



PLANNING COMMISSION MEETING MINUTES

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

APPROVED

Wednesday, August 23, 2017

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

CALL TO ORDER

The Planning Commission Meeting of August 23, 2017, was called to order at 7:00 p.m. by Chair Balch.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Allen.

1. ROLL CALL

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

Commissioners Present: Commissioners Nancy Allen, Justin Brown, David Nagler (arrived at 7:08 p.m.), Greg O'Connor, Herb Ritter and Chair Jack Balch

Commissioners Absent: None

2. APPROVAL OF MINUTES

a. July 26, 2017

Commissioner Allen moved to approve the Minutes of the July 26, 2017 meeting, as submitted.

Commissioner O'Connor seconded the motion.

ROLL CALL VOTE:

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

The Minutes of the June 28, 2017 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**

Dr. Frederick Johnson commented on environmental concerns with recent and proposed development occurring in Pleasanton.

4. **REVISIONS TO THE AGENDA**

Item 6.b. was continued.

5. **CONSENT CALENDAR**

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

Continued from August 9, 2017:

a. **Amendment to Pleasanton Municipal Code**

Consider an amendment to the Pleasanton Municipal Code to amend Chapter 18.110 (Personal Wireless Service Facilities) to allow for small-cell-wireless systems in the Hacienda Business Park where the systems are concealed.

**Commissioner Ritter moved to approve Item P17-0817.
Commissioner Allen seconded the motion.**

ROLL CALL VOTE:

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

Resolution PC-2017-20 approving Case P17-0817 was entered and approved as motioned.

6. **PUBLIC HEARING AND OTHER MATTERS**

a. P17-0372, David and Suanne Robles

Appeal of the Zoning Administrator's approval of an Administrative Design Review application to convert an existing unconditioned loft into an approximately 715-square-foot second-story addition and to increase the roof height from 20 feet to 25 feet at the existing residence located at 3552 Yellowstone Court. Zoning for the property is R-1-65 (One-Family Residential) District.

Eric Luchini presented the Staff Report.

Commissioner Brown asked staff to address the open attic space from the original design.

Mr. Luchini replied the revised roofline covers up the open attic space seen on the previous plans.

Commissioner Allen asked staff to clarify what type of materials would be used on the new front elevation design.

Mr. Luchini replied, stucco, the same color and finish as the existing first floor.

Commissioner Nagler inquired about floor area ratios (FARs) of neighboring homes.

Mr. Luchini answered that the home next door which is a slightly smaller FAR has an addition, however, staff did not have information regarding whether other homes in the area had additions or were originally built at greater than 30% FAR.

Commissioner Allen discussed FARs in the neighborhood and speculated on what the increase would visually look like in comparison to the surrounding homes.

THE PUBLIC HEARING WAS OPENED.

Sue Robles, Applicant, commented on her family's character which was called in to question by a speaker at the workshop. She argued that the house will have five bedrooms and an office, not eight bedrooms as described in the staff report.

Joe Phan, neighbor, spoke in opposition to the project, specifically about issues of crime in the neighborhood.

Eric Wedekin, neighbor, spoke in opposition to the project, specifically about issues of crime in the neighborhood and lack of yard maintenance.

Minh Lee, neighbor, concurred with previous speakers and spoke in opposition to project, adding comments about renters occupying the home.

THE PUBLIC HEARING WAS CLOSED.

Commissioner Allen noted the proposed project conforms to the designated zoning, however, she addressed concerns with design review criteria 2, 3, and 7 as described in the staff report. Commissioner Allen specified concerns with the proposed massing, finding it is not compatible

to other homes in the neighborhood. Additionally, she mentioned, the band between the rooflines is not aesthetically pleasing.

Commissioner Nagler concurred with Commissioner Allen's comments. He cited the workshop feedback, which made clear the concern about the style, massing, and architecture. Commissioner Nagler said he did not believe the applicant made enough effort to address the concerns of the Commission in the new design.

Chair Balch challenged the FAR comments based on the premise that it should be denied only based on FAR or not.

Commissioners O'Connor, Nagler, and Allen agreed that it could be denied under the purview of the design review criteria.

Commissioner Brown challenged the comments regarding the wall on the front façade lacking architectural interest, pointing out how it replaced the north facing window which the Commission had requested be removed.

Commissioner Allen clarified, she did not have concern over the new window placement, but with the three-layer cake look of the front façade with the large band of stucco in the middle. She suggested if the roof had a different pitch or gable it could break up the massing, or if trim work or quality siding were integrated rather than stucco it could add to the architectural interest. Commissioner Allen recounted the Commission requesting at the workshop for the applicant to work with staff on the design.

Commissioner Ritter observed how had the applicant not appealed their approval they wouldn't be here. He commented on parking, recognizing that converting garages to living spaces is becoming more common these days. However, Commissioner Ritter acknowledged there is not enough street parking for the garage to be converted, and therefore, he concluded findings 2, 4, and 5 could not be made.

Commissioner Nagler recognized, in response to the applicant's comments, that while the rooms are to be used by grandchildren so the number of cars theoretically would not increase, the Commission cannot assume the use by the current owner but must address the potential use for all residents going forward.

Chair Balch, presented a dissenting opinion, suggesting a home outside of a PUD and without CC&R restrictions need only follow the City requirements. He elaborated, the massing and design were the Commission's concerns at the workshop and in his opinion the applicant tried to meet those concerns. Chair Balch challenged the Commission to explain, without designing from the dais, what it would take to meet the design criteria. He offered his support of the plans as submitted.

Commissioner O'Connor acknowledged he was not present at the workshop. He affirmed Commissioner Nagler's comments regarding the number of bedrooms. Commissioner O'Connor stated he read the minutes from the workshop and his biggest concern was not discussed at that time, which is an enhancement to the neighborhood by way of landscaping. He recognized code enforcement had been involved with the current issues but has not been able to mitigate the complaints.

Chair Balch remarked, landscaping is not a code enforcement issue.

Mr. Beaudin informed the Commission that blight or complaints about landscaping not fitting an approved project would be addressed by code enforcement.

Chair Balch asked Mr. Beaudin to clarify that without a PUD it would need to be blight.

Mr. Beaudin replied yes.

Commissioner O'Connor proposed a condition be added to address the landscaping concerns. He indicated, beyond the landscaping, he believed the applicant made the improvements asked for at the workshop.

Mr. Beaudin referenced Exhibit C, asking Commissioner O'Connor if conditions No. 3 and 4 would address his concerns.

Commissioner O'Connor asked if the trees being removed were heritage.

Mr. Luchini answered yes, and explained the tree in the rear of the home was found to be causing structural damage.

Chair Balch suggested a straw poll vote be taken before delving into the conditions of approval. He surmised the Commission is not in support of the massing and asked staff to explain the Commission's options.

Mr. Beaudin stated the Commission can continue the application or deny the application and the applicant would be able to appeal the denial to the City Council and come back with a revised design.

Commissioner Ritter expressed his agreement with Chair Balch on property owner rights and his apprehension with the design based on the detail of the plans submitted and the parking concerns.

Commissioner Allen stated she was in favor of denying the application and giving the applicant the opportunity to return with revised plans.

Commissioner Nagler agreed with Commissioner Allen and suggested the Commission decide on the application rather than continuing it so as not to further delay the project.

Commissioner O'Connor disagreed with the comments favoring denial and recommended the Commission approve the project but condition it appropriately to allow the Director to have final approval. He supported his opinion, arguing the applicant met the requests of the Commission and suggesting appropriate landscaping could change the massing impacts.

Commissioner Brown concluded he believed the applicant addressed the concerns laid out at the workshop, maybe not to the extent the Commission expected, but they did. He asked any Commissioner in favor of denial to be specific in their comments to the applicant on what they would like to see revised in the event the applicant chooses to come back with revised plans.

Commissioner Nagler responded to Commissioner Brown's request, explaining how one of the requests made at the workshop was to reach out to the neighborhood to see if they could gain some support for the revised design. He affirmed the application is still opposed by neighbors, and while their concerns may not be in the purview of the Commission, they suggest the applicant did not try to gain support from their neighbors. Commissioner Nagler pointed out the other comments made tonight were in line with what was previously requested at the workshop.

Commissioner Allen added that massing was a concern shared by the Commission at the workshop and while the applicant had made progress, she and others have expressed concern tonight that the massing and FAR are still out of proportion for the neighborhood.

Chair Balch remarked while the Commission has asked other applicants at other times to speak to their neighbors and sometimes they do and sometimes they don't, his belief is that his neighbor does not have the right to tell him what he can or cannot do with his property. Chair Balch elaborated, explaining his intention with that comment was to foster harmony as a community of character and not to gain full support of the proposed design. Chair Balch stated he supported staff's recommendation.

**Commissioner Ritter moved to deny Case P17-0372.
Commissioner Allen seconded the motion.**

ROLL CALL VOTE:

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

Resolution PC-2017-21 denying Case P17-0372 was entered and adopted as motioned.

b. PUD-117, Jitender Makkar

~~Work session to review and receive comments on an application for Planned Unit Development Rezoning and Development Plan to construct six single-family homes, a public trail, and related improvements on an approximately 12-acre site at 2188 Foothill Road. Zoning for the property is Agriculture (A), West Foothill Road Corridor Overlay District.~~

This item was continued to the September 13, 2017 meeting.

7. MATTERS INITIATED BY COMMISSION MEMBERS

No discussion was held or action taken.

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

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

No discussion was held or action taken.

b. Future Planning Calendar

Mr. Weinstein gave a brief overview of the tentative agendas for the next two meetings.

Mr. Beaudin provided notice of the Johnson Drive Economic Development Zone City Council Special Meeting and tentative future meetings regarding the project.

c. Actions of the City Council

Commissioner Allen mentioned the approval of the contract for the work near the Chick-fil-A intersection. She asked the Commission and staff to consider this intersection and issues that have arisen with regard to future projects.

Mr. Beaudin responded that Planning Staff will provide significant and robust traffic analyses with projects such as this going forward.

d. Actions of the Zoning Administrator

No discussion was held or action taken.

e. Matters for Commission's Information

No discussion was held or action taken.

9. ADJOURNMENT

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

Respectfully submitted,



Kendall Granucci
Recording Secretary