



PLANNING COMMISSION MEETING MINUTES

Wednesday, November 10, 2021

This meeting was conducted via teleconference in accordance with Governor Newsom's Executive Order N-29-20, approved AB 361, and COVID-19 pandemic protocols.

CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL

The teleconference meeting of the Planning Commission of November 10, 2021 was called to order at 7:00 p.m. by Chair Brown.

The Pledge of Allegiance was led by Commissioner Morgan.

Staff Members Present: Shweta Bonn, Senior Planner; Ellen Clark, Director of Community Development; Melinda Denis, Planning and Permit Center Manager; Jennifer Hagen, Associate Planner; Julie Harryman, Assistant City Attorney; Eric Luchini, Senior Planner; Jenny Soo, Associate Planner; Stefanie Ananthan, Recording Secretary

Commissioners Present: Commissioners Nancy Allen, Ken Morgan, Jeff Nibert, Brandon Pace and Chair Justin Brown

Commissioners Absent: Commissioner Matt Gaidos

AGENDA AMENDMENTS

There were no agenda amendments.

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

1. Actions of the Zoning Administrator

- PX17-0904, Stoneridge Properties, LLC (Simon Property Group), 1008-1700 Stoneridge Mall Road** – Application to amend and extend the Stoneridge Shopping Center Development Agreement (DA), governing an approximately 362,790-square-foot shopping center expansion, for one year. Zoning is CR(M) – (Regional Commercial – Mall) and PUD–MU (Planned Unit Development – Mixed Use) District

Commissioner Pace moved to approve the Consent Calendar.

Commissioner Nibert seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Allen, Brown, Morgan, Nibert, and Pace
NOES: None
ABSENT: Commissioner Gaidos
ABSTAIN: None

The Actions of the Zoning Administrator were approved, as submitted.

Case PX17-0904 was approved as submitted.

MEETING OPEN TO THE PUBLIC

- 3. Public Comment from the audience regarding items not listed on the agenda –**
Speakers are encouraged to limit comments to 3 minutes.

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

PUBLIC HEARINGS AND OTHER MATTERS

- 4. PUD-137, Terry Townsend for Donna Gudaitis, 375 Sycamore Road –** Work session to review and receive comments on an application for Planned Unit Development (PUD) development plan to divide an existing approximately 62,571-square-foot (1.44 acres) site into a total of four lots (three new; one existing) and for the construction of three new homes and on-and off-site improvements. Zoning is PUD-MDR (Planned Unit Development – Medium Density Residential) District

Associate Planner Jenny Soo presented the specifics of the item in the Agenda Report.

Commissioner Allen asked whether there were streetscapes comparing proposed homes to existing homes on Diamond Court. Ms. Soo stated the perspective showed the three proposed homes and a comparison could be brought back to the Commission.

Chair Brown requested information on the proposed heights and a comparison to the existing homes.

Commissioner Morgan asked why all four parcels were utilized in calculating the project density. Ms. Soo responded that the density was calculated on the size of the site. Commissioner Morgan asked if there were plans for the “dog leg”. Ms. Soo responded that there were not yet plans.

Chair Brown stated he would be hesitant to approve the project without knowing the reason for removal of the heritage tree on the “dog leg”. Ms. Soo stated the original proposal included a plan for the “dog leg” but perhaps Tree 66 could be saved. She referred the question to the applicant.

Commissioner Morgan inquired about the density for Parcel 4. Ms. Soo explained that Parcel 4 would become its own lot after the subdivision.

Commissioner Nibert echoed the comments regarding massing. He referenced General Land Use Policy 8.2 and requested examples of 'intrusion.' Ms. Soo responded that intrusion could include a house developed too close to neighbors or too tall, overpowering the neighbors.

Commissioner Pace inquired about the current on-street parking and proposed parking. Ms. Soo responded that the homes had three car garages with one tandem space and street improvements would create street parking on both sides where no parking currently existed. Commissioner Pace requested information on concerns from the property owner facing Sunol Boulevard. Ms. Soo stated the applicant was reluctant to take on improvements due to their financial burden. Commissioner Pace asked the cost to extend the sidewalk through the adjacent property to Sunol Boulevard.

Chair Brown inquired about the grade along the southern portion of the site and leveraging of crawl space to help lower the pad level to match heights of surrounding houses. He inquired why it would not be filled to street level. Ms. Soo responded that would require significant grading in relation to the project site.

THE PUBLIC HEARING WAS OPENED

Property Owner Donna Gudaitis provided public comment, regarding her personal background and desire to subdivide the existing land.

Applicant and Project Architect Terry Townsend provided a presentation highlighting the existing property location, surrounding properties, proposed site plan and elevations, existing trees, and sidewalk continuation. Mr. Townsend also stated they cannot locate the document verifying the recorded five-foot wide easement on the adjoining property to the west. Additionally, he stated there is a PG&E easement in the area.

May Heravi provided public comment related to the sidewalk and proposed tree removal.

Jake Jenkins provided public comment stating he lived adjacent to the proposed development and expressing concern with potential use of the "dog leg" portion, size of homes bringing down property values, parking, setbacks, and construction impacts. He suggested the possibility of two larger homes.

Kelly Jenkins provided public comment related to concerns with the proposed project stating the proposal did not enhance the character of the existing neighborhood. She requested new lots meet or exceed the existing standards of the existing properties.

THE PUBLIC HEARING WAS CLOSED

Commissioner Morgan expressed concern about the three houses being confined into a small portion of the property and requested additional information on the "dog leg" section.

Commissioner Pace requested additional information on the potential use of the "dog leg" portion and screening of adjacent properties. He asked for a design option to meet the require 300-foot combined yard setback.

Director of Community Development Ellen Clark responded that the North Sycamore Specific Plan (NSSP) prescribed standards but permitted some flexibility through the PUD ordinance. Ms. Soo added that the PUD allowed flexibility if it resulted in a superior project.

Chair Brown asked the requirements for the Commission to modify the setbacks. Assistant City Attorney Julie Harryman responded that the General Plan allowed flexibility.

Commissioner Pace asked whether the additional units would count towards the next RHNA cycle. Ms. Clark anticipated the development would count towards the next RHNA cycle.

Commissioner Allen stated the proposal appeared to meet all the requirements with the exception of setback. She requested the broadened streetscape, including the second story setback, to better understand the concerns of the neighbors. She requested information on potential restrictions on the panhandle. She stated the sidewalk should be extended to Sunol Boulevard but also would like to retain the trees.

Chair Brown asked if the commercial property had been set aside for a sidewalk. City Traffic Engineer Mike Tassano stated he was not sure if there was an easement and if the powerlines would be an issue. He stated the trees were within in the roadway so would have to be removed or street parking would be omitted. He discussed the need to balance the street, sidewalk and new trees.

Commissioner Allen stated her preference for three-car garages to alleviate street parking.

Commissioner Nibert echoed Commissioner Allen's comments and questions. He discussed the power lines along Sunol Boulevard and questioned whether PG&E would remove them at its cost or whether there was an easement. He suggested the conditions of approval include drainage in relation the houses on the downhill slope. He asked if the setbacks on Plan 1C could be switched as suggested by Ms. Dingman and if story poles could be placed. He agreed with Commissioner Allen that the existing properties appeared comparable and he expressed surprise to hear the public concern.

Commissioner Morgan asked if a new sidewalk would be the same level of the street, would the sidewalk potentially be lower than the street. Mr. Tassano stated that would not be a normal design, with a flush curb and sidewalk more typical. Ms. Soo pointed out the agenda report highlighting the curb and sidewalk design.

Chair Brown asked if the road was flat and inquired about drainage. Mr. Tassano responded that the drainage inlets would be added if necessary.

Discussion Question #1

1. *Would the Planning Commission concur the proposed development is consistent with the General Plan and NSSP?*

Discussion Question #2

1. *Would the Planning Commission consider allowing flexibility in combined side yard setbacks and support the proposed development standards?*

Commissioner Pace stated he was amenable to both.

Commissioner Morgan stated he believed the houses were more crowded than the overall area, particularly the homes on Sycamore Road. He suggested using the dogleg to spread the homes out, to be consistent with the houses across the street.

Commissioner Allen concurred that the development was in alignment with the General Plan and NSSP. She stated she was hesitant on Question 2 without seeing the streetscape. She expressed concern with parking and requested three to four spots per house. She stated that she may support the 25-foot combined side yard setback, but she would like to see the streetscape, including the existing houses, first.

Commissioner Pace inquired about street parking. Ms. Denis confirmed that there was currently no parking on Diamond Court along the frontage side because it was too narrow. She stated the project would allow parking on both sides of the street. She clarified that the proposed garages were three-car garages, including tandem parking.

Commissioner Allen stated she would probably be open to the variance but wanted to see the streetscape due to the neighbor concerns.

Commissioner Pace stated he wanted to see the streetscape.

Commissioner Nibert stated he was amenable to both questions.

Discussion Question #3

1. *Would the Planning Commission find the proposed architectural styles, building mass and house size be compatible and comparable with the existing neighborhood therefore acceptable?*

Chair Brown summarized the Commission's comments indicating the alignment with surrounding neighbors was necessary prior to weighing in on Question #3.

Discussion Question #4

1. *Should the proposed project be required to extend the proposed sidewalk on the north side of Diamond Court to Sunol Boulevard and the project applicant bear the cost of construction and tree removal/replacement?*

Commissioner Allen stated the project should extend the sidewalk and the applicant should bear the cost, assuming the appropriate easements.

In response to Chair Brown, Mr. Tassano stated it would be necessary to obtain the necessary easements, most likely at a cost.

Commissioner Morgan concurred with Commissioner Allen.

Commissioner Nibert and Commissioner Pace agreed that there should be a sidewalk and the applicant should bear the cost.

Chair Brown stated complete streets were important but he did not want to lose the trees and create a visual impact. He recommended staff clarify the easement and provide the information to the applicant.

Commissioner Allen commented that the architecture was attractive and each appeared as an individual home.

Chair Brown referenced the public comment related to second floor nesting and articulation. He stated he appreciated the varying architecture and design. He acknowledged the comments of Mr. and Mrs. Jenkins but indicated the existing homes were built above required standards.

Commissioner Nibert commended the architect for being prepared and for the presentation.

Chair Brown thanked the applicant for the presentation and visuals provided, which helped highlight the proposed development.

5. P21-0751, 2023-2031 (6th Cycle) Housing Element Update – Review a list of potential sites under consideration for future rezoning for residential development and inclusion in the environmental analysis as part of the Sites Inventory for the 2023-2031 (6th Cycle) Housing Element Update

Commissioner Pace recused himself and left the meeting.

Associate Planner Jennifer Hagen presented the specifics of the item in the Agenda Report, highlighting the RHNA Allocation, existing Zoning capacity, site inventory identification, inventory considerations, preliminary site inventory, site inventory analysis, initial criteria and ranking, initial site recommendation, and discussion topics.

Commissioner Nibert inquired about a potential conflict of interest related to his membership of the church directly adjacent to Site 19. Ms. Harryman responded, based upon the information and description provided, that would not constitute a conflict of interest.

Commissioner Nibert referenced the formula regarding the average number of ADU permits issued. Ms. Clark explained that the reference to 82 ADUs represented the average number of permits issued annually, multiplied by the eight-year housing period. Commissioner Nibert indicated support for the proposed percentage between zoning capacity and gap to create a buffer. He stated he liked that the inventory needed to reflect a realistic capacity that considered physical constraints, onsite infrastructure and circulation, and development standards. He stated he liked use of average density and suggested discussion on whether or not to recommend 35 units per acre (du/ac) or more, especially given future RHNA numbers.

Commissioner Allen requested clarification on the written public comment received from Derek Sagehorn regarding to AB1397 requiring 50% of sites for low income housing needing to be vacant. Ms. Clark responded that staff was taking a broader stance, balancing vacant and non-vacant properties. She stated staff's understanding regarding convincing evidence for feasible sites. Commissioner Allen asked why density was limited at 30 du/ac. She referenced the recent presentation by consultant Van Meter Williams Pollock and comments about density.

Ms. Clark responded that three sites had density between 30-60 units to the acre. She stated the consultant's recommendation was to take the conservative stance, using the minimum density for capacity consumption because it was safe to assume HCD would accept that number. Commissioner Allen clarified that the list would be narrowed and more specific over the process. Ms. Clark stated that was the intention and the future discussion with HCD would highlight concerns and feasible density per site. Commissioner Allen stated she noticed that some sites were popular neighborhood areas with shops and restaurants, which was not considered when previously ranking sites, but that might be an important factor to consider if not currently on the criteria list. Ms. Clark responded that the criteria list was more formulaic and quantitative and perhaps considering more qualitative criteria, like a fondness for an existing use could be determined by the Commission and City Council. She referenced the two shopping centers/plazas (Valley Plaza and Mission Plaza) in the Sites Inventory and mentioned the Valley Plaza property owners' interest to redevelop the site, pointing out multiple factors to consider. Chair Brown further mentioned additional sites such as the Pimlico and Sunol sites that included popular local businesses.

Commissioner Morgan asked if staff anticipated adding properties in East Pleasanton, expressing concern that increased commercial development in the future would create the need for additional residential. Ms. Clark mentioned the Steelwave and Kiewit sites in the East Pleasanton Specific Plan. She discussed complexity in planning based upon type of uses and the amount of land, both in terms of residential and non-residential use.

Commissioner Morgan asked if East Pleasanton would be included in the current RHNA cycle. Ms. Clark explained the three-year period to rezone property following Housing Element adoption, which could allow time for the necessary planning for East Pleasanton. Commissioner Morgan mentioned the potential of popular businesses being converted to housing. He asked when to include Pleasanton Unified School District (PUSD) sites, referencing PUSD comments that the sites did not meet its needs. Ms. Clark explained that PUSD was looking for an alternative location for district facilities and that Vineyard and Donlon were most likely surplus property. She explained the potential for a housing overlay for commercial property with commercial use still allowed, to allow for future transition to housing. She stated PUSD was actively pursuing an alternate site for its facility. Commissioner Morgan discussed potential growth and the need for new schools and where to build residential. Ms. Clark stated the School District indicated the existing sites would not support future school sites needs and new schools would be sited based upon future demand. She discussed the PUSD master plan to determine school sites. Chair Brown referenced a PUSD demographers report which provided good information on demand capacity for each school site.

Chair Brown referenced the agenda report discussion around annexing and asked the impact on RHNA allocations and the Urban Growth Boundary (UGB). Ms. Clark discussed regulations regarding annexation of sites into the City's housing units and trade between the City and County. She explained the Urban Growth Boundary and required vote of the people for major amendments. Chair Brown asked if the reference in the staff report addendum and interest by Steelwave was the southeast parcel. Ms. Clark referenced the memorandum depicting the location of the UGB and the subject properties.

THE PUBLIC HEARING WAS OPENED

Jeff Schroeder, Ponderosa Homes, indicated he was available to respond to questions.

Vaughn Wolffe provided public comment discouraging housing at Mission Plaza and Valley Plaza and expressing concern about power generation, suggesting southern facing homes to allow solar power.

Steve Dunn, Steelwave, provided public comment on evaluation of the property as residential and inclusion in the General Plan. He questioned the point system and requested reconsideration of his site.

Becky Dennis provided public comment related to the Climate Action Plan, encouraging development of high density residential above moderate income housing on the Lester site.

Jocelyn Combs provided public comment and commended staff for the suggestions. She suggested ADUs would be undercounted using the model suggested by HCD and ABAG. She asked why there were no moderate units listed; indicated support for the 100% capacity buffer, and 60 units per acre; and expressed concern regarding the disappearance of residentially zoned land. She asked if the homeless needs assessment and potential sites would be included. She stated UGB amendments required a County-wide vote.

Chair Brown clarified why the table did not referenced moderate-income housing, and that it was included on Page 17.

THE PUBLIC HEARING WAS CLOSED

Discussion Point #1

1. *Does the Planning Commission agree with staff's recommended 50 percent buffer (for the initial sites inventory to be considered in the CEQA review? [If the Commission wished to modify or reduce the initial buffer, staff would not recommend it be less than 30 percent.]*

Commissioner Allen indicated support for the 50% buffer as long as there was no risk. Ms. Clark explained the goal to provide a buffer with the expectation that it would be pared down through the process.

Commissioner Morgan suggested focusing on meeting affordable housing rather than market rate, in order to meet the RHNA requirements. He suggested working with builders to understand the possibility of higher percentage affordable housing with higher density development. Ms. Clark discussed the need to provide enough zoning capacity to meet all income categories and determine what could be done to encourage more affordable versus market rate units. She discussed subsidies required for development of affordable housing and explained that the buffer was more of a planning tool. She stated the City could not require 100% affordable housing on a given site. Commissioner Morgan stated low-density sites were probably not necessary in the plan. He stated it was necessary to determine how many housing units would be built and the impact on the City's resources. Chair Brown clarified

RHNA allocations and density and affordability. Commissioner Morgan stated he equated higher density with affordability. He indicated he could support the 50% buffer.

Chair Brown suggested a 40% buffer but was okay with 50%

Commissioner Nibert indicated support for 50% as a planning exercise.

Commissioner Morgan suggested the buffer for higher density which would meet the City's needs. Chair Brown suggested including lower density as well

Discussion Point #2

2. *For the high-density sites, does the Planning Commission support the inclusion of higher density ranges up to 60 DUA for the three sites noted?*
3. *For the medium and low-medium density sites, should any of the density ranges be adjusted up or down (generally, for a specific category), or should any sites be allocated to different density categories from those shown?*

Commissioner Allen suggested higher density ranges of 75 DUA. She recommended including Stoneridge, Signature Center, Hacienda Terrace, Metro 580 at 75 du/ac; increasing Old Santa Rita and Sunol to 45 du/ac. She suggested adding a column refining the higher density into the subcategories. She suggested the possibility of the minimum being set at 40 rather than 30 du/ac for the high density category. Chair Brown concurred. Ms. Clark explained the consultant (VMWP's recommendation for housing up to 75 du/ac as a "sweet spot" for higher density, affordable development.

Commissioner Morgan indicated support for the "sweet spot" and higher density for other benefits. He suggested factoring needs for parks, grocery and school on larger projects and creating neighborhoods with common spaces and parks.

Commissioner Nibert referenced Page 17 of 19 of the report and asked what needed to be done to work with HCD. Ms. Clark explained the guidelines about reasonable assumptions for capacity. She stated it was necessary to consider the effect of raising the minimum to the capacity assumption and provide analysis to support the case to HCD. Commissioner Nibert indicated support for a conservative approach.

Commissioner Allen referenced public comment and agreed that it was necessary to consider whether density could be increased on existing sites.

Discussion Point #3

4. *Does the Planning Commission agree that it is appropriate to allocate at least a proportion of the City's above-moderate RHNA to high-density sites?*
5. *Should the City consider meeting 100 percent of the gap on high-density sites? Or, should the initial sites inventory reflect a blend of site densities at this stage of the process?*

Commissioner Allen suggested some allocation from above-moderate income (low-density) sites to low-income (high-density) sites. She stated there were building blocks, which could be adjusted, but the goal should be to minimize any new low-density projects as much as possible to retain land and develop high-density with fewer sites and additional amenities.

Commissioner Morgan echoed Commissioner Allen's comments. He mentioned consultant Van Meter Williams Pollock's comments and suggested determining the affordable percentage and feasibility, then submitting the best plan to the State. Chair Brown expressed hesitation with funding necessary for affordable housing and suggested zoning requirements as high as possible to ensure RHNA were met. Ms. Clark suggested various densities amongst sites to distribute housing throughout the City. Chair Brown confirmed he was suggesting zoning for higher density, feathered with mixed projects throughout the site. Commissioner Morgan suggested developing the best plan that would realistically be developed. Chair Brown suggested a more complex table, on page 4, allowing variability and mixed density.

Commissioner Nibert referenced Ms. Clark's comments related to the need for flexibility in the initial site inventory and blend of site densities throughout the City. He agreed that it was appropriate to allocate at least a portion of RHNA to high-density sites.

Discussion Point #4

6. *Does the Planning Commission support the removal of the three sites as suggested by staff, or should any remain on the list?*

7. *Are there other sites that the Planning Commission feels strongly should be removed from the list, or given lower priority for inclusion? Conversely, does the Planning Commission find there to be certain sites or areas that should be prioritized for inclusion in the initial sites inventory, or that are particularly suitable for housing?*

Commissioner Nibert expressed hesitation in removing the Steelwave site based on comments from Mr. Dunn and the potential number of units. He stated he did not feel there were currently additional sites to be considered.

Commissioner Allen stated she was uncertain about removing Boulder Court because it was not near homes and could be an opportunity site due to less impact on the neighborhood. She discussed her reasons for removing Valley Plaza and Mission Plaza.

Commissioner Morgan agreed strongly that Mission Plaza and Valley Plaza should be removed. He stated he was not ready to remove Boulder Court.

Chair Brown agreed that he was not comfortable removing Boulder Court from the list. He questioned removal of Mission Plaza. He suggested annotation on the diagrams in Exhibit A and including summary table of feedback from property owners. He expressed hesitation on the Sunol site based on his personal use and potential interest from the property owner. He concurred with Commissioner Nibert regarding removal of Steelwave. Ms. Clark stated there would be time following the Housing Element update to plan for East Pleasanton. She discussed the controversy over the East Pleasanton Plan and concern with obtaining community consensus. Chair Brown stated he would like to retain Steelwave for consideration.

Commissioner Morgan discussed sites, such as Boulder Court, that might not be suitable due to lack of amenities and questioned the possibility of mixed use development to create neighborhoods. Ms. Clark stated mixed use had to be balanced with site capacity. Chair Brown stated the score for Boulder Court might improve with mixed-use.

8. Are there any other factors, guiding principles or considerations that staff should use to further refine and prioritize the initial sites list?

Commissioner Allen stated utilizing ranges and specificity would provide building blocks for the future process.

Commissioner Morgan asked if the Commission could meet with builders or developers to gain a better understanding of development. Ms. Clark responded that more information would be brought back to the Commission in 2022.

Ms. Clark confirmed Commission consensus to exclude Pimlico Drive and St. Augustine and retain Boulder Court and Steelwave. Chair Brown confirmed and further stated the majority agreed to consider Valley Plaza, because the property owners were interested. Ms. Clark responded that there was not yet an affirmative interest from Richert Lumber. Chair Brown asked if the Sunol Boulevard property was one or two lots. Ms. Hagen responded that it was actually 4 lots, two of which are owned by the Richert Family.

Commissioner Allen expressed concern with including Valley Plaza. Chair Brown agreed that the neighborhood center should be retained as commercial. Commissioner Allen suggested including the shopping centers but move them to the bottom of the priority list. Commissioner Morgan agreed with including the sites at the bottom of the list.

MATTERS FOR COMMISSION'S REVIEW/ACTION/INFORMATION

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

There were no reports from meetings attended.

7. Actions of the City Council

Ms. Clark provided a brief overview of the items listed in the report.

8. Future Planning Calendar

Ms. Clark mentioned the Special Meeting on December 15 for continued discussion of the Housing Element sites.

Ms. Denis gave a brief overview of future items for the Commission's review.

MATTERS INITIATED BY COMMISSION MEMBERS

Commissioner Nibert discussed a recent presentation by Larry Kosmot regarding Development Opportunity Reserve and requested a presentation for the City of Pleasanton.

Commissioner Allen confirmed the holiday event on December 9, 6 p.m.

ADJOURNMENT

Chair Brown adjourned the meeting at 11:01 p.m.

Respectfully submitted,

Stefanie Ananthan
Recording Secretary