissioner Pearce indicated that she would support the motion. She noted that the Commission is honoring the property rights but trying to mitigate the impact to the neighbors. She added that the Commission understands that anything that happens in the neighborhood impacts the entire neighborhood and that she hopes the Commission achieves the right balance here.

Chair Narum indicated that she would also support the motion with the amendment. She stated that what struck her is that no variances were required for this proposal.

**ROLL CALL VOTE:**

**AYES: Commissioners Blank, Narum, Olson, Pearce, and Pentin**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

Resolution No. PC-2011-38 denying the appeal, thereby upholding the Zoning Administrator's approval of Case P11-0715 was entered and approved as motioned.

**b. PUD-85-08-12D, BRE Properties, Inc.**

**Work session to review and receive comments on an application for a PUD (Planned Unit Development) Development Plan to construct a mixed-use high-density residential/commercial development containing 251 residential units, four live/work units, and approximately 5,700 square feet of retail space at the property located at the southeast corner of Owens Drive and Willow Road. Zoning for the property is PUD-MU (Planned Unit Development-Mixed Use) District.**

**PUD-81-30-86D, BRE Properties, Inc.**

**Work session to review and receive comments on an application for a PUD (Planned Unit Development) Development Plan to construct a high-density residential development containing 247 residential units and four live/work units at the property located at the northern corner of Gibraltar Drive and Hacienda Drive. Zoning for the property is PUD-MU (Planned Unit Development-Mixed Use) District.**

Chair Narum outlined the meeting procedures, stating that staff would first present the report for both sites, followed by clarifying questions from the Commission; the public hearing would then be opened for the applicant and other speakers; and the Commission would then go through the discussion questions listed in the staff report for

each of the sites separately. She indicated that she would like there to be as much conversation as possible with the applicant so the Commission can receive feedback and be clear on what it thinks need to be done or changed.

Commissioner Pentin and Chair Narum disclosed that they met with the applicant earlier in the day.

Brian Dolan presented the staff report on behalf of Natalie Amos, stating that it would be more informal than usual as this is a workshop. He agreed with Chair Narum that there should be as much interaction with the applicant as possible and noted that the members of the audience are predominantly people involved in the project, which would facilitate that conversation. He indicated that he would go through sections of the staff report provided and that his presentation will include a lot of graphics, all of which the Commission has already seen before. He stated that staff decided to include more than what is needed in case the Commission wishes to refer back and in anticipation of what the Commission might ask questions about. He then displayed a PowerPoint presentation, starting with Site 1.

Mr. Dolan presented the Hacienda Transit Oriented Development (TOD) Design Standards and Guidelines context diagram showing the two sites, which are the closest out of the three sites studied in the Hacienda Park near BART and which demonstrate two great opportunity sites for TOD because of their proximity, as shown in the half-mile arc, both walkable to BART and public transportation, as well as to other transit opportunities that center around the BART station. He added that staff included in those Guidelines and followed through in these projects some great pedestrian connections, which also shows their relationship to the other residential development located in the vicinity.

Mr. Dolan stated that while there are some residential units nearby and with the BART station across the street, Site 1 is right in the middle of predominantly business, office, and non-residential uses with large buildings with a certain architectural style. He pointed out the Shaklee site, a three-story office building complex with its parking lot on the northern side and a vacant piece on the south side which is immediately adjacent to and could serve as a possible extension of the park which has been designed into the Site 2 project. He noted the site's proximity to the Iron Horse Trail and the many pedestrian opportunities that it will provide.

Mr. Dolan then presented some views of the site to demonstrate the character of the project and set the tone for the architectural discussion. He noted that while this is a residential project, there are some non-residential architecture across the street in almost every direction, with a lot of glass and more contemporary-looking architecture, a lot of concrete panel, some stucco, and a very different look than what would be added into a residential neighborhood. He stated that the applicant has tried to incorporate this context into the projects, and this is why they might not look as residentially-oriented as can typically be seen in some of the residential projects in town.

Mr. Dolan stated that the applicant was able to meet the minimum density for Site 1 in providing 251 units. He noted that there are two mixed-use buildings that contain two retail spaces totaling 5,700 square feet, meeting the retail commercial space requirement of the Standards, and provide the required live/work frontages along Owens Drive. He added that the main corner includes an open space that addresses the public, which would then be lined with the retail behind it.

Mr. Dolan then presented the layout of the property along Willow Road and Owens Drive, noting that the site is ringed with the larger buildings that have a more active frontage facing those streets, and with the interior of the project showing a more traditional residential project. He stated that one thing raised in the staff report is that the Standards and Guidelines require that there be a hierarchy of streets within these three projects; however, while the project is consistent with these Standards and Guidelines in many ways, this is possibly the most significant area where, in one fundamental way, it is inconsistent with those Guidelines in that it does not provide necessarily a true internal street, where inside the project they would look like a street in a residential neighborhood with lanes of traffic, parking, a landscape strip, a sidewalk, and more landscaping. He indicated that this is something staff had a long dialogue with the applicant about from the time the Standards and Guidelines were approved and as these projects were developed. He added that this became most difficult with the development type the applicant is proposing at 30 units per acre. He pointed out that it is difficult to park a project like this that takes up a lot of space, and with the requirements for open space, it would need to go to a higher density before being able to provide this level of open space and achieve that internal circulation. He indicated that there are ways to create at least one internal street that connects the two entrances off of Willow Road and off of Owens Drive, but it would do so at the expense of a fairly significant amount of open space throughout. He added that the project architect, Mr. Irwin Yao, will explain this trade-off, which is a key issue that the Commission should try and give direction on, or at least think about between now and when the application returns to the Commission as a formal application.

Mr. Dolan noted that from certain angles, the site plan shows that the first floor on many buildings has lots of garage doors. He stated that this is the inevitable result of this kind of design at this particular density. He indicated that the applicant has done a good job of making sure that the first floor elevations with rows of garage doors have some design elements to make them more attractive, and it helps somewhat that the three- and four-story buildings have some architectural interest above the first floor. He added that the applicants have also done a good job of making sure the buildings are pointed in a direction which is not as visible as some of the others, the most important of which are the elevations that face Owens Drive and Willow Road, which do not contain any garage doors.

Mr. Dolan then presented some elevations showing a variation of material from the first floor, with a HardiePlank product on some of the ends which accent and offset the rest of the building skin. He indicated that there is a variety of colors and a fair amount of movement architecturally throughout the elevation; however, this is not something the



human eye can actually see as there is no actual place where one can stand and see how it actually lays out in real life; one can only see a portion, depending on where one stands. He noted that in some of the areas where this design has evolved in the newer drawings is a cap feature which highlights the top of the project. He added that there is an emphasis on a more detailed design along the first floor accentuating the retail and live/work portion of the project and distinguishing it from the residential on the upper floors. He also presented an elevation along the top that shows the back of the large building facing Owens Drive, which again is not a view in real life but one that shows the level of detail provided on that particular building. He added that the green rectangles on the bottom serve as a graphic illustration of plantings on a trellis.

Mr. Dolan presented a ground level floor plan of the retail buildings on Willow Road and Owens Drive, recalling to the Commission that there was extensive discussion about the depth of the retail space during the development of the Design Guidelines. He noted that the issue came up, when the live/work space was presented, that the whole idea should be designed so it is convertible to retail. He stated that staff had landed on a minimum retail space of 40 feet, and when the original designs came in, they actually showed a depth on the live/work of only 20 feet, which staff indicated does not meet the guidelines and will not be able to convert to retail if they do not provide a depth most conducive to retail. He added that the applicants then increased the depth to within 30 feet, with some measurement at 29 feet and others at 33 feet. He noted that this is an improvement, but not quite there; therefore, a decision will have to be made on whether this is going to be deep enough to attract retail and get that transition over time. He indicated that this would not matter if the intent is to stay residential; however, the deeper they are, the less attractive the back end becomes for residential because there are no windows back there, and all of the light will be coming from the front. By way of comparison, Mr. Dolan stated that almost all new retail buildings the City has been looking at, for example, the Safeway development, have a minimum of 50 feet. He noted that Tully's is over 50 feet, not in the space seen and experienced as part of shop, which is only about 30 feet, but including the bathrooms and some storage at the back. He added that this does not mean there are some retail uses that could not survive with 30 feet; this just is not the ideal dimension.

Mr. Dolan then presented more elevations showing the end building and noted that the design on the end of a building will not have as much detail as some on the street fronting them. He stated that in some cases this is acceptable because they will simply not be seen as much, particularly when the buildings are close together. He noted that the side of building on the corner has a fair amount of detail, with the live/work treatment and special design on the corner actually adding a lot of interest. He then presented more internal architectural elevations and detail on the revised live/work dimensions and depth of 29 and 33 feet, how the parking works on the buildings with individual garages wrapped around, and how much of the first floor it actually takes up. He then showed the cap treatment provided on the tower elements which he feels is effective and adds a little bit of 'pop' to the top of the building, and which is the minimum that should be done. He added that the applicant has also done some enhancements to the design on the

first-floor level, and the revised drawings accentuate the difference between the commercial first floor and the residential above.

Mr. Dolan then presented the proposed landscaping plan, stating that there is a lot of landscaping in the open space, along the garage doors, and around the perimeter of the building, particularly along the trail that will run along the site on the right hand side leading from Site 2 all the way up to Owens Drive. He noted that there is also nice landscaping at the entrance and that a much more detailed landscape plan will be developed as the project moves forward. He also presented the design of the private open space collected in the middle, a pool, a leasing office, a recreation building, and a tot lot.

Mr. Dolan stated that as suggested in the staff report, the issues have been narrowed down to about five, the most fundamental being whether the Planning Commission would support exceptions to the Hacienda TOD Standards and Guidelines if the project were to move forward as proposed, one key issue being an exception for the lack of internal streets and to the depth of live/work spaces. He noted that at the time of the writing of the staff report, one key issue staff had spent a lot of time talking about was the height of the live/work and retail, which was not quite high enough with the plan submitted; however, the applicant has worked through it and staff feels this will no longer be an issue and has removed it from the presentation.

Mr. Dolan stated that the Commission will also need to determine whether the building designs are appropriate in this particular context adjacent to large office buildings. He indicated that he anticipates the question of whether this has the "Pleasanton Look" and that there can be a dialogue on that. He stated that he thinks the context of this particular physical setting, the level that is normally looked at in a residential project is not necessarily right in this context. He further noted that there has been some reaction to the colors chosen, and he thinks the applicants are willing to discuss this as well as the materials. He added that there is also the question of whether the positioning of the buildings is acceptable and whether there is anything missing from the proposal that the Commission feels it will need to make a decision on when the project comes back as a formal application.

Commissioner Blank requested Mr. Dolan, as he shows the perspectives, to identify from where they are taken.

Mr. Dolan then proceeded to describe Site 2, stating that this project has very much the same context as Site 1, with the exception that there are existing residential uses to the southeast. He showed a photo, looking at the corner of Gibraltar and Hacienda Drives, where the proposed design reflects that particular setting, where the buildings along Hacienda and Gibraltar Drives that are across the street from the residential are lower and have more of a residential feel to them to reflect that relationship. He indicated that on this particular project, the original proposal came in with exaggerated tops on the corner elements, but with only one per building, denoting the area of the building where the entrances are and emphasizing one part of the building. He stated that he will

continue the dialogue with the applicant about whether or not there should be a top feature on areas that do not have this major dramatic top feature.

Mr. Dolan then presented the layout and site plan for Site 2, stating that like Site 1, it does not have the internal streets. He noted that the main project entry off of Gibraltar Drive is the only place in this layout where there could be the condition of actually having lanes of traffic, a landscaping strip with trees in it, a sidewalk, and more landscaping; the rest is an alley condition. He indicated that as in Site 1, the more active uses face the street so that when driving by, one sees the most attractive elevations of the project addressing the community, which is a positive. He added that some of the garage-door-laden elevations are less visible, inside the project, and not exposed to the rest of the community. He noted that this is the type of development that occurs at this particular density, as everything cannot be surfaced-parked, and because there are no big garages, parking must be tucked underneath the units.

Mr. Dolan indicated that there is also a nice internal recreation component centrally located with a pool, leasing area, recreational facility, and some open space. He noted that as required that one of the two projects include a park, a .55-acre of parkland, slightly larger than Veterans Plaza on Peters Avenue down the street from City Hall, in include in this project at a location that creates a very good opportunity to further develop the adjacent Shaklee piece and expand the park quite a bit. He added that it is nicely located along one of the trails that would run up the western border of this property, connecting Gibraltar Drive through to Site 1 and ultimately to Owens Drive and the BART station.

Mr. Dolan then presented a slide showing the live/work on the corner of Gibraltar and Hacienda Drives. He noted there was a requirement in the Guidelines that 50 percent of that frontage should be live/work units, and since what is being proposed is somewhat less than that, the City will have to decide whether that amount of live/work at this particular location is adequate even though it does not meet the letter of the Guidelines.

Mr. Dolan then displayed several photos, including a lower building across from the residential which is no more than three stories and with a more residential feel; a park; some simple internal elevations which may not require additional details because it is quite close to the building next door and with the addition of landscaping along the first floor and a top element; other internal architectural elevations and perspectives; the ends of the buildings on Hacienda Drive across from the residential; and landscaping. He indicated that there is a lot of land dedicated to trail connection on this project, including a ten-foot wide trail dedication along both sides. He noted that the idea for the trail adjoining Kaiser is for the City to work with Kaiser to expand the width and put in a much more significant trail. He added that this project has the same issue with the live/work depth.

Mr. Dolan stated that questions for this particular site would be similar to those of Site 1: exceptions on the internal streets; level of exception, if any, for the depth of the

live/work spaces; appropriateness of the overall design for this particular location; colors and materials; locations of buildings; and the size of the small park. He noted that the park was a last-minute addition to the Guidelines, and no size was required or specific reference given other than that one of the two projects would have to contain a park.

Commissioner Pentin inquired if the park element occurred at the Planning Commission or Council level.

Mr. Dolan replied that it happened at the Council level.

Chair Narum inquired if the park area is .55 or 1.55 acres.

Mr. Dolan replied that it is .55 acre.

Commissioner Pentin commented that there was no stipulation of size.

Mr. Dolan confirmed there was none; only what is a practical, usable site. He noted that the applicant had inquired how big it has to be, and staff had indicated that the smallest workable park in the City is the Veterans Plaza on Peters, which provides a nice little park.

Mr. Dolan indicated that this ends his presentation but that staff has a lot of other graphics which he could display if the Commission so desires.

Referring to the one entryway on the Site 2 project [Mr. Dolan clarified that there were two: the main project entrance on Gibraltar Drive and another on Hacienda Drive], Commissioner Olson inquired if there were security gates on those entryways.

Mr. Dolan replied that none were proposed at this time.

Commissioner Olson stated that he was wondering if there should be, and the reason is what would prevent people who do not particularly belong there from driving into the development, all the way to the back and causing problems.

Mr. Dolan replied that staff would prefer not to have the security gates. He stated that this was one of the ideas of trying to provide an internal street style, where the streets would be like any City street even though it would be private. He indicated that there are obviously security concerns with projects like this, but the design gets somewhat tricky as it is fairly tight, and there would need to be a turnaround for people who pull in and then cannot go forward. He noted that the design right now would not accommodate that.

Following up Commissioner Olson's question, Commissioner Blank inquired if the Police Department had reviewed this design and weighed in on its "police-ability." He noted that these are all private and inquired if there would be any patrolling taking place and if they have been evaluated from that perspective.

Mr. Dolan replied that the projects have gone through the routing process and have been shared with the different City Departments process. He added that staff has yet to prepare the staff report and the conditions of approval, so the dialogue is not over and there is much more discussion. He noted that he does not think the Police Department would see this as any special problem area and would probably look at it as a typical 30-unit-per-acre apartment complex, similar to the Archstone Apartments where anyone can drive in there anytime.

Commissioner Blank commented that he was not a big fan of gates but shared Commissioner Olson's concerns, especially with Site 1 because of the angularity that those streets created.

Commissioner Olson stated that he was not in favor of internal roads; that he likes the design and thinks it works better. He indicated that he was concerned about and raised the issue of security because the development is directly across from BART.

Commissioner O'Connor noted that there is a variation on the colors in the staff report and the actual exhibits. He inquired if the true color scheme was the exhibits provided by staff or the depictions provided by the applicant.

Mr. Dolan replied that the first big packet the Commission received, which included the staff report and attached materials from the applicant, was the application, and these did not have any variation in colors. He noted that staff had asked the applicant to explore other colors, and some new graphics were submitted; any color differences in those graphics are the result of the exploration of variation. He added that it would be useful for the Commission to share with the applicant and staff any particular colors it does not like or any tones and directions it wants the applicant to explore.

Commissioner Blank pointed out that these are printouts from a computer, which are only approximations and premature until the actual color samples are submitted and are seen in the right kind of lighting.

Commissioner O'Connor concurred.

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

John Wayland, BRE, Applicant, stated that they are excited about presenting these projects and explained that their architect, Irwin Yau of TC Architects (TCA), would spend time reviewing the project elevations. He indicated that before getting into the project, he would like to refresh the Commission's memory about BRE, a publicly-traded company with a business objective to own multi-family real estate on a long-term basis. He noted that BRE has assets that it has owned for more than 40 years, and development is the vehicle it uses for growth in the company. He explained that BRE is different from a merchant builder who typically would sell an asset after a year; it is, instead interested in ensuring that its assets perform and look as good five years down

the road as it did in year one. He added that these projects represent about \$160 million in investment and that BRE has a vested interest in them as does the City, in making sure they look good and create a livable environment for the residents.

Mr. Wayland stated that the BRE project staff have diligently worked with City staff to comply with the Design Guidelines, and he thinks they are 95 percent there. He noted that they have the trail and park dedication, the open space requirements have been met, there are more retail and live/work than was originally anticipated, and they have tried to make efforts to accomplish all the goals. He indicated that they are asking for some exceptions, which they have thoroughly vetted out with staff and internally, and that these exceptions are based on what they believe would make the project successful and a better environment for the residents who ultimately are writing the rent checks. He noted that they have always defaulted in that direction in cases where they really thought it was a toss-up.

Mr. Wayland stated that they look forward to the Commission's feedback. He indicated that Bob Linder, also from BRE, is present and may also be answering some questions. He then turned over the floor to Irwin Yau, Project Architect.

Due to equipment failure, Chair Narum called for a break at 8:10 p.m. and resumed the meeting at 8:20 p.m.

Mr. Yau thanked Mr. Dolan for his thorough presentation and indicated that he would go through some slides really quickly and touch on different aspects that were not brought up. He stated that the two sites are within the Hacienda Business Park district, and, therefore, the project is designed accordingly in the context of a business park, with Site 2 being a bit more sensitive to the residential areas located along its south side. He then presented an aerial photograph of the area showing what the community would look like once all the elements are built out.

Mr. Yau presented a photo of Site 1 against the BART station and explained that the way it was laid out was to try and create more of an urban environment with a higher density and urban buildings flanking the plaza space. He indicated that this is where taller four-story buildings exist with retail inside, and the rest of the building is more of a campus style behind that, which serves as its backdrop. He stated that there are 5,000 square feet of retail along the corner, a plaza space about the size of half a football field, live/work along all of Owens Drive, angled parking along the front, a landscape median that will protect users from backup into that space, and street sections which comply with the TOD Guidelines. He indicated that they are trying to create a community that is centralized amongst a central open space that also has a connection with a plaza space.

Mr. Yau stated that, as Mr. Dolan mentioned, they explored putting in the internal streets and looking at how it would affect the project itself. He presented two different plans: the first proposal includes the plaza on the corner and one large main open space with green sails that wrap around the whole space, but without internal streets;

and the second, following the TOD Guidelines, would create a street that would run through, with parallel parking because some of the entrances and garages have a flip, and the amount of open space and central space would be compromised. He indicated that from the technical standpoint, in terms of the difference in actual space between the two, the site plan following the TOD Guidelines would lose about 15,000 square feet of open space. He noted that what they want to do is to create a pedestrian- and community-friendly project which they feel can still be created without the open space.

Chair Narum inquired if the proposed plan and the TOD Guidelines plan impact the number of parking spaces.

Mr. Yau replied that the number of parking spaces is roughly the same, with a little less parking with the TOD Guidelines project because parallel parking is not as efficient as head-in parking.

Chair Narum requested confirmation that, basically, with the inclusion of internal streets, the project would lose some open space and a few parking spaces.

Mr. Yau confirmed that was correct. He indicated that what they want to do is analyze what they propose while still creating a site plan with good pedestrian activity and access. He pointed out the main pedestrian circulation throughout the site and noted that there is circulation along the streets, which is part of the TOD Guidelines, with the main open space in the middle, circulation around it and connection to the corner, as well as a pedestrian landscaped sidewalk edges around the whole site. He added that with this plan, any resident in the property would be able to access the major open spaces, the corner, and the BART station without having to walk through an alley. He explained that this was important to them so that even though they did not have the street, they had a lot of landscaped sidewalk spaces.

Mr. Yau then presented some pictures showing a blow-up of sections of each of the buildings, including the four-story building along Owens Drive; live/work units where changes were made to increase the height of that space to 15 feet and superimposed to be 30 feet deep; the section of the street provided is according to the TOD Guidelines; and a three-story garden product which is also a TOD. He explained that the way the building works is that the stair tower sticks out more, from where the minimum dimension is being shown; and there is actually a deeper setback than what is required for the TOD Guidelines where the units are along the ground level that faces the street.

Mr. Yau then displayed a corner rendering of the project and pointed out Owens Drive and Willow Road; a plaza space and the retail space on both sides of that plaza; the internal courtyard; an amenity space with leasing, club room, fitness, pool and spa area; and another rendering looking down the main entry. He then presented the four-story building along Owens Drive, the plaza space, the retail on the corner which complies with the Guidelines, and live/work spaces for which they are asking for an exception with respect to their depth. He indicated that the height is already provided to be higher than what was first proposed and now meet the Guidelines. He stated that in doing this,

they were able to distinguish, and on ground level, create a base level for retail and live/work and volume space for the storefront, with a height of about four feet. He added that there are awnings on the ground level with live/work and retail, and the ground level can be defined without necessarily creating a deliberate base. He noted that what they want to do with a mixed-use building is have layers of information, something integrated that the materials used for the live/work are also in the tower so it does not look like they built a retail space and put housing on top of it, but an intentionally created mixed-use building. He then presented a photo showing the added tops along the building and elements along the edge; entries into the building ground level with stairs along one side and stairs and elevator on the other side; the front of the building exterior, emphasizing the entries into the lobbies by using taller elements and changing the materials to draw attention to either being retail or entrance into the building itself.

Mr. Yau then showed the elevations of the buildings behind, the three-story garden, which do not have an elevator but are instead served with stairs along the front and the back of the building. He explained that when they do a setback on the street they have units along the ground level with more landscape space in front, and within the elevation itself, they are using enhanced materials to represent the stair tower and creating a different color to emphasize building entrances.

Commissioner Pentin referred to the buildings without elevators and inquired whether they were ADA-accessible. He further inquired if the idea is a percentage requirement in the building.

Mr. Yau replied that the ground level units are ADA-accessible and explained that if an elevator is not provided for the building, the units above the first level are not required to be ADA-accessible. He noted that the building has been designed accordingly. He added that because the four-story building is an elevator-served building, all units are ADA-accessible.

Mr. Yau then presented a slide of the building along Owens Drive which includes four live/work units along the ground level. He indicated that they raised the building to have a 12-foot clearance on the ground level.

With respect to Site 2, Mr. Yau stated that they took a different approach in terms of what they are putting along the street. He explained that where Site 1 is a little bit more urban, and denser buildings along the street up against BART seem appropriate, Site 2 has a two-story residential context, they have put three-story buildings along the edge and the higher density buildings towards the Kaiser campus and Shaklee site at the back, with a park and the central open space in the middle of the project. He indicated that they also explored internal streets on this site, and noted that with the central courtyard in the middle, internal streets would create a small space that then becomes an island and is not usable open space anymore. He stated that without the internal streets, they still accomplish what they want to do in terms of a walkable community, with the existence of pedestrian access, the access all around the central open space,



and the access to the park. He noted that the difference between their proposal versus the TOD internal street scheme is about 10,000 square feet of additional open space.

Mr. Yau stated that with regard to the issue of security mentioned earlier by Commissioner Olson, there will be pedestrian gates with key pads. He indicated that they do not anticipate having vehicular gates through the project and noted that management is on-site and will manage security in the property. He added that, all parking along the back will be well lit throughout the evening.

Mr. Yau stated that there is access to the trail system on one edge of the park and dedication of the trail along three sides of the site. He then presented a blown-up section along Gibraltar Drive which shows the use of one of the examples of the Guidelines with a 22-foot pedestrian setback, angled parking, a travel lane, and a non-raised median along the center. He added that Hacienda Drive has a 25-foot pedestrian setback.

Mr. Yau then presented pictures of the park area and stated that there was a concern about whether or not the garage end of one building would be visible along Gibraltar Drive. He indicated that they are developing a very good landscape scheme for this area as well as for the area along the east side of the park to render them very well landscape-protected so that no garages will be seen from the park or eastbound on Gibraltar Drive.

Commissioner Pearce inquired if the .55 acre for the public park does not include the two tot lots.

Mr. Yau replied that the tot lots will be part of the public park.

Mr. Yau then presented the pool courtyard with similar amenities as on Site 1 but somewhat smaller, including a leasing office, a club room, a fitness room, a pool, and the open space that opens out and connects to the park. He then displayed the four-story buildings toward the back of the site, emphasizing the entries along the front portion of the building, similar to the building along Owens Drive but a little shorter, with caps along the top and accent materials to accent entry into the building itself.

Mr. Yau concluded his presentation by showing the three-story garden buildings, with the cap along the corner for accent due to its location along Hacienda Drive, the entrance into the stair tower which is a different material and color than the red which has been called out, and the live/work with the plaza on the corner of Gibraltar and Hacienda Drives.

Commissioner Pentin asked Mr. Yau if they are still considering additional caps like those on the extended corners in the entrances and the roofline differences mentioned by Mr. Dolan or if they have come up with any other concepts.

Mr. Yau replied that they have not explored any other concepts. He explained that the reason for these caps is to prioritize and emphasize a portion of the building. He stated that right now, they are along the corner, and if they are provided throughout the whole building, that corner would be de-emphasized and de-prioritized. He indicated that having the caps there makes it asymmetrical which adds more interest to it. He added that they focused quite a bit on what is happening on Hacienda Drive, having some of the red elements occurring on the different floors to create a playful rhythm, and having the caps happen every once in a while adds to this instead of being extremely repetitive throughout the whole project.

Bob Linder, BRE, stated that he has worked quite a bit with Mr. Dolan and Ms. Amos over the last several weeks and was available to answer any questions the Commission may have on BRE and on the project.

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

Chair Narum indicated that the Commission would consider the Discussion Points listed on the staff report separately for each of the two sites.

Mr. Dolan stated that staff would like to have some feedback on the five items for each site. He added that if the Commission has any strong feelings on any other issues raised in the staff report, staff would like to hear it now as opposed to later down the road.

#### **Site 1 Discussion Items:**

##### ***A. Would the Planning Commission support exceptions (items 1 through 13 noted in the staff report) to the Hacienda TOD Standards and Guidelines if the project were to move forward as proposed?***

Chair Narum indicated that these exceptions are specific to the lack of internal streets and the depth of the live/work spaces.

Commissioner Pentin stated that he is fine with the discussion about the alleys because it opens up more open space; however, for the entrances, he inquired what the impact on the project would be to have the entrances not look like alleys but rather, like streets, and then become alleys. With respect to the exception of the depth of live/work spaces, he stated that he does not have the minutes from the Planning Commission meeting, but recalls that the Commission was talking about live/live space and then live/work space because of the uncertainty of its viability. He noted that it now appears like there is a real live/work-only type of environment and that would be a concern for the depth. He indicated, however, that he is not concerned about the proposed 30-foot depth for the live/work.

Commissioner Olson stated that he supported the exception for the lack of internal streets and for the 30-foot depth.

Commissioner O'Connor agreed with both exceptions, indicating that he has no problem with the internal streets being as proposed, but as mentioned by Commissioner Pentin, he would like to see the two main entryways be more accentuated, maybe made a little bit larger, so people know they are the entryways.

Commissioner Blank indicated that he has no problem with both exceptions as depicted.

Commissioner Pearce stated that she is unable to support the live/work depth until she understands it better and inquired why it is proposed to be 30 feet instead of 40 feet. She further inquired if the reason is the lack of windows in the rear of the units.

Mr. Yau replied that a 40-foot depth for a residential unit is extremely deep and creates a portion at the back of the residential unit to be not as livable; hence, as it stands right now, it would not be an ideal residential unit with a 40-foot depth. He added that this would cause the loss of additional parking within the building itself. He noted that as the units get deeper, it takes away some of the advantage of the building, and they have found that people like to park in the building and go up the elevator to their units; the proposed depth is the balance they found between the two.

Commissioner Pearce indicated that she was fine with the 30-foot depth. She added that having worked on the Hacienda Task Force, the lack of internal streets seems to be the difference between discussing this in theory and seeing it in practical application. She stated that she loves the idea of internal streets, but practically, the proposal works better for this site.

Chair Narum stated that she would also agree and given a preference, she would much rather have the additional open space than the alleys. She also agreed with Commissioner O'Connor's and Commission Pentin's comments about 'beefing up' the main entry and making it look a little more like a street.

Mr. Yau stated that they had a meeting with Planning staff and the Traffic Engineering Division last week and indicated that for Site 1, the width of the street will be 26 feet and there is a 17-foot setback from the street to the building for the main entryway as well as for the entryway off of Owens Drive. He added that a driveway will come in, with landscaping on both sides, a sidewalk, and again some landscaping before getting to the building.

***B. Are the building designs appropriate in their physical context adjacent to large office buildings?***

Commissioner Blank stated that he is fine with the way the buildings are designed at this stage. He noted that while he thinks the "Pleasanton Look" is an important concept and one that the City has spent a lot of time creating, it did not need to be here. He indicated that he was struck when he looked at the plans and noted that this is something different, intended to be a TOD, an environment, a community; not that it

stands apart from the City as it is still part of the City, but intended to be different. He presented the analogy of Walt Disney World, which has hotels with themes in them, and when he first saw this, what went through his mind was that this is called contemporary where the monorail goes through this V-shaped building that has a very modern thematic thing, and one knows what one is getting into. He noted that it is still Walt Disney World, but a different part of Walt Disney World. He added that they tell you when you check in that it is not going to be a quiet, sedate, gentrified environment, but a place that is noisy with lots of action and things going on. He stated that to him, it is the same kind of differentiation between the "Pleasanton Look" and of what is being created here, and it does not need to have the "Pleasanton Look."

Commissioner Olson stated that he thinks Site 1 looks great. He commented that the "Pleasanton Look" is eclectic.

Commissioner Pentin stated that he thinks the current design as presented for the Hacienda Business Park looks great with the office buildings.

Commissioner O'Connor stated that he is fine with Site 1 but noted that he wished it had more of the look that Site 2 has.

Commissioner Pearce echoed most of Commissioner Blank's comments and agrees that the "Pleasanton Look" is inapplicable here. She stated that she likes the more industrial look because it is near BART and office buildings; it has a good feel and the feel of the TOD in an urban setting she was really hoping for.

Chair Narum stated that she agreed with everything that has been said. She indicated that it does not look like "Pleasanton" but she does not think it is supposed to look like what has been called "Pleasanton." She added that it fits well within the surrounding buildings.

***C. Are the proposed building colors and materials acceptable?***

Commissioner O'Connor stated that he is not big on blue in buildings. He noted that some of the depictions look almost like charcoal and blue in others. He indicated that he had no problem with the off-white or the white and gold, but believed that the Commission had always looked more for earth tones.

Commissioner Blank stated that he thinks the challenge here is that he does not have enough information to judge these colors, noting that these are computer colors and are not the real colors. He added that they are not ostentatiously bad, that they are sort of in the ballpark, but he hopes that when there will be more definition when the application comes back and the visuals will show what the colors really look like.

Commissioner Pentin indicated that he would not be opposed to the blue color.

Mr. Yau confirmed that the colors are not exact and that in the actual submittal, there will be a color board and true color chips. He noted, however, that the colors are not far off and are meant to be dark blue and gray/blue. He indicated that Site 1 was intentionally done a little cooler than the office buildings, and Site 2 intentionally a bit warmer considering its context. He added that they believe both sites complement each other with shared colors while not being exactly the same, and they did not want to design two projects with exactly the same colors.

Commissioner Blank requested that larger color chip samples be provided when the project comes back for the actual formal application.

Mr. Yau stated that the size of the color samples will be 8" x 10".

Commissioner Pearce noted that in one of the pictures, the yellow color is mustard and on the other, it is neon green. She inquired which one would be closer to the actual color.

Mr. Yau replied that said the color is more yellow and not as gold as shown, but definitely not green.

Chair Narum inquired how the charcoal or dark blue would hold up with the weather in terms of exposure to the sun and fading.

Mr. Yau replied that it is a Hardie panel that has an integral color with a warranty on it and not something that is just painted on. He added that it is cementitious panel, not wood, and should hold up very well.

Chair Narum inquired if they have had any experience with it.

Mr. Yau replied that it is a pretty common material but not something that is out there in terms of something that has been used quite a bit. He noted that they have used it satisfactorily in other projects in the past.

Commissioner O'Connor inquired if it is the same material that Hardie uses in its roofing material such as Hardie shakes and Hardie shale.

Mr. Yao replied that he did not believe so. He indicated that this is a Hardie board, made by the same company but of a different material. He added that they are looking at various other companies as well, but it would be essentially a similar type of cementitious panel and not a wood panel which would wear and look differently.

Commissioner Olson stated that his first reaction to the colors was that they look great and are different from what he sees when he looks across the other side of the freeway. He added that he likes the colors and would hope they would continue.

Chair Narum agreed with Commissioner Olson's comments.

***D. Is the positioning of the buildings acceptable?***

Commissioner Pentin stated that he likes the corner of Willow Road and Owens Drive as well as the opening that follows through to the retail. He indicated that he also likes the positioning and how the garages are not exposed to the two streets.

Commissioners Blank and Olson both agreed with Commissioner Pentin's comments.

Commissioner O'Connor stated that he likes the corner and the way it is set up. He noted that it attracts people and hopefully will keep the retail viable.

Chair Narum agreed.

***E. Is the size of the public park on Site 2 acceptable (.55-acres)?***

This question refers to Site 2.

***F. What information would the Planning Commission wish to see to assist its decision on the proposals?***

Mr. Dolan explained that this refers to anything the Commission has not seen tonight other than detail that it feels it will need to make its decision down the road.

Commissioner Blank stated that he would like to see the detailed visuals to the greatest extent possible and additional detail work on the entryways. He noted that it would be handy to also have cross references between the slide pictures and the packet pictures as the Commissioners may have made notes on the packet pictures, and they would be able to identify exactly what is being shown during the presentation with those in their packets. He added that he would like something more than simple routing to the Pleasanton Police Department, such as a statement indicating that somebody really did look at them.

Mr. Dolan clarified that the application has gone through the level of dialogue where it is routed to the different Departments and then discussed in detail at the Staff Review Board meeting. He added that staff will specifically meet with the Police Department.

Commissioner Blank further stated that it would be very helpful if the applicant could provide more viewscapes of how things will look. He indicated that he likes the overall view, which looks very classy as a transit-oriented development site, and he thinks it is great.

Commissioner Olson requested confirmation that that there will be on-site management and security provided.

Mr. Yau confirmed that was correct.

Commissioner Pentin stated that he would like to see more specific details on the connection to the Iron Horse Trail, whether there will be gates, whether it will be open, and the type of access across the parking lots to get to the trail.

Commissioners O'Connor and Pearce indicated that they were good.

Chair Narum stated that she would like to see a visual of the tot lot on Site 1. She noted that the packet only shows the area where it is to be located; there is nothing that shows the details or the angle across the tot lot.

Mr. Linder replied that they have not designed these space amenities yet but could bring back images of the types of tot lots they have built on other sites which they still own and manage, as well as a conceptual picture of what their typical tot lots look like. He added that they are open to suggestions if there is something the Commission would like to see in the tot lots.

Chair Narum indicated that she would like to see one kind of view across the tot lot. She added that a picture of a typical tot lot showing what they would do would also be good.

Mr. Linder replied that they can do both.

Chair Narum asked the applicants if they had any questions or needed further clarification on Site 1.

Mr. Linder replied that there were none at this time. He stated that it is pretty clear and in line with what Mr. Dolan and staff have already requested of them.

### **Site 2 Discussion Items:**

#### ***A. Would the Planning Commission support exceptions (items 1 through 13 noted in the staff report) to the Hacienda TOD Standards and Guidelines if the project were to move forward as proposed?***

Commissioner Pentin stated that he has the same answer as on Site 1: he would like see the entryway "beefed-up" and more like a street; he does not have problems with the alley because he does not want to lose more open space; and he is fine with the approximately 30-foot depth on the live/work.

Commissioners Blank, Olson, and O'Connor agreed with Commissioner Pentin's comments.

Mr. Yau stated that the main entry on Site 2 will be off of Gibraltar Drive, which will have a 26-foot wide drive entry and the landscape setback required by the TOD Guidelines. He noted that the entry off of Hacienda Drive will not be 26 feet wide. He added that

when coming through the space, it will not have the landscaped setbacks along that edge but will have landscaping along the perimeter. He indicated that they believe the entry at Hacienda Drive is meant to be a secondary entry and that the main entry is on Gibraltar Drive, which has a focal point with the leasing office and which they want to be able to celebrate with landscaping.

Commissioner Pentin requested that the applicant ensure that the Commission is provided with visuals of what that entry really looks like when the application comes back.

Chair Narum commented that it is a good point.

***B. Are the building designs appropriate in their physical context adjacent to large office buildings?***

Commissioner Pentin noted that when the building roof was discussed, Mr. Yau explained how the design breaks up as it moves so that it is varied rather than just one standard roof, which makes complete sense because it draws people to where they are supposed to be drawn. Commissioner Pentin continued that inside the project, he sees the back of the buildings with a lot of flat tops moving across; he does not see the caps except for one. He indicated that this is where he is wondering about some variance in that rooftop design, at the back side internal to the property, which is a lot different than what is out on the street. He added that this is the element design he is still having a problem with.

Mr. Yau replied that Site 2 is treated differently. He explained that the four-story buildings do have more of a parapet roof, but they still provide quite a bit of variation. He pointed out the top as the main entry into the building which is being emphasized with the stair tower and lobby along the ground level. He noted that the other side, which is the lighter blue and which ties in with the other project, is where the other tower and the other stair tower are located, which intentionally do not have a any cap to make it a little bit more asymmetrical, thereby emphasizing the one that has the elevator in it. He indicated that they think there is still variety in the building, although they are not opposed to exploring something else.

Commissioner Blank requested the applicants to return with some really good visuals so the Commissioners can get a sense of what it really looks like from standing on the ground and looking up.

Commissioner Pentin reiterated that he was not referring to the big caps that draw people to those entrances and to the retail, but rather something which breaks up the flat line. He noted that while it has been pointed out that they are not all flat lines, when he looks at it, they all look like flat.



Chair Narum noted this was of concern to her as well and that she would like to see some caps, not the huge ones but something similar to those on Site 1, to break up the flat lines a little bit. She referred to a drawing which she noted resembles a long stretch.

Mr. Yau indicated that it makes sense and that they would not be opposed to revising and providing this detail.

Commissioners Olson and O'Connor indicated that they were fine.

Commissioner Pearce noted that she discussed this concern with the applicant when she met with him today. She indicated that when she was on the Hacienda Task Force, the Task Force had significant discussions on creating community and making sure that these types of developments were not self-enclosed entities but really created community. She referred to the one adjacent to the residential and stated that she would have hoped to have seen more stoops and more places where people can congregate, not only outside at the corner but also inside within the complex. She stated that she sees a lot of garages and not as many places that are natural gathering places outside people's homes. She noted that similar to the discussion on porches in a suburban community, stoops and things like that create a community in an urban environment. She indicated that this is something she would have hoped to have seen because she drives by more dense projects in other areas and it is like a ghost town because there is no one around, which she finds sad.

Chair Narum referred to a rendering of a building with a white section on the far left, which struck her as looking institutional with its institutional-sized windows. She noted that it seems to have lost some detail and asked the applicant to look into it, indicating that she was not certain what should be done with it. She also pointed out the long stretch on the back side and referred to a similar design on another building facing close to another building but is not as visible.

***C. Are the proposed building colors and materials acceptable?***

Commissioner Pentin stated that the warmer colors on this property are fine, especially because of the residential area across from the site. He noted that they work a lot better for this area but would not work on Owens Drive.

Commissioners Olson and Blank agreed.

Commissioner Pearce and Chair Narum indicated that they would like to see large color samples.

***D. Is the positioning of the buildings acceptable?***

The Commission was supportive of the proposed positioning of the buildings.

***E. Is the size of the public park on Site 2 acceptable (.55-acres)?***

Commissioner Pentin stated that sometime in the future, he would like to see this park become a larger park, possibly with a piece of the Shaklee property. He noted the tot lot area in the current design, but the other park seems plain and he is not sure if a sport court would be located there or what that design there would be. He indicated that he would like to see something more in that area. He added that he is fine with Site 2 having open space and a park.

Commissioner Blank indicated that he did not quite understand Commissioner Pentin's comment and inquired what the last part was about.

Commissioner Pentin explained that he was referring to the one corner and wanted to know what its use would be, whether it would be a sport court, hardscape, lawn, or something else.

Chair Narum noted that it says it is grass.

Commissioner Pentin stated that he thought it had some kind of design on it when he saw it.

Commissioner Blank commented that he thought it was just an aerial concept.

Commissioner Olson stated that it says it is an open lawn area.

Commissioner Blank stated that he wished the park were larger but that it is better than not having any park at all.

Commissioner Pearce stated that she does not want the park to be smaller; she would like a larger park but not at the expense of parking. She indicated that it is what it is, and it would be great to have it hooked up with a piece of the Shaklee property someday.

Chair Narum stated that the park is shown with parking up against it on one side. She inquired if there is a plan or how they would separate the cars from the park.

Mr. Yau displayed a photo and mentioned that this area is a little bit more programmed with an open grass area with some indication for some sport usage. He noted that there is a bio-retention area along both sides and a tree-lined sidewalk that would act as a visual barrier; there is no actual physical barrier.

Chair Narum inquired if the sidewalk would provide some distance between the cars and the actual park.

Mr. Yau said yes. He added that there is a pedestrian space where people can walk with no parking there and just grass beyond that.

Chair Narum inquired if the left side can be used by children to run around, throw a football, or for a pick-up soccer game.

Mr. Yao confirmed that the area is for sports usage as well. He added that it is a pretty large open grass area and is intended for non-regulation recreational field use.

***F. What information would the Planning Commission wish to see to assist its decision on the proposals?***

Commissioner Pentin stated that he has the same comments as for Site 1 with reference to access to the trails, egress and ingress, and crossing of parking lots. He added that there are references to bike parking or lockers on both sites, and he would like to see what that would look like, how it would be accessed, and if it would be really friendly.

Commissioner Pearce added that she wanted a confirmation that they conform to the Pleasanton Pedestrian and Bicycle Master Plan.

Chair Narum asked the applicant if they had any questions or needed further clarifications.

The applicants confirmed that they were good.

Chair Narum called for a break at 9:10 p.m. and resumed the Special Meeting at 9:18 p.m.

Commissioner O'Connor left the meeting.

**c. PGPA-17, City of Pleasanton, Climate Action Plan  
Workshop to provide information regarding the scope and implementation of the City's Draft Climate Action Plan.**

Janice Stern stated the City is in the process of completing its Climate Action Plan (CAP) which will chart out a roadmap to reducing greenhouse gas (GHG) emissions, consistent with the State of California's initiative related to global warming, AB 32. She advised that the leader of this project is Daniel Smith, Director of Operations Services, who will provide an overview of the project and show where the Planning Commission will be involved in some of the implementation of the Plan.

Daniel Smith stated that he was presenting the staff report on behalf of the Operations Services Department (OSD) and the Energy and Environment Committee, who assisted in guiding the City through the process of the Draft CAP that was taken to the City Council in August. He added that over the last 18 months, there has been a partnership with the Community Development Department, who helped with the land use and transportation elements of the Plan. He indicated that they have mostly worked with the

residential community and businesses, which have provided great support to achieve one of the goals of developing a Plan that the City could implement.

Mr. Smith explained that one of the reasons for the CAP is that AB 32 requires the City to reduce its GHG emissions by 2020 back to the 1990 levels. He stated that staff completed its GHG inventory in 2005 and because they could not go back to 1990, they used a model to take it back to what it would be at that point.

Mr. Smith stated that another big reason for the CAP is the business case for becoming a more sustainable City and community. He noted that it is important to have sustainable practices to ensure that we have enough water and energy to go into the future and to create jobs and economic development, as sustainability saves money when fossil fuels are increasing at a tremendous rate. He added that there are environmental concerns, protecting the environment and our natural resources, as there are 7.5 billion people on Earth now and projected to increase to 9 billion, and we are at that tipping point where we have only so many resources we can rely on. He indicated that national security reduced the dependence on fossil fuel, which is not an infinite supply as seen with the cost of fossil fuel just in the last few years.

Mr. Smith stated that he would talk about CO<sub>2</sub> in terms of metric tons and continued that everything in the Plan is related to CO<sub>2</sub> and based on CO<sub>2</sub> equivalents, because there are different kinds of gases that cause GHG. He indicated that methane has over 20 times more potential for GHG emissions than CO<sub>2</sub>, and explained that one metric ton is equivalent to about 2.1 barrels of oil, 38 propane cylinders used on a barbecue, or 102 gallons of gas. He noted that the potential for GHG for one metric ton of methane is much greater, and this is important when talking about the waste reduction stream built into the CAP.

Mr. Smith stated that at the start of this Plan, the City looked around the country for best practices about how it would develop its Plan. He indicated that staff wanted to have a framework as the City went forward, and benchmarks used were to formulate specific targets and performance measures in the CAP. He added that to promote citizen and stakeholder participation, City staff embarked on a collaborative process and met with residents of Pleasanton and held special meetings with businesses in Pleasanton to get their assistance to design measures in the Plan. He stated that they engaged interested parties and shared knowledge through sustainable networks, and the last couple of years, the OSD worked closely with several Bay Area cities such as San Leandro, San Ramon, Danville, Berkeley, San Francisco, and San Jose to collaborate on these regional initiatives. He added that they also worked together with Dublin and Livermore on Tri-Valley initiatives to help develop more synergy in the program.

Mr. Smith indicated that the City has established a dedicated sustainability office of one and has hired an Energy and Environment Manager that works for the OSD. He added that the City also has a lot of assets in the OSD of almost a hundred employees, and the OSD is in charge of all the infrastructure in the City; so if there is a project that the City decides to do, the OSD has the capability to do it and actually make it work. He

noted that coordinating sustainability and energy programs with economic development features is important because the City wants to attract businesses that will fit within the CAP and will make us sustainable as we go forward. He indicated that the most important thing that he has talked to the City Council and Senior Management about is to lead by example and practice sustainability within local government before we can expect our community to do that. He added that the City has have been very proactive, and it has been a very successful program.

Mr. Smith stated that the City can take credit for roughly a little over half of the emissions it has to reduce through the requirements of State law, such as the effects for passenger vehicle emissions, low carbon fuel standards, and renewal portfolio standards for PG&E. He indicated that what are left are the green ones that are built into the City's Plan. He noted that the numbers on the final CAP have changed a bit because when the Plan was taken to Council, the public education engagement piece, which is one of the most important, was still happening. He added, however, that a lot of these were integrated into the Energy programs rather than the education piece, although this is mere cosmetic as the content remains the same.

Commissioner Olson inquired what "fuel price impact" means.

Mr. Smith replied that since the price of fuel has gone up so much, people are buying less gas as they are not traveling as much, which results in a decrease in the production of GHG.

Commissioner Olson inquired if there is a built-in assumption that this will continue.

Mr. Smith said yes, because fuel prices will continue go up rather than down. He noted that this was recognized by the Bay Area Air Quality Management District (BAAQMD) and the Alameda County Transportation model and that we can take credit for that as well.

Commissioner Pentin stated that he thinks this would extend further with respect to the 2020 requirements as the cost of fuel is supposed to rise at about 39 percent by 2020.

Mr. Smith agreed and indicated that the increase in the cost of fuel is built into the model.

Mr. Smith then presented the big picture of what the City needs to do. He explained that If we took the 2005 numbers and we wanted to be down to the 1990 levels by 2020, and if we took the General Plan and took the number of houses and businesses we were going to add and we did not do anything, we would actually have to reduce our GHG emissions by over 30 percent by 2020; the rate of reduction from 1990 to 2005 is only 15 percent. He indicated that the State measures get us back to the baseline, and the fuel impacts, the fuel price, and the CAP measures actually take us to about 20,000 metric tons further than what we need. He noted that these numbers were revised to above 12,000, which is still well over the target, and part of the reason for this

revision is that when after the Draft was done, the BAAQMD gave recommendations on some changes on the Plan.

Mr. Smith then presented the Strategy Summary of what the City gets. He indicated that the community engagement has been changed and integrated more into the energy program because if the community engagement can be tracked through the energy program. He noted the three real big strategies: land use and transportation is about 25 percent; community engagement is 37 percent, which raises up the energy part quite a bit; and solid waste at 26 percent.

Commissioner Olson inquired why water and wastewater are so low.

Mr. Smith replied that comparatively, even though we need to be conserve water and use recycled water as a source, water and wastewater do not produce a lot of GHG in actual metric tons of CO<sub>2</sub>. He indicated that the City has spent the last 12 years making this process very efficient, so the efficiencies gained from this are very small. He noted that in connection with climate change, this is one of the biggest issues the City is facing in addition to GHG. He stated that another law, SBX 7-7, requires us to use 20 percent less water by 2020. He indicated that Pleasanton's gallons per capita per day for the past ten years is 244 gallons, and by 2020, this must be down to 195 gallons per capita per day. He noted that everything we build and add to Pleasanton gets added to that total, and the more we expand, the more difficult it will be to get down to that number. He added that the really bad news is that the State's goal for this area is 145 gallons per capita per day, and as it gets worse, the amount of water we will have available to us is less and less. He stated that one of the things the City is working on to help this is the recycled water project, for which the City has received a \$250,000 grant to start over the next 4 months; however, while this will help us a lot, it will not get us all the way there.

With regard to land use and transportation, Mr. Smith stated that 55 percent of the GHGs produced in the City come from vehicle transportation. He indicated that this is the most important part and also something the City has the least control over. He noted that the big challenge is to tell people they have to get out of their car and change that behavior; but some potential in-roads can be made through land use.

Mr. Smith stated that the City also needs to reduce municipal community energy use and increase renewable energy. He noted that the City has done a lot of solar municipal projects and will do many more programs, one of which is the community energy rebate program for both commercial and residential, where a 2 KW solar installation on a house, with tax rebates and other rebates, would cost \$991 to install. He indicated that this is one of the best programs the City has and will help reach some of these goals.

Mr. Smith stated that the City has a zero waste goal for the community by 2025. He noted that reducing methane achieves more than reducing CO<sub>2</sub>, and a huge amount of GHG reduction that can be achieved by recycling more and not adding to the land fill. He added that Pleasanton has done several programs to address this.

Mr. Smith stated that the City also has a huge water reclamation presentation within its robust water conservation program where high efficiency toilets can be installed with rebates to pay not only for the toilet but also for its installation; and an irrigation program where staff will evaluate irrigation landscape and help upgrade it with rebates to a weather-based one.

Mr. Smith stated that the CAP has short-term, mid-term, and long-term strategies for plan implementation from zero to five years, which staff organized where the most important things are done first. He indicated that the City has an interim goal to meet a reduction goal of 9 percent by 2015 in order to reach 15 by 2020. He noted that because the City cannot do this do alone, it has a large public awareness program working with the Hacienda Business Park, which just had its second annual Green Fair, which was hugely successful with about 600 people in attendance. He further noted that the Energy and Environment Committee has also been successful with its regular outreach program for outreach. He added that *Taking It Personally*, a booklet that explains how people can participate, is a great movie that is impartial on this whole issue and is well worth watching on internet.

Mr. Smith explained the elements of a qualified plan, which Council qualifies and the BAAQMD comments on. He noted that one of the benefits of a qualified Climate Action Plan is that a developer who comes forward with a project will not have to do the GHG emission part of CEQA. He indicated that the City meets all the elements of the qualified action plan, and how to get there is through community education and redefining development standards, which is where the Planning Commission comes in by helping to conserve water on designs and be more efficient in our Green Building Ordinance. He emphasized the Planning Commission's huge part in how successful the Plan will be for the City.

Mr. Smith stated that the City is doing performance contracting right now, which is how the City leverages outside money to upgrade the rest of the municipal buildings such as putting solar panels on the OSC and a lot of other programs; partnerships with the Chamber of Commerce and local realtors who will help advertise program, and using local contractors for this so that it becomes a win-win for both Pleasanton and the businesses and residents. He indicated that we need to walk the talk and to do it in the City if we are going to ask residents and businesses to help us; and to dedicate resources and funding to this sustainable framework, for ongoing and monitoring. He stated that the CAP is just a plan on how we are going to get there, and we will need to adjust that plan as we move forward and learn more, which is something that will be done in collaboration with the Community Development Department to determine the success of the program.

Ms. Stern concluded the presentation by discussing the Planning Commission's involvement in the coming months following the adoption of the CAP. She stated that as has been previously mentioned, the City will be looking at ways to do GHG reduction strategies through development policies related mainly to transportation, land use, and

energy measures. She indicated that these have been considered in the Housing Element.

- Rezoning, infill sites, high density, nearer to transit, and mixed-use development – these key components of the strategies are already being done as part of the Housing Element.
- Preparing development standards and design guidelines to facilitate multifamily development – this is also being done as part of the Housing Element implementation, if developing specific development standards that fit those particular sites in order to facilitate development of multifamily.
- Adding new policies to the General Plan to facilitate transit-oriented development – there are already several there, but we may want to add to refine those so that we provide a sufficient policy framework to allow and facilitate TOD development.
- Modifying the Core Area Overlay District or the Downtown Specific Plan to encourage additional residential development – we will see how this works if the City Council ends up selecting the Axis Community Health site, how easy that will be to develop within the framework of the Downtown Specific Plan or if that needs to be adjusted somewhat to encourage residential development in the Downtown at the densities that will facilitate a more efficient development.
- Adopting regulations related to live/work uses – one of the strategies outlined in the CAP is making live/work uses easier so there is no commute and creates an environment where people can live and work in the same place.
- Potential transportation-implementing actions requiring appropriate bicycle-related improvements such as bike racks as part of new development – this is being done on a case-by-case basis, and we might want to codify that in some way so it is standardized or come up with additional new ways of facilitating bicycle use as part of the everyday transportation methods.
- Modifying the Municipal Code to incorporate complete streets – we have a General Plan policy that talks about complete streets, meaning that all street users are able to be accommodated in the street – motorists, bicyclists, pedestrians, people with various abilities or disabilities – or come up with something more detailed that meets specific State and Federal requirements for complete streets.
- Adding uses or services that would facilitate TOD development – car-sharing services like zip-car, which is not in the Code right now, which we might want to add in certain zoning districts where car-sharing facilities can be easily accommodated.

Ms. Stern noted that implementing measures in the CAP have a date of 2012, and staff will need to look at that further to see how much of that can get accomplished by 2012 or whether those will need to be spread over a few more years.

Commissioner Olson stated that there are many great ideas and inquired who sets the priorities on all of these tasks. He noted that some of them require a modification to the Pleasanton Municipal Code while others require somebody to do something, and the City has limited resources and limited staff and inquired how this is going to work.



Mr. Smith replied that the OSD has been fairly successful since it started building the plan two years ago, starting by implementing measures such as the solar installation at the OSC, and upgrading municipal buildings, such as the just completed lighting and HVAC upgrade in the Library which are all big energy savers. He noted that they have already been working on this within the municipal government alone, such as transforming the fleet to hybrid. He added that a residential and commercial program starts tonight, and in 2010, they did a small- and medium-sized commercial partnership with PG&E and saved 1.5 Megawatts, without the CAP. He noted that they have taken Federal and State grant money and developed a program because there is the urgency to make as much progress as possible. He indicated that this takes a little pressure off of them to implement the rest of the program if they can do more of it at the front end. He added that this definitely needs to have the continued support of the City Council and that the next two years will be very important.

Commissioner Olson inquired if the priorities are ultimately set by the Council.

Mr. Smith replied that they are really set by the City Manager and the Departments, in conjunction with the City Council, in terms of what they think can be accomplished. He noted that as Ms. Stern had mentioned, there are many modifications to the Municipal Codes that they would want to make which probably cannot be done as quickly as what are in there, but some may not be necessary to do if there is more successful in other areas.

Mr. Smith continued that staff has also involved the business community and residents to help in doing this, and it has been successful so far. He indicated that he feels this is the best way to attain the goals if they participate with the City on a collaborative basis where the City will not have to use ordinances to do that. He noted that both entities have stepped up to the plate and have said that they will do it, and staff thinks that it will work.

Commissioner Blank noted the Commission's success with requiring the installation of residential sprinklers so that no more people die because of house fires, and eventually, the ordinances caught up with the Commission. He recalled that for the Pleasanton Gateway project, the Commission spoke about whether to require electrical parking places, and the reason given not to require it was that they had just been taken out of the Stoneridge Mall parking lot. He indicated that there is absolutely no reason for this Commission not to decide to say somewhere down the road that from hereon out, every new residential construction shall be prewired for a second 220 line, or to require big development projects to install parking spots with this kind of technology. He noted that these are things the Commission can take action on and try to move forward rather than wait for someone to set a priority.

Mr. Smith indicated that the City has just received through a grant five charging stations to be installed throughout the City over the next month.

Commissioner Blank inquired if this would be for public use and how the locations are to be determined.

Mr. Smith stated that these would be for public use, and the locations are determined in conjunction with the grant. He noted that two will be installed near the Museum on Main Street, two at 200 Old Bernal, and one at the Senior Center.

Commissioner Blank hoped that Jeb Bing reads the Minutes and inform the public through the Pleasanton Weekly that these stations exist.

Chair Narum inquired if the City ends up paying for the electricity when people charge their cars at these stations.

Commissioner Blank replied that the vehicle owner uses a credit card. He added that like all things new, it may be free at the start to get people hooked up, and then there will be a charge.

Mr. Smith stated that it is cheaper than gas and that the owners indicated that it costs about \$3 to charge a car.

Commissioner Pentin referred to the appendices regarding the costs of these projects, and noted that some of the costs are large. He inquired where the first costs come from and if this is from the Capital Improvement Program, the General Plan, or the Public Works Department.

Mr. Smith replied that it is a combination of all of them. He indicated that the Public Works Operations Services Center can fund many of these things because they pay off over time, and this is where performance contracting comes in that will allow the completion of significant projects such as replacing the 6,200 street lights in Pleasanton to LED and retrofitting all buildings with new HVAC and lighting systems because they really need them. He noted that these projects together can add up to \$15 million, but through performance contracting, these can actually be financed and the amount saved in energy will pay for those payments. He indicated that the Council has already given staff authorization to move forward on this; however, the City is not in a financial position to do all the other projects. He added that the more businesses and the community assist, the less the City will have to do.

Commissioner Pentin referred to TDM-1 on page 3-21, Use Parking Policy and Pricing to discourage single occupancy. He inquired how this program works. He indicated that more parking is required Downtown, and every project approved is required to provide parking; and this provision refers to reducing parking and/or making it more costly.

Mr. Smith replied that the idea behind this is to get people out of their cars. He stated that, for example, in a development next to transit with shopping available, parking can be split from residential to encourage people not to have single-occupancy cars that

would occur if there is a garage or parking space with each particular one, and there are a lot of people who move in there who will not because we are trying to lower the transportation. He indicated that this is a recommendation and not a requirement and that they are also looking at shared parking lots.

Commissioner Pentin referred to mitigation fees for the CAP and inquired what this is.

Mr. Smith explained that in some instances, a business may come to Pleasanton that cannot meet the energy reduction for what the City is looking for, such as a server farm or something that the City may want but the energy uses are very high; and the question is whether the City would turn that business away, or would they be allowed to do mitigation such as putting in a car charging stations, or pay into a solar program to be installed off-site. He indicated that the City wants to offer them the flexibility to do that by providing an alternative to reduce the community GHG and still do business in the City.

Commissioner Pearce stated that she spent some time reading the document and found it interesting. She inquired what “leap frog development” is, mentioned on page 3-12.

Ms. Stern replied that it means something other than infill, and if the City had no urban growth boundary, it might be subject to that where development would occur outside the area already developed in the City. She added that it is difficult for the City to do such development because it has an urban growth boundary.

Mr. Dolan provided an example, stating that if the City picked the ten acres in the Legacy site which is farthest away from the existing City limits, there would be a space in-between, and the City would be “leap-frogging.” He noted that this is far more prevalent in areas where there are wide open spaces to grow.

Commissioner Pearce inquired what “Next bus” technologies for tracking buses and predicting arrival times is, mentioned on page 3-15.

Ms. Stern replied that this is a reader board information of bus schedules at bus shelters.

Commissioner Pearce referred to number 8 on page 3-20: “Encourage schools, businesses, and office parks to provide safe and convenient bike racks.” She indicated that she brought this up when she chaired the Pleasanton Pedestrian and Bicycle Master Plan Committee, noting that there are schools whose bike racks are located way in the back of the campus, and neither the parents nor the children knew about them. She asked if there was support for modifying this to add the word “obvious” to bike racks, even if the City has no control over School District decisions. She also noted that there is a typographical error on page 2-9: a word is missing on the first paragraph.

Commissioner Blank stated he did a word search on “electric vehicles” and found a lot of references to it but did not see any to “electric vehicle charging stations.”

Mr. Smith replied that he believes it is in the document in terms of having them.

Commissioner Blank stated that he would go back and look again, but he would like to ensure that the language is very encouraging of that as much as possible, for both residential and commercial. He indicated that it is one of those things that are so cheap to install at the time of construction, but would double the cost to retrofit because it would involve digging the pavement and laying down the lines.

Mr. Smith stated that the document is still in draft form and that he will make sure to include that. He added that “electric vehicle charging stations” may have been referred to as “EV Chargers.”

Commissioner Olson stated that the CAP is a great document.

Commissioner Pearce agreed. She indicated that she found it exciting and loved the references such as “biodiesel.”

Commissioner Blank inquired how many copies of the document were printed. He stated that he does not understand why this cannot be put on Adobe and anyone who wants a copy can request one.

Mr. Smith replied that they have actually done that. He noted that all the documents are available in *pleasantongreenscene.org*, but the City is still stuck in both worlds, and he is trying as hard as possible to go paperless.

## **5. ADJOURNMENT**

Chair Narum adjourned the Planning Commission meeting at 10:02 p.m.

Respectfully,

JANICE STERN  
Secretary