THE CITY OF
PLEASANTON.
P. O. Box 520, Pleasanton, California 94566-0802

PLANNING COMMISSION
MEETING MINUTES

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

DRAFT

Wednesday, September 14, 2016

CALL TO ORDER

The Planning Commission Meeting of September 14, 2016, was called to order at 7:00 p.m. by Chair Ritter.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner O'Connor.

1. ROLL CALL

Staff Members Present: Gerry Beaudin, Director of Community Development; Steve Otto, Acting Planning Manager; Julie Harryman, Assistant City Attorney; Eric Luchini, Associate Planner; Jennifer Hagen, Associate Planner; Shweta Bonn, Senior Planner; and Kendall Rose, Recording Secretary

Commissioners Present: Commissioners Nancy Allen, Jack Balch, Justin Brown, David Nagler, Greg O'Connor, and Chair Ritter

Commissioners Absent: None

2. APPROVAL OF MINUTES

a. August 24, 2016

Commissioner Brown requested the following changes:
- Remove the fourth paragraph on Page 8, "~~Commissioner Brown: Can I suggest...~~"
- Modify the last sentence of the fourth paragraph on Page 9 as follows: "So I can see ~~those~~ both sides."
- Modify the first sentence of the seventh paragraph on Page 15 as follows: "Okay, ~~because~~ I ~~sort of~~ read through the emails..."

- Modify the first sentence of the fourth paragraph on Page 24 as follows: "…I was pleased to see they ~~kind of~~ picked up on that because…"
- Modify the second sentence of the fourth paragraph on Page 24 as follows: "…buy you also said that~~…where was it…~~in some cases that…"

Commissioner Nagler moved to approve the Minutes of the August 24, 2016 Meeting, as amended.
Commissioner Balch seconded the motion.

ROLL CALL VOTE:

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

The Minutes of the August 24, 2016 Meeting were approved as amended.

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

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

4. **REVISIONS TO THE AGENDA**

There were no revisions to the agenda.

5. **CONSENT CALENDAR**

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

a. **P16-1313, Total Wine & More**
Application for a Conditional Use Permit to operate a specialty liquor store with ancillary tasting and educational programs within the existing building located at 4225 Rosewood Drive. Zoning for the property is C-C (Central Commercial) District.

Julie Harryman recused herself from participating in the hearing and left the Council Chambers.

Commissioner Nagler moved to make the findings and approve Case P16-1313, subject to the Conditions of Approval as listed in Exhibit A of the staff report.
Commissioner Allen seconded the motion.

ROLL CALL VOTE:

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

Resolution PC-2016-31 approving Case P16-1313 was entered and adopted as motioned.

6.   PUBLIC HEARING AND OTHER MATTERS

NOTED PRESENT: Julie Harryman returned to the Council Chambers.

There were no public hearing items.

7.   MATTERS INITIATED BY COMMISSION MEMBERS

Commissioner Balch: Thank you to staff for the work with the Vintage project. It appears that the traffic is mitigated.

Chair Ritter: Commissioner Allen, do you have one?

Commissioner Allen: Yes. My item is a request for clarification on how the Planning Commission should request story poles in the future. Just a backdrop on it in terms of a situation is the Carey project that we approved a couple of months ago. We said story poles were needed and in Jack Balch's motion and in David's second, they said they were strongly requested, and Gerry Beaudin had instructed Jack to not put story poles in the motion and he specifically said story poles don't belong in the motion since they are procedural in nature, and had said just put "strongly requested." Adam had confirmed that four weeks was plenty of time to have them placed.

So in listening to the Council discussion on this project, I had noticed that Gerry, that you had said to Council that the Planning Commission had not properly—I'm not using the right terms because I don't have the minutes in front of me, but had not quite properly asked for story poles and, in essence, they were not officially required. They were only sort of softly requested and you said you would work with us in the future to sort of tighten that up.

So my question—I have three questions, but the first one is just to clarify, you know, what is the right way since the code says the Planning Commission can request story poles when they're needed and the developer needs to act on that. And you had guided us that it shouldn't be a motion so what should we have said so that they were considered to be official; and officially that we needed them because I believe all of us intended that we needed them officially.

Beaudin: Sure, so the conversation at the Planning Commission when that project was being recommended for approval was not that the request shouldn't be part of the

motion. It in fact was part of the motion because it was a strong request from the Planning Commission and the concern that I had was making it a condition of approval on the project simply because condition of approval is "the project" rather than an approval step or the procedural discussion that you are making. So I just want to make sure that that's as clear as possible.

I think that what we need to do is inform applicants earlier about these requests and make sure that even as early as the workshop we get the story poles up which helps generate the public interest and public awareness I think that we're looking for with these kinds of projects and I think that it also puts developers and applicants on notice that that is going to be the expectation. And I believe what I committed to in subsequent meetings and in other discussions about the story poles is that for applicants who are doing infill projects in Downtown, it won't be an option any more. We are going to use some amount of discretion but the expectation is that story poles come with the project if that's an appropriate way to garner awareness and give a better understanding of the height, scale and massing of the project.

Commissioner Allen: So just to clarify then because I fully support that. So what I hear you saying is that the default assumption will be at a workshop that story poles will be required unless for some reason we decide that it doesn't make sense and it's not needed. But that will be a default assumption and that applicants will be required to place story poles per the City code in terms of how they should be placed.

Beaudin: Yes and the zoning for the Downtown area and the DSP do speak to that and to using them appropriately. As far as the conversation with the Council I'm not sure that I minimized the Planning Commission's request but I did make it clear that it was a request. It wasn't required prior to any hearing of the item and I think that was consistent with the intent. I realize that we were maybe a little bit presumptuous in terms of how long it would take to get those story poles up and you know, candidly, I said this—I didn't think the poles that were erected were consistent with the kind of story poles that we had in mind—and you and I had actually had a conversation earlier in the day or late the week before the City Council meeting that those were not story poles consistent with the kinds of story poles we need to see for projects in Pleasanton.

Commissioner Balch: Can I just jump in if I may? I remember the motion because of reading the minutes. The question I have though is I watched the Council meeting that night and I had a different take. It was a point for me to listen to it, but I took the direction of Council that they didn't think they were necessary frankly. And actually, if I may, that may be complicating the matter because you know what type of story poles? What qualifies as a story pole? So the complication is there and I don't want to make light of it because I also don't want to necessarily make something where Council's direction to us is to not have it required.

Beaudin: Yeah, so that was an interesting twist that unfolded itself during the meeting. The DSP does allow us to ask for those. The Council, during their deliberations, did seem to indicate that because of the overall height of the structures, because of the package that was before them, that the story poles were of lesser importance in their decision-making for the application….

Commissioner Balch: …yes, for this application.

Beaudin: …for this particular application, and I think that's where I said we'll apply some discretion. I think that if it's a small site and somebody's proposing a two-story structure that's consistent with or maybe equal to or close to what's around it, maybe those story poles become less relevant to the decision-making process. And then where people are proposing larger buildings or things where we have some concerns about, maybe at the staff level we can bring that to the workshop discussion and make sure that we flesh that out a little bit more.

Chair Ritter: I agree. I don't think it should be a requirement for every project. I think if it's going to have an impact. If the neighbor's view is going to get blocked or if it's going to be a mass when you turn around the corner and you can't see around it from a …. I just want to make sure there's an intent that's needed; a purpose and not just to have story poles on every project. If they are all below the height restrictions and all of that you can't "not" approve a project if they're all within the codes that we have set up just because it's purple and doesn't look good. Then the quality of the story poles could be different on everybody. On some of those projects they're tipping over, so I don't know if we have a certified story pole maker, but I'd just be careful in making a requirement of it unless there's a purpose.

Commissioner Balch: And if I may, I apologize—this is jumping real fast. I'm also in the position that the difficulty in knowing when they are required is almost impossible based on what I think the process is. If an application comes in and it's a workshop, we can't say we wanted story poles for the workshop or not at that point. You know, that's the first time I think we're seeing it, right, unless we saw it in the future and then when it's the next hearing item. So it's complicated.

Beaudin: Well, what I was going to add to that is I think there are cases where I think staff recognizes that something may be out of character and I think for a workshop we may make that request of the developer and we'll be very clear that this conversation has been had and that's where we think there may be an opportunity to get way out in front of and make sure that information is available to you for the workshop. There may be other instances where that's not a staff position but it may come from the Planning Commission and there will be ample opportunity between the workshop and the first hearing on the project if that is the will of the Planning Commission. So there are multiple opportunities. I don't want to make it "one size fits all it shall be done" because I just think we see a variety of project types in the Downtown.

Commissioner Balch: Well, if I may, the motion that I made was more of a "one size fit all" and I think I'll say that I'm probably backing off of that in light of Council's conversation that I did observe. My position is that I noticed that the people who stood up at Council—it wasn't the same group that comes here necessarily but it is a different group that comes here and they do talk about their views a lot more and they may not make it to Council, right? So they vet it here, so maybe it isn't necessary at the Council level but it might be here.

Commissioner Nagler: Which I think is a point that's important for us to recognize; that whether the Council, individual Council members took into consideration or wanted to

take into consideration story poles on that particular project as being a factor more or less important than other factors about that project was inherent in the priorities they set in their decision-making. In and of itself it doesn't say anything about the utility of story poles and it's important, even though we are nothing an advisory body to the City Council, at the same time we do have our own independent charge and our own independent opportunities to go about our business in a way we think is most appropriate to fulfill the duties we asked to fulfill. And towards that end, it is just important that we all recognize that we've had a lot of time to have this conversation. Commissioner Allen has shown enormous leadership on this issue and I really appreciate it a lot because what we have recognized as a body over time is that the story poles that have been put up on the most recent projects, specifically the Spring Street project and this subject project we're talking about, have been inadequate in really helping us make a decision but have suggested that there is utility to story poles in the same way that the computer-generated renderings that we've asked for also help us in a new and important way picture projects. And clearly, all of this is being driven by, in retrospect, a couple of decisions that have been made by this Commission and past Commissions that potentially could have been different decisions had there been more of an opportunity for us to visualize what the project in the end might have looked like notwithstanding staff's good efforts to describe projects and alert us to what heights are potentially outside the guidelines and like that. So I think it's important to take this conversation as being a meaningful expression by the Planning Commission that story poles and computer-generated renderings be part of applications to the best of anyone's ability as often as seems appropriate, erring on the side of requiring them rather than not, but not believing that they're appropriate for every project and that the presumption be particularly applicable to the Downtown area.

Commissioner Allen: And I want to say I think that's a perfect rendering and I do want to say to all of you I think there always needs to be a purpose and I just want to reiterate and David said it perfectly; story poles and computer-generated renderings are an appropriate tool and we should bias to having them. I debriefed with three Councilmembers and I have one more to go, and I also totally agree that their discussion was not about story poles being right or wrong. It was about that they look to the Planning Commission to be the ones to make the decision about compatibility. Given we didn't have our own story poles in order to make a decision, they did not want to be held accountable at that meeting at that time to stop the process because of the lack of story poles, especially when they heard that we kind of didn't officially request them. So I just want to say that….and the other thing is that two Councilmembers have told me personally--and I want to put this on the record—they actually told me before this discussion that they were noticing that our Planning Commission was not requesting---these were two Councilmembers that were on the Planning Commission, have told me that they thought when they were on the Planning Commission their team had requested story poles much more frequently. They specifically said Phil Blank insisted that story poles and strong 3-D renderings be an important element of key projects where there could be a risk of view compatibility, and they were noticing that we actually as a Planning Commission had not been requesting those as much as they believed they had. So I do believe that they're expecting us to do that due diligence where we think we're not sure. So, thank you. Thanks for the discussion you all. I appreciate it.

Commissioner O'Connor: So if the appropriate time to bring this up is staff's work session, when is the appropriate time to bring this up when there is not a work session?

Beaudin: If something is a new building downtown, you're going to see it in a work session. The story pole requirement comes from the Downtown section of the code. Elsewhere in the City it's not in the code as an opportunity, and that goes to the broader discussion about neighborhood notice and notification and story poles and how we make the community aware of what we're up to. When we started this conversation a few weeks back we talked a little bit about the Council Work Plan and seeing if there's a policy level interest in re-looking at some of those techniques and tools that we have and frankly the regulations we have in the code, and if those are things we can get traction on then we make them part of the work plan when we do that work.

Commissioner O'Connor: But we have asked for story poles outside of the Downtown area.

Beaudin: It's a request at that point though. It's not a code requirement. It's not an application component and most developers will comply. They understand the value, and this was a conversation about the office….the three- or four-story office development. Story poles just aren't practical in that context, and so it's just context-specific and we'll try and be as sensitive as we can where we think there's going to be view issues or incompatibility issues or compatibility issues and we'll try and make this a clearer priority in our discussions earlier with applications and with applicants. It is very clear to me. The conversation tonight has been helpful and I think for downtown uses, we just have to be really focused on getting complete applications for you which will include this conversation with applicants even when they come in for pre-application meetings.

Commissioner Allen: Thank you. The very last question I have because I think people brought it up is that Gerry, could you clarify what---and I have copies here if you need it or anyone else would like it—I just thought it would be important to clarify what the Muni Code requirements are relative to what a legitimate story pole structure should be for a developer to install to meet the City code and when it needs to be placed.

Beaudin: I don't have that section of the code in front of me, but….

Commissioner Allen: ….I'll just give it to you. I'm just sharing it because it did come up by a couple of folks about what is the legitimate story pole structure.

Beaudin: So we actually don't define it in the code is what it looks like in the code to me. It has to depict the height and mass of the proposed house or addition and it is to meet the satisfaction of the Zoning Administrator or the Planning Commission is what the language in the code says. This is what you handed to me. I'm pretty sure this is the most recent, up to date version of our code. What I would say is again, as part of the notification process we may just want to develop some criteria around what story poles are and have them part of our application packet. I think that the challenge that I have there is just making sure I have the adequate staff time to do that work now. What I will tell you is that they will not look like what Mike Carey did on the project. I'll name names because it's very recent and I think it wasn't a story pole. It was an attempt he made to

depict the height and massing of that structure and I think it's what he could do according to him in the time he had allotted and he knew that his hearing date was coming up. I think we've all seen story poles. You've driven through Woodside. You've driven through Palo Alto. You've seen these structures in other communities and we'll make it clear to folks they have to get to that level of story pole.

Commissioner Balch: If I may, I know you're kind of on the spot for all of this so I'll try to be brief, as Julie's probably going to cut us off. You know how we're doing these Matters for Commission Information, I would possibly recommend that maybe if staff has time that you suggest what kind of a story pole standard could look like, or maybe we start taking pictures of what people actually put up so we can start to compare over time. I don't know. I'm just trying to say it's an on-going conversation. We're not going to solve this today.

Beaudin: This is one of those things that the devil's not in the details here. The code is pretty clear it's about height and mass and so as long as those things are depicted, I think that we need to have some criteria that makes it clear to people that we expect a certain level of clarity from the story pole. How they do it, what it looks like; if someone wants to construct it out of steel, it might be okay. As long as it does what it's supposed to do I don't know that we want to….

Commissioner Balch: …muck it up.

Beaudin: It's a lot of staff time to go ahead and develop story pole options.

Commissioner Nagler: I don't know if anyone has pictures of it, but I think in our own history we have good examples. On the Cunningham's house that was proposed but not built on Neal, they put up story poles I think what we're talking about. On the Spring Street project again, there was one pole at the very corner of the property. That's not what we're talking about. And so I think if there were photographs of that, you could simply show an applicant and say this is the kind of thing the Commission's talking about.

Chair Ritter: Commissioner Brown, you had a question?

Commissioner Brown: I was just going to reiterate Jack and David, I mean, if preferably we could have photos of Pleasanton projects, but if not, we should get photos of good examples in other cities and make them available to applicants as suggestions and nothing more. Like you said, you don't want to define the standard, but this is a showcase or a good example.

Chair Ritter: So this isn't an agenda item so we need to move on and staff gets direction from what the Commission wants. Is that correct?

Beaudin: Yes, I understand the request. Again, I think this becomes part of a request that…the code says what it says. Height and mass are the criteria. If we want to go farther, then it's an effort and I'm going to have planning staff work on great projects and not on great story poles. The story poles have to tell the story, but until I receive that direction I can't spend staff time putting together a study of story poles.

Chair Ritter: And this will probably be discussed in the DSP.

Beaudin: Yes, if we want to add clarity at that level for the downtown in particular, I think that's an opportunity as well. That's a great point, but I hear the comments. I understand the direction. Commissioner Nagler actually mentioned some examples. We can put those on every planner's desk tomorrow morning. Those are the kinds of things we can do—bringing that forward to public hearing. If that's the request, it's a different level of an endeavor.

Chair Ritter: Okay, thank you. Thanks for bringing this to the Planning Commission.

Commissioner Allen: Thanks for your discussion.

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

        a. **Selection of two Planning Commission representatives and one alternate to the Downtown Specific Plan Update Task Force**

Chair Ritter: Do we have an estimated time that this task force will be in process?

Beaudin: Yes, it's going to be the fall. We've interviewed consultants at this point. We do not have a preferred consultant selected. We plan on going to the City Council on October 4th with our recommended task force and likely the first meeting in November with our preferred consultant and a contract. So we'll be kicking off—I'd like to say December—but it will probably be January based on the holidays, and get everything rolling so late this year, early next year.

Chair Ritter: And what's the estimated time of this task force you think? A year or two or three?

Beaudin: We're saying 18 to 24 months in some reports and 12 to 18 months in others. I think 18 months is a good estimate.

Commissioner Balch: With that said, I will just let everybody know I don't have a dog in this fight. I have to recuse from being selected as an alternate but I can advise and I can help select, correct?

Chair Ritter: So Jack's out. I would like to propose an option and the way the Mayor and City Council does it is the Mayor said he would be on it as the Mayor and then they pick the second person. Just a thought to throw out to you guys is make it be the Chair and past Chair of the Planning Commission. And if it goes into year two, then you get the next two in line as just a thought, but I just wanted to get your feedback.

Commissioner O'Connor: I have to ask Julie a question because I didn't even see this on the agenda. So you know where I am and I'm about one block out of what is considered the downtown specific area. Is that too close?

Commissioner Balch: Are you in the study area?

Harryman: I don't know the boundaries of the study area.

Commissioner Balch: The study area goes from the Arroyo on…call it the north side, and it is like a felt-tip Sherman's march all the way down to Bernal. I'm out by one big fat black marker.

Commissioner O'Connor: So we're not talking about the entire downtown specific area which includes some of the historic homes on First Street?

Beaudin: We are talking about that.

Commissioner O'Connor: I've always erred on the side of caution and if I'm only one block out I would rather recuse myself than not to have a perception of conflict. But if we can check this during the selection….

Harryman: Yes, you can for sake of selection.

Commissioner Balch: Right there, the red. You can't be in the red.

Commissioner Nagler: So may I make a suggestion following up on yours? For purposes of making a selection tonight, I would support the idea of the Chair and maybe a past Chair; however, I don't support there being a constant rotation because the continuity of participation I think is critical to having valuable input. So what I would also support is that you know, in specificity, our appointments be you and Commissioner Allen, but that Commissioner Allen be a permanent representative from the Planning Commission and that the second position reflect whoever the Chair is at the time.

Commissioner Balch: Well, I hate to bring this up but I'm the Vice Chair and people keep forgetting that.

Commissioner Nagler: Okay, okay, I thought that but I didn't say it; that it be the Chair if able to participate.

Commissioner Balch: So it goes to Vice Chair?

Commissioner Nagler: Then if not, the Commission is asked at that time to make the appointment.

Commissioner Balch: I'll throw my logic in the hat…..

Commissioner O'Connor: ….I would rather not do that either. I wouldn't want to have a rotating position but I think before we even start discussing the possibilities, if there's two of us who are recused, I would like to know from the rest who has an interest. Since this is an 18 to 24 month task force, there may be people who may not want to dedicate that amount of time or can't, so I think I'd like to know from the others who is interested because we may only have two who are interested. Who knows!

Commissioner Allen: Well, I would say I'm very interested. I have a passion for the Downtown. It's part of what got me on the Planning Commission. I spend 2-3 days a

week Downtown. I spend a lot of time talking to business people, have a really good relationship with Laura Olsen and want to help make it the best Downtown it can be, and I have the time and interest and passion to hopefully make it a better Downtown.

Chair Ritter: Did you have a business down there that…?

Commissioner Allen: No. I sell my jewelry at Studio 7 and I talked with Julie and that's not an issue at all. So no conflict of interest at all.

Chair Ritter: And I would be interested if chosen.

Commissioner Brown: I'm going to be here so I'll defer. I certainly have an interest but I would recommend Nancy. I mean she definitely has a passion. My interest is also an area that tends to get overlooked which is the pedestrian corridor and trails through Downtown. So I'd really like to see a concrete plan for that conduit. I've lived in a number of cities over the years and they have that conduit of pedestrian and parking and so on, and that are using their railroad provisions and so on. So I have a passion for that piece. I'm happy to be an alternate on this as well so…

Commissioner Nagler: I'm willing, but I don't think I would be the best person compared to others. Just to make this more concrete because I appreciate the rotating thing, I make a motion that we appoint Commissioner Ritter and Commissioner Allen to the task force and should either of them over the course of this work be unable to serve representing the Commission that the matter come back to the Commissioner to make a replacement appointment.

Commissioner O'Connor: And as an alternate, Justin?

Commissioner Nagler: Sure. Yes.

Commissioner O'Connor: So maybe if there's continuity and for some reason someone had to leave the Planning Commission, I would think the alternate would move up and….

Commissioner Nagler: …I would assume so too.

Chair Ritter: So that's the motion? Do we have a second on the motion?

Commissioner O'Connor: I'll second.

Commissioner Nagler moved to nominate Chair Ritter and Commissioner Allen as Representatives and Commissioner Brown as Alternate to the Downtown Specific Plan Update Task Force and should either of them become unable to serve that the alternate move into the position and a new alternate be selected by the Planning Commission at that time.
Chair O'Connor seconded the motion.

ROLL CALL VOTE:

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

Chairr Ritter: So that brings up changing appointments on the task force because I think Commissioner Allen….

Commissioner Balch: Let's do that later. Can we do that in January?

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

Chair Ritter: I wanted to bring up something about this. So reports from meetings attended—we don't have a representative or alternate on the Economic Vitality Committee and we don't have the PDA on here and I don't know why we don't have the PDA?

Beaudin: That's not a City group.

Chair Ritter: Okay, that's not a City group, okay. So the question is do we need an alternate on the Economic Vitality Committee or why did we not have one on there?

Beaudin: I don't know the answer to that question but I can report back.

Chair Ritter: Okay. It's one of those higher committees that doesn't affect this Commission. It's interesting that we did go visit those.

Commissioner Balch: The report goes straight to Council does it not?

Beaudin: Can you re-ask the question?

Commissioner Balch: I think the Economic Vitality reports straight to Council, right?

Beaudin: Yes, I think that it's….we were just discussing it. We actually think that it's because these are all structured differently and we don't necessarily have a Planning Commission representative on each of the Committees.

Commissioner O'Connor: I do know that years ago the PDA did ask to have a designated Commissioner or alternate to attend their meetings so the Commission was more aware of what was going on from month to month and we actually assigned people to that, and I was one of those people for several years.

Chair Ritter: Parks and Rec did something similar. Not every commission that reported to us continues with it….is that a different meeting to discuss or is that something we can talk about now?

Beaudin: We'd have to agendize something like that, and I think it would almost be a personal interest. I appreciate the fact that the City has done it in the past, and so we can agendize something like that if that's a discussion you want to have and we'll flesh it out a little bit more.

Chair Ritter: I just like having this at meetings because it gets us on all different parts of the City so it kind of keeps us communicate with others. Okay, any reports like that?

Commissioner Allen: Nope.

Commissioner Nagler: The Heritage Tree Appeals Board met this evening and had two matters before it which we resolved. And, speaking of being on the committee, there need not be any immediate action but I'm finding that I'm not fulfilling my duties on the Appeals Board due to tardiness and it's unfair to the workings of the Appeals Board. So at the opportune time, I would ask that someone else consider serving on the Board.

Beaudin: We'll agendize this entire section of the agenda.

c. Future Planning Calendar

Commissioner Balch: Can I just ask about this? I noticed that our Chabad has dropped off.

Beaudin: They're in escrow. As soon as we have an application, we'll be ready to go.

Commissioner Allen: Do we know when the Irby project is going to Council?

Beaudin: We've had them tentatively scheduled for October 4th, but we actually are re-evaluating that now. There are some issues with some of the details that the Planning Commission had asked to be refined. We're not sure that we're as far along as we need to be to get to the October 4th meeting. So we're still working hard on that. It's still a possibility for the 4th, but it's less likely after some meetings today.

Commissioner Allen: Okay, thank you. And out of curiosity--I think I know the answer to this, but on the conditions we asked for, will there be any interim report to us on how that's coming along or discussions with us? Or, do you just create your plan and bring it directly to City Council and we won't know what it is until we see the same staff report.

Beaudin: The plan is to get the revisions into good shape. I'm happy to talk with the Commission. I wouldn't want to do that in a public hearing format because I've received the direction from you and I'm working through that. The next procedural step is the City Council. I'm happy to talk with you about the progress we're making and the areas we're still kind of digging around a little bit. So, just let me know.

Commissioner Allen: Great, thank you.

Chair Ritter: Can you get back to that? The role of us after it passes through the Planning Commission with a vote—what should we do or not do as it moves onto City

Council with regards to the process? Is there anything we shouldn't be doing? Talking to neighbors, talking about why we voted for something-any of that?

Beaudin: Your actions are public record and I'll defer to Julie here when I get in trouble, but the reality is it's still a public hearing process, it's still making its way through, so the things you would do before wouldn't change after and vice versa, and I think you can explain the rationale for your decision-making. You've technically done that on the record already and that's all fair game.

Chair Ritter: Okay.

Commissioner Nagler: May I ask a question on another item? Typically vesting tentative maps aren't controversial. Specifically though on the Lund Ranch item where it's going to come back, should we anticipate any controversy surrounding that?

Beaudin: It really is a procedural step. It's going to be a map that shows the project that was approved by the City Council and that is a Planning Commission level approval. So the answer to the question is, the community may see Lunch Ranch on an agenda and show up to discuss that, but in terms of what you're going to do with it, it's a technical approval.

Chair Ritter: Okay, thank you.

Beaudin: And we don't reopen the project and rehash details of the project at this stage with this entitlement.

Chair Ritter: Okay, great.

d. Actions of the City Council

No discussion was held or action taken.

e. Actions of the Zoning Administrator

No discussion was held or action taken.

f. Matters for Commission's Information

Continued from August 31, 2016:

(1) Presentation on the redesigned city permitting and zoning website - pleasantonpermits.com, including the launch of two new online tools - ZoningCheck and OpenCounter.

Chair Ritter: All right thanks Jennifer, this won't last until 11:00 o'clock.

Commissioner Balch: Yes, very sorry to have to make you come back.

Hagen: Good things come to those who wait. Some of you have heard this presentation before but tonight's presentation's actually going to be different; a slide show.

This is the first time we are presenting this slide show and we're in the process of making some changes to the Pleasantonpermits.com that haven't been officially rolled out yet, but you guys are the first committee that's actually going to see some of this. So this is definitely different than what you would have seen last time and hopefully it's exciting. There's a benefit for waiting, but as a little bit of background, some of the work plan items the Community Development Department is working on are the zoning code update which you heard the last time as well as the DSP parking strategy, the DSP update, and last but not least, we're going to be talking tonight about Pleasantonpermits.com.

Pleasantonpermits.com came out of our zoning code update and the Council's goal was to provide clarity and ease of use for businesses, permitting process, and things like that. It's a way to make everything more business-friendly and get a lot of our processes and different links that we have all located in one place and one on-line easy portal everybody can access. So this is something you have not seen, even though you saw this presentation. Pleasantonpermits.com--right now if you go to it, it's basically just a narrative and has a bunch of text on it, but this is what it's going to look like shortly. We actually decided to hire a graphic designer so we created these new user-friendly graphics. These are all of the different links that we're now going to have in Pleasantonpermits.com.

This is going to be our one-stop shop for business, zoning, and permitting needs. As we continue on, this is just the beginning of our ideas and our overall structure with this one-stop portal, but right now we are very excited for this, as you can see it right now and how it's going to look and be user-friendly.

One of the first links on there is the permit and status of inspection link. This is something we have currently available on our website but is not used right now. We haven't advertised it. It's been on there for a while but it's our citizen access so anytime you have a building permit in the City of Pleasanton right now, you can actually go on-line and check the status of your permit. You can go online and schedule inspections. You can check your neighbor as to whether they have a permit. You can just go and check by address. This is a very user-friendly tool. We're trying to get this out to a lot of our contractors in the City, a lot of our homeowners that are doing homeowner/builder type applications, and so forth. So this is going to be our permit status and inspections link.

This is zoning check. It's part of our Pleasantonpermits.com and our overall zoning update. We partnered with a company called OpenCounter to help us develop two new online tools that are going to help with our zoning. Basically, this is going to simplify business site selection throughout the City. As some of you know right now, we have a lot of PUD's in the City. Each PUD has its own specific list of permitted uses. Some refer back to straight zones like the CS or the C zones, but a lot of them are very site specific and are very limited. So if you want to open up, say a doggie daycare, you can call the City and ask where in the city you could open. And as a planner I can't answer that question. I can tell you in a straight zone where you should go, but I can't tell you all

of the other specific locations because we had over 100 PUDs and to find out which one is required, typically I'd have to say you really need to work with a broker. You need to find a couple of addresses and then call me back with those addresses. With the specific address I can then look up whether you can do your specific business so our process right now is not very user-friendly.

So our first site that we have developed that is now online and running is zoning check. Zoning check allows you to put in a specific use like a doggie daycare and it's going to give you a map that looks like this. You can type in a specific address if you like or you can just put "show me the map". If you have "show me the map" it will show something like this where everything in green is where you're automatically permitted. Everything in yellow is conditionally permitted and grey is not permitted at all. So this is something where you don't know where you want to go. You just know you want to be in Pleasanton and this is the site that you go to.

The next site that we developed is our OpenCounter site; our land use and fee estimates. This is for businesses that are a little further along. They have a specific address, they know where they want to go, but they don't know what permits or applications they have to apply for. So, this is our OpenCounter land use—it requires a little bit more upfront work. It has a user-friendly questionnaire that you go through. It asks you things like, "Are you adding a new sign?", or "Are you painting your building?", "Are you adding new plumbing fixtures?", "Are you adding new electrical fixtures?" And from the questionnaire, it will bounce around and ask you a bunch of different questions and then at the end it will tell you, okay, from everything you input you're going to require a Sign Design Review application, a CUP, an electrical permit and it will give you fee estimates for all of those because you're also going to put the square footage of your tenant space. It's going to ask you your job valuation and so forth. So this is something that upfront is going to be able to give businesses fee estimates from start to finish of what they're looking for.

As part of this process, they can then submit that application directly to the City. It will send it to the building division and the planning division and we'll be able to review it and contact you directly and say, okay, we have everything you're looking for. Let's schedule a meeting, let's have you come in with your plans so we can discuss it with you. For planning, we need 15 sets of plans, or we need 5 sets of plans, and go through everything they need for a CUP, Design Review permit applications, the same thing with a building permit.

Commissioner Balch: A quick question on that? So you were saying for businesses, does it work if you were adding a bathroom to your house like residential?

Hagen: No, it's only for businesses right now.

Commissioner Balch: The whole portal or just that section?

Hagen: The whole portal.

Commissioner Balch: I see.

Hagen: Not for residential. Because of the sequential questionnaire, that is something we're in discussions with OpenCounter, is to add on something like that in the future for residential room additions and so forth. The way they have OpenCounter set up is that this has a complete fee schedule and everything input already. And so it would be a different contract with them. Right now, the contract we originally had was to develop these two business sites, but because of the work that they've done on this, it wouldn't be that difficult for them to create a secondary one because the hard part is all the fee structure, and the fee structure's already in there; all of the permitting, electrical and mechanical, so it is something we are in discussions with, but it's not part of this right now.

Commissioner Balch: Okay. You know I just mention it because like the residential bathroom remodel, the residential kitchen remodel type of thing, I could see this for our residents being just as powerful.

Hagen: Right. So we have a video here that kind of shows what the typical entry into OpenCounter may be. So this kind of shows somebody going through and starting the process. You'd put your business name in and continue. It goes through and asks the type of business that you're doing and so forth. From there, business details: Are you working out of your home or not? And then it goes to a similar map to zoning check which they make sure it's a permitted location. With a permitted location you can move forward and start working on your building estimates.

Commissioner Balch: And if it's conditional, does it kick them out to you guys? Is that how it…?

Hagen: Yes. Here you provide your information, your business telephone, your contact information with your email. This is how we would contact you, your square footage of your business, number of employees. A lot of this data we can use for economic development tools.

Chair Ritter: Are there any cities around us that are using this? Dublin? Livermore?

Hagen: Not this one specifically.

Beaudin: Fremont I believe is using it. Fremont and Santa Cruz in the area, and our neighbors are jealous.

Chair Ritter: Really. It looks pretty good. Commissioner Balch? You use it more than anybody probably.

Commissioner Balch: Not yet.

Hagen: It then asks things like, do you have any outdoor display? So this is where you click "yes" or "no" and it will tell you the application fee for outdoor display. It asks specific questions, are you doing anything interior beyond painting? Anything exterior? Are you replacing any signage? And based on all of these questionnaires, it will give you what permits that you're going to be doing.

Commissioner Balch: I think that's the most valuable part because one of the things that I've incurred is that you'll come in for a design review not realizing that you might need a building permit, right, and then that comes in after when you thought you understood the process up front and, you know, it changed. I know applicants don't appreciate that so knowing they have to go through all of the "x" departments or whatever, I think that's going to be just as helpful. So this is going to help ferret that out.

Hagen: This is very comprehensive. It is a lot of work upfront. It asks a lot of questions about every single thing you're doing and you might think it's a lot, but really it is really to kind of answer all of those questions because at the counter, we answer what you ask and then we provide you with information we think you need to know, but there's so many different things. In planning we can only tell you about planning. Building can only tell you about building, so this is one of those things that brings it all together.

This is one that it does not have that obviously if you've opened a business, sewer connection fees is something and school impact fees are two of the items the City cannot tell you over the counter. There's no real fee schedule for it. So it gives you information to contact the school district and then contact the City directly for sewer fees. So those are the two fees within here that we can't give you, but it does give you information up front to let you know that this could be important; that you need to contact both of these people up front.

Commissioner Balch: So the sewer fees, is that just sanitary? What about the water connection and all of that?

Hagen: The water connections are the straight fees so that is in here.

Commissioner Balch: With recycled water connection as well?

Hagen: Yes.

Commissioner Balch: Oh nice.

Commissioner Allen: And does this trigger any input into a draft business license or some of the applications somebody needs as well?

Hagen: Yes. Right now it does have the ability. Once you fill all of this out and you submit it to the City, right now in OpenBusiness, you have to fill out a zoning certificate form. This will automatically populate a zoning certificate and send it to us so you don't have to do it by hand. The same thing—this communicates directly with our Accela program. Accela is our permitting program, so when you come in typically you fill out a hand application. Then we have to take your hand application and re-input it into the computer. Now, you input it in here. We can transfer that directly to Accela so you no longer have to fill out the hand application. As long as everything is online, it goes directly into here and we can transfer that to a PDF of the application. So it does save time.

Commissioner Allen: Great, so time saved for the client and for you guys.

Hagen: Correct. Other links that we're going to have on our Pleasantonpermits portal is our business license renewal. Right now you can renew applications. You can't open new ones on-line. We are working on that. As soon as that becomes available, we'll be able to do that on here as well as you can search current businesses within the City.

Commissioner Balch: And does that search the building license database?

Hagen: Yes, the business search desk. So ultimately, we have really strived to have Pleasantonpermits.com be our new, all around, better permitting experience. You know, you can do all of these things. We want it to be basically a business-friendly zoning check on-stop shop for all new businesses and existing businesses. Like we have shown earlier, all of the graphics, all of this is very fluid still at the moment. This is different from what you've seen in some previous presentations. It's going to continue to change. We're going to continue to add to it, so as we get more applications like the residential room additions and things like that, we're going to continue to add to this website, but this is ultimately something that we are very excited about and we're trying to get it out to the community, out to the business owners, we have a brokers group I believe next month we're going to be getting it out to, and other committees we've been to—the Economic Vitality Committee. We've been to the City Council. We've been to the PDA and so-forth and we're going to continue with that as well as the Chamber of Commerce in the future in some of their forums. So ultimately, it's just something we're super excited about and wanted to share with all of you tonight.

Chair Ritter: Does it show the applicant where in the process it is in the plan check or any of that or is this just to get a permit?

Hagen: This is just to get started. So the actual OpenCounter process, it is something you can go in and start. Once you get so far into the program, it's going to ask you to create a login. At that point, that's pretty much like you're in the nitty gritty details. But you can start and stop your application online as many times as you want and then once you submit to the City, that's basically going to be a start of your communication with the City. Once you submit and you answer all the questions and it's submitted directly to us, you're going to hear back directly from the planning division and the building division.

Chair Ritter: Doesn't the City have a site that shows who's on next base? What's that site called?

Hagen: Right, so that would be the first one. That's our Accela Citizen Access. Once you actually have a building permit submitted and it's accepted into Accela, it's given a building permit number. Then you can search it on Accela Citizen Access. It has all of the work flow in here where you can go in and check which divisions or departments have reviewed it, which have provided comments, which have approved it, and which are still outstanding.

Chair Ritter: We're doing that right now?

Hagen: Yes.

Chair Ritter: Accela.

Hagen: Yes, and all of that is there right now in Accela Citizen Access, but we've indicated it's not widely known or not widely used, and so we're hoping through this one-stop shop, we're going to get all of these different sites a little bit more traffic and let people know about them.

Commissioner Balch: So to that end, if I may a few quick things—so I think what Herb's saying about, you know, this only gets you to the starting line right? So personally I would strongly recommend having one of these beautiful boxes that says, "go see where your permit's at" right on here. And I would also clearly disclose and not green but maybe red, let everyone know that while this application may take time to complete, you know, filling it out fully may save time or something, because I think if you tell businesses, hey, go do this process because that way your surprises will be minimized in some polite professional manner is good. And then my last quick question is, you know, a lot of times I'll get an occupancy change in the building. Do you think that's going to trigger that or find those where you move from a B to a higher one that might require sprinkling, or….you know, I get those type of problems.

Hagen: Nothing here is going to allow us to catch any of those any more than we do right now.

Commissioner Balch: Okay, so in your thinking of issues, right, that's something that's come up unfortunately probably once or twice. Especially if you think of the buildout in Pleasanton and where our buildings are at in the city and where most of our—I'll just be a little selfish—where most of our commercial and industrial smaller businesses are located, they are in 1979, 1980 vintage properties before the 1982 or 86'code updates that occurred. And so you know, if we could just point out to them, you know, it's hard. I don't want to minimize it to a website check box, but I'll just say that that sometimes is a bigger issue than a lot of this other stuff can be.

Commissioner Brown: You said there are about 100 PUDs. Are they broken down into their zoning specific conditions in terms of the categorizations of what businesses can be there?

Hagen: They're all site specific with the ordinances that are approved by Council, so you can have two PUD's that are identical terms to the PUD-C and PUD-Commercial districts, but the underlying permitted uses are going to be site-specific to the ordinance approved by City Council. So even though they're both PUD commercial, they could have two completely different use charts.

Commissioner Brown: So if you were to take a sample of a business, let's say liquor stores, because that was on the Consent Calendar. If two PUDs are both zoned commercial, one allows the liquor store use and the other one doesn't, will it show up on the map if you put in a category of liquor store, will it show that property on the map as someplace you can put a liquor store?

Hagen: It's site specific. We had to input the list for every single PUD in the City; it was a lot of work with the website developer. We had to actually go through all the PUDs. So

now, if you put in "liquor store" one PUD-C site will show prohibited and another PUD-C site will show "permitted."

Commissioner Balch: That is incredible.

Beaudin: Just so folks know, there are not 100 PUDs, there are hundreds of PUDs in Pleasanton.

Commissioner Brown: The reason I asked the question is because I played with it a little bit. I put in a sample category and I found a whole bunch….if it's accurate, it seems like you get a bunch of businesses that are in places that aren't permitted. So now that you've got this great database, are you going back and checking its accuracy or overlaying businesses and their licenses against the map?

Beaudin: We're checking it and folks like our Hacienda partner are checking it. We're taking that feedback. There's permitted, conditionally permitted, and not permitted uses, and so we want to make sure we're kind of catching any errors that we have in the system. So if you've noticed anything, we'll take the feedback. It was a monumental lift, so we expect there to be bugs. Everything that we put out in terms of a response to folks says please call to confirm, especially in this launch phase that we're in. We want to make sure people are getting the best information possible and that still means giving us a call and talking through the use that you want to put in.

Commissioner Brown: Yes, I was showing my wife who thinks this is a wonderful website. She's like, well, my competition is here, here and here and it's all in grey, and that's why I was kind of asking. What might be kind of cool and not to suggest features, but on that point, if I'm looking at a business—say I want to open a fast food store, if you already have the business licenses and you have the ability to move, then much like the Google maps, you can add in an overlay. It'd be kind of cool to think about and see all of the other businesses in town that have that same category so that you can sort of say, well I don't want to be there because I don't want to be close to my competition or I do want to be there because I want to be close to my competition.

The other thing as well is I know at the counter you have handouts around special conditions and so on, and I think Gerry and I had a dialogue on one. Is there any sort of putting those handouts out? Oh, you want to open a fast food restaurant. There are some special conditions you should be aware of. Is there any attempt to integrate that into the website?

Beaudin: So our permit center manager is looking at all of our forms and handouts right now and we're going to comprehensively update everything between now and the end of the year. So we'll be putting them in the appropriate locations both online and in the permit center and working with Kendall and her staff. It's something that we haven't spent a lot of time on in the last couple of years so yes. The answer is yes, we're going to have that information. What we also want to have is auto-fill PDFs, so when people are filling out applications, they can do that online so you can go from "what do I need to submit?" to "I'm going to start my submittal" all within our website and we're hoping that in the next 3-4 months we'll have a lot of that work done.

Commissioner Brown: That's very cool. I'm a large supporter. Thank you.

Commissioner Nagler: Yeah, very cool is right. It's a great program, and I have the most simplistic question. On the City home page, are you going to create a new button or new graphic or new something? Because I'm sure I'm not the only one to comment it's a little clunky sometimes. You have to go from the home page to anything on the interior.

Beaudin: It's something we can consider for sure. Our IT folks track the hits each website gets. We're really trying to push Pleasantonpermits.com so people can actually type that in. It's in their browser and they can go directly there and they can have it as a quick hit for them on their internet browser. I'd love to get some real estate on the home page. I have to compete against the library and others who get a lot of traction right now. But, the answer is yes. I'm going to lobby for it. I think we have some nice new tools that will be really helpful. You can also schedule your building permit inspections on our website through the Accela citizen access, so whether you're looking at planning, building, zoning, this is going to be a great one-stop shop for us. We'll just get the word out on the web address, try and get some home page real estate, and it's going to be a well-used tool I think.

Chair Ritter: In the search, if you type "pleasantonpermits" it will go there, correct?

Beaudin: I haven't tried it, but I would hope so.

Chair Ritter: It's on a separate website, but it should.

Beaudin: We had "pleasantonpermits", but it was literally just tied to building, and so we thought that the title lended itself well to a lot of different meanings, so we're leveraging it now and making it the portal to all these other services.

Commissioner Ritter: Great, anything else? All right, meeting adjourned.

9.   ADJOURNMENT

Chair Ritter adjourned the meeting at 8:11 p.m.

Respectfully submitted,

Adam Weinstein
Secretary