



PLANNING COMMISSION MEETING MINUTES

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

DRAFT

Wednesday, April 27, 2016

CALL TO ORDER

The Planning Commission Meeting of April 27, 2016, was called to order at 7:00 p.m. by Chair Ritter.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Balch.

1. ROLL CALL

Staff Members Present: Gerry Beaudin, Director of Community Development; Adam Weinstein, Planning Manager; Larissa Seto, Assistant City Attorney; Steve Otto, Senior Planner; Natalie Amos, Associate Planner; Jennifer Hagen, Associate Planner; and Kendall Rose, Recording Secretary

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

Commissioners Absent: None

2. APPROVAL OF MINUTES

There were no minutes to approve. The Draft Minutes of the April 13, 2016 meeting will be considered at the May 11, 2016 meeting.

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

Adam Weinstein advised that Item 6.b., P16-0826, City of Pleasanton has been continued to the next meeting on May 11, 2016 at the request of community members.

Commissioner Balch: If we have some quick questions that we would like staff to go and research for that item, should we bring that up at this point or discuss it later in the agenda?

Seto: Because it is continued you're not supposed to have an extended discussion about it. If you have questions, each individual Commission member may send their questions/comments to staff and staff can provide that information as a supplement to the report.

Chair Ritter: One thing I do want to say is that we as a Commission are here to listen to the public and find a balance with what staff proposes. Commission members spend a lot of time doing our homework getting all of our questions answered prior to the meeting and then have an open opinion when we come to the meeting to make decisions. I think it's important for the public to know that we all come in here and none of us through the Brown Act talk about any decisions. It keeps us doing things openly and keeps the public informed.

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. P16-0356/P16-0357, Global Village Montessori

Applications for a Conditional Use Permit and Design Review to establish a preschool facility with an outdoor play area located at 4807 Hopyard Road, in the Gateway Square Shopping Center. Zoning for the property is PUD-I/C-O (Planned Unit Development – Industrial/Commercial & Offices) District.

Commissioner O'Connor moved to approve Cases P16-0356/P16-0357, 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 Ritter

NOES: None

ABSTAIN: None

RECUSED: None

ABSENT: None

Resolution No. PC-2016-11 approving Cases P16-036/P16-0357 was entered and adopted as motioned.

6. PUBLIC HEARING AND OTHER MATTERS

a. PUD-110, Irby Ranch

Work Session to review and receive comments on applications for General Plan Amendment, Downtown Specific Plan Amendment, and Planned Unit Development (PUD) rezoning and development plan to construct 95 single-family homes as well as an affordable multi-family residential community for individuals with special needs on an approximately 15.03-acre combined site located at 3988 First Street, 3878 Stanley Boulevard, and 3780 Stanley Boulevard. The current zoning for the properties is Agriculture (A) and Service Commercial (C-S) Districts.

Commissioner Balch recused himself due to a conflict of interest.

Assistant City Attorney Seto briefly discussed State law relating to Commissioner recusals.

Jennifer Hagen presented the Staff Report and described the scope, layout, and key elements of the application.

Chair Ritter: We'll ask staff questions, but before we begin, will you please explain when a project goes to a workshop and when it just goes through the process?

Hagen: Currently we don't have any specified definitions within our Code that specify when a project goes to workshop. Typically projects of more complex nature, specifically if it requires a Specific Plan Amendment, Rezoning or General Plan Amendment, are suggested to go to a workshop. Staff would like to hear comments from the public and the Commission early on with these types of projects, so staff may address concerns before presenting to the Commission for a final decision.

Chair Ritter: Thank you. Before we have the applicant come up, do you have any questions for staff?

Commissioner Brown: I have a couple of questions. In terms of Nevada Street, there was made mention that it would connect through but obviously you've got property and parking lots in between. What is the forecast for when Nevada would connect through?

Hagen: We're still working on the exact timing. We did obtain utility easements for the property next door, which is the storage unit development, quite a few years ago. Additionally, there's one other property that we're in discussions with and we'll have utility easements on that. The actual Nevada Street extension has been in our General Plan since 1976, so the Nevada Street extension has always been planned as part of a City extension. They already have CIP project improvement funds for the utility portion of the project, so as we're working through this project on the planning side, engineering is also working through it simultaneously. We're hoping that we could do this at the

same time, but it still does take some negotiating with property owners in finalizing different aspects of the project.

Commissioner Brown: I did actually go out to the property and walked along the sidewalk anyway to get accustomed to the property and I noticed there's a proposed trail along the north side of the Arroyo, but I notice it's not going to connect on either side, so the thought was to build that portion of the trail and eventually do we have it in the plans to connect it?

Hagen: There is a trail on the opposite side of Bernal Avenue going to Shadow Cliffs. As part of this project, with the Nevada Street extension, the Engineering and Traffic Departments would be looking at also extending the trail to those parts as well. But across First Street, there are spots where it's not connected within our overall master plan so as projects develop in the future we would get little bits of trail here and there.

Commissioner Brown: Okay thank you. Those are all my questions.

Chair Ritter: Great, I'm sure there will be more, but let's hear from the applicant. Mr. Serpa?

Mike Serpa, Applicant: Chair Ritter, Planning Commission, thank you for listening to us tonight and having this workshop. I think workshops are a great idea. We understood that it was optional for us and we're not required to do it but we think as part of the process, it's the right thing to do.

Beaudin: Can I just jump in here Mike? I just want to be clear with the workshop versus not workshop discussion; the Council has been clear and staff has been clear that if there is any kind of a legislative change associated with the application, we will meet with the Commission for a workshop and if it's a notable location or prominent location, we'll also do that. So it is not optional. It is a City policy now that projects come forward to this Commission when they involve legislative changes. I just want to be clear with everyone.

Serpa: Thanks, for the most recent projects, I didn't know. Okay, well now we know and here we are. You probably know; we've worked with staff for 3 ½ years designing this project. We've had a lot of great feedback from staff and leadership and we're grateful. I'm really excited. It's with humility and respect that we get the opportunity to do this. The land owners are here. I don't know that there's another land owner in Pleasanton that's been here longer than they have. They are leaders, stewards of the community. They are all here. My whole design team is here if we have questions with architecture or site planning, and the City Traffic Engineer is here, so I think we can get a lot done and I think we'll learn a lot. In my presentation, as I go through, feel free to stop on any one slide. Jennifer's presentation was fantastic. She covered a lot of ground, so you may see some duplicity in the slides I have so I'll speed through those and try and keep it brief, but hopefully we can all exchange good information and get good feedback here. So I'll go ahead and start.

I'm sure most of you know where the location is on Stanley Boulevard. When I first learned of this project, it was the Irby property in the 2012 Housing Element Update. I

had a project in that update. That's when I learned about these 3 properties. They scored very, very high for residential development—among the highest of all properties considered across the City. The study included citizen groups from across the City and it was based on City criteria in scoring the properties.

I met the Irby family and was intrigued with their history, the property, its location, its proximity to downtown and I went into contract on that property. I went into see the City, told them about my ideas about that property and the feedback I got was, for infrastructure improvement reasons, for master planning development reasons, we'd like to see the Kaplan Property and the Zia Property as part of it too. So over the next couple of years, I was able to get those two properties as well and make them part of the plan.

Just to give you a sense of surrounding uses, the Irby property is in the middle. We have detached, higher density residential across the street, multi-family attached housing, townhome style housing on the other side of the Arroyo and multi-family attached residential housing across the street and the other side as well.

I put the photos in here because I wanted to show you in Photo #1 and #3 the rooftops. When you see what we're doing and what we're proposing is a hybrid. It is a detached home with some density. We're about 10 units to the acre. The rooftops that you see there may be 6-8 units per rooftop that you see attached and those are probably about 16 units to the acre. So in terms of density, we're sort of between what you see as traditional detached housing and high density townhome style housing. So in suburban communities like Pleasanton and like Livermore where we've done this type of project before, it's a nice type of product because the square footage comes in the marketplace and it offers at a price point that is achievable where, you know, in Pleasanton—I'm sure you know, a new home in Pleasanton has a lot of zeros on the end of it. This is attainable housing, yet still detached and you wouldn't have the common walls and the stairs and the expanse and mass of the buildings.

I'm always intrigued when I look at this. I've been to many City Council meetings over a decade and I hear people come up to the podium and they say, "we've been here 30 years and 40 years, and I think I've heard one say 50. I don't think I've ever heard one say 120 years, and they were actually given an award by the City some years back. But, I think we've had a great time working with them on the Kaplan and Zia property and we're all pretty happy with the plan. It was a 3 ½ year design process. It started in 2012 and this was studied from an environmental perspective for 275 apartment units. At that time, the residences or structures themselves—they were studied more but it was thought that they'd be demolished at that time through that study. I mentioned how high this property scored for residential development and residential use. We got all three properties. We designed it with City staff and we were going after attainable priced housing, size housing, 1,800 to 2,300 square feet and not 6,000-square-foot lots. They use more resources than if you built this size home that typically goes on that, it is a \$1.5 million or \$1.7 million. It is a totally different project and a totally different buyer profile; not attainable and not necessarily what you would do in close proximity to a downtown.

We looked at the time at the zoning and the land use. Of course it's not going to stay open land. It's going to be developed and if you look at service commercial, between talking to Jennifer and reading the types of developments that go in there, it can be pretty broad, but service commercial could be some of these uses that we present.

At the time, we were in the Irby property only. We did a traffic study for this commercial park at 100,000 square feet. We used Fehr and Peers; the same traffic engineer that does the City's work and the same traffic engineer that did our work for this project. We had 115 units at the time on our plan. We compared that 115 units to just the Irby property at 100,000 square feet. The traffic production was about a wash. We didn't have Kaplan and Zia at the time. If we had Kaplan and Zia at the time, this plan would have stretched to 150,000 to 170,000 and I don't think it would have been a contest of which would have produced more traffic.

So this is our proposed community—1,800-to 2,300-square-foot units, affordable, special needs housing, farmstead recreation, river walk Arroyo. It's been our understanding from the very start that this river walk was a critical missing piece and would facilitate the City's ability to connect a trail above and below this trail. We saw the street scene earlier. We like our street scene. It is two and three-story homes. There's a lot of articulation, a lot of movement along the street. Again, these are smaller structures. You've seen some three-story homes at 3,500 square feet. That's not these. They're much smaller neighborhood homes and priced accordingly.

This is a diagram to give you a sense of the 2 and 3-story homes. The blue that surround the community are all 2-story homes and the more orange color is the 3-story homes we mixed in the middle. Again; a diverse street scene. Homes along Stanley, we meandered them. We believe that we've got a lot of site relief as you go through Stanley and so the project objective for us is to create what's not here. There are no new homes available at 1,600 to 2,300 square feet with this price. They would be attainable to a group that currently doesn't have this in the market place. I haven't seen any partnerships between profits and non-profits like this one can offer. Its special needs housing. As the word indicates it is special, it is different. I'm not seeing this anywhere and I've been doing this for 25 years.

Infrastructure Master Plans. So the benefits that it does bring are right in line with the infrastructure plans in the City, and the City has attempted to secure, even with an eminent domain approach, this road through these properties since 1991. So it is an interest and need of the City and we think that it provides significant improvements. We don't know yet the level of circulation. We think improvements, we hope, we need to do more work to find out just how beneficial traffic relief may be at different intersections. We talked a little bit about heritage structures. I'll move onto those. These are typical front yards. You don't have a front and a back. You usually have one or the other, so we saw some of the photo simulations, green space. We may not have a tot lot, but quite frankly, the open spaces, the pedestrian connections—in all the years I've been doing this—my partner's been doing this for 40 years; the tot lots we feel like the open space is probably a better use for social connectedness and expression and that's why we proposed what we proposed with the open spaces. We have fire pits and seating areas and social gathering areas and we think that's important in communities. So you will see the different photo simulations as you go through. This is off of Stanley here, as you're

coming up Stanley; about the middle of the community—that's our tree park. Okay, let me speed through here. So pedestrian paths you saw.

This will give you the numbers in terms of the infrastructure improvements, where these improvements go, just how much they provide, but once again, fairly significant, and needed by the City.

Chair Ritter: Did you say we could ask questions during?

Serpa: Yes, am I going too fast?

Chair Ritter: No, that's okay. While you're on this one, is this something you as a developer paid for and if you didn't do this project the City would have to pay for this using the funds that we set aside, is that correct?

Serpa: Yes, the City has pursued this in the past. They needed the relief line on sewer and that's why the City had gone through the eminent domain process.

Weinstein: Just to clarify really quickly. Mr. Serpa is correct; we would depend on private development to fund the cost of the Nevada Street extension. It's unlikely that if private development were not to happen here that we would actually build the Nevada Street extension using our own road funds.

Chair Ritter: Okay.

Serpa: I can flip back through to any slide if you remember a particular slide you want to go back to, but I just wanted to highlight the traffic circulation again—what we believe and what we hope based on the information we have so far are improvements. Those are the intersections that we'll be studying more. At this point, based on the information we have, we think it's going to provide improvements at those intersections, but we need to do more homework to figure that out.

We talked about Sunflower Hill and we couldn't be more excited to have the opportunity to work with these guys. They're just a fantastic group and to have this type of community within our community and this type of offering is pretty rare. I think Pleasanton, with this type of offering, would be the type of project that cities haven't and don't and this could provide a model that could be emulated. This shows the massing. The buildings have one- and two-story structures and that's the residential piece there. Great photo simulation as you're coming this direction on future Nevada Street approaching their community. Some of the amenities and concepts are on that page.

So the historic recreation—you know, we talk about and we really like to take this approach to celebrate and to highlight families who lived here, the structures that have been here and tell this story in a functional way and we think a greenhouse approach in the shape of these structures could be a functional, useful, educational, and a lot could go on with it. In this location if it was the City's choice, you could put the Irby house there. I don't know it would have the function of something else we could do there but we're open to more discussion, you know, on just how to do that and these are just the informational panels. There'll be a sense of how those work. We got this idea from this

example in Hawaii where they take their archaeological and historical recreations very seriously. This is exactly what they do there. So, with that, if you've got questions on any particular area, let me get to that. I can go back to slides if you need.

Chair Ritter: Anyone have any questions?

Commissioner O'Connor: So you were talking about the size of the homes. For a new home, they're smaller than what's offered today in Pleasanton and I think you'd hinted they'd be more affordable. Do you have a price point for what these homes between 1,800 and 2,400 square feet would be?

Serpa: Yes, we think the three-story homes would come into the market just below \$800,000 or about \$775,000 and then the two-stories and the larger two-story would come in probably around mid-\$800,000/high \$800,000-something like that.

Commissioner Allen: Just a couple of questions following up on that. So how many of the 95 homes will be low income, or did I read none would be?

Serpa: As Jennifer explained, the Sunflower Hill community-the contribution there; the gift of the land, improvements and all that would satisfy the affordable housing issues.

Commissioner Allen: Okay, so all of the 95 homes would be at market rate.

Serpa: Market rate.

Commissioner Allen: Okay, the second question I have is regarding Sunflower Hill. I just pulled up today their website and there's a Q&A on their website that says what types of housing units are planned. They said that in Livermore, Sunflower Hill is proposing a development of 45 units on site and an on-site manager. And then it says, "The Pleasanton site may evolve more into a day use campus with opportunities for individuals and adjacent homes to use the service, but tentatively, 17 on-site apartments are planned." So what is the plan? It sounds like, according to their site, that this could be a day use facility and they clearly have a lot more land in Livermore that they would center around housing.

Serpa: Well, let me introduce Susan Houghton, President of the Board at Sunflower Hill and let her answer that question.

Chair Ritter: Before we go there does anyone have any more questions for Mike?

Serpa: I can get back up.

Chair Ritter: Okay, then we'll let Susan speak. Thank you. And just so the public knows, we're going to open it up to the public and go through these comments and we'll bring it back. Susan, do you want to help answer Commissioner Allen's question.

Beaudin: Mr. Chair, if I could, while Susan makes it to the microphone, just to clarify on the affordable housing question as well, the applicant's proposal is that zero of the units be market rate and that is something that is being negotiated with the City and that will

come forward with an affordable housing agreement ultimately. So I just want to make sure it's clear that that's an on-going discussion. It will come through the Housing Commission, and it certainly is an important topic for this project.

Chair Ritter: Zero of 95.

Commissioner Allen: ...will all be market rate?

Beaudin: All 95 units are currently proposed to be market rate with the Sunflower Hill property on the table as a contribution towards the affordable housing component of the project, and the details just need to be worked out.

Susan Houghton: Hi, I'm Susan Houghton, President of the Board for Sunflower Hill. We are a Pleasanton based non-profit. We've been in existence for about four years. We have a number of our families and supporters here—you can all raise your hand; many of whom are very anxious to have the ability to have affordable housing.

To your question, Commissioner Allen, we do have another site in Livermore that is going through this same process now. It is about 2.2 acres, has about 45 units, it's a first and sale agreement on First Street that we're working with the City of Livermore on. We actually started working with Mike and Concentric Development on this first but we took the advantage to take two opportunities for land. There are more than 900 families in Livermore who need special needs housing, 700 in Pleasanton and as you know, unfortunately special needs is growing. 1 in 68 people are now being diagnosed with Autism. Of course, Sunflower Hill would not just house individuals with Autism. It would house people with Down Syndrome, Cerebral Palsy, and any type of developmental delay. The reason that we have identified only 17 units so far is really due to the size of the property. Our board feels very strongly about keeping an occupancy or a density ratio of 22 to the acre, and we know, given the need in Pleasanton, there will be significant interest of families to purchase some of the homes in the property, purchase adjacent to the campus. They would want to use the campus, the facilities on site that you saw on the amenity, as part of their day program or night program. Because for us, it is really an affinity community. It's being together. It's being able to have socialization and our friends; and our families and a lifelong residency. So we know, even though people will not be living on site, they will walk to the site and they could easily get up to 50 or 100 people using the auditorium or using some of the amenities. So that was the reference to the campus.

We fully intend to meet whatever is the requirement of the housing. We committed that to City staff and we are working with them on an appropriate housing agreement that would meet the needs of what the City, the Commission and of course, what the Council desires. So hopefully that answers your questions and I'm happy to answer anything else about Sunflower Hill.

Commissioner Allen: That answered my question.

Commissioner O'Connor: Susan, you said that your target is around 20 units per acre, but with 1.4 acres, why wouldn't you be higher than 17 units?

Houghton: Because that is what we have been told is the early estimate of what the affordable housing requirement would be. So we know with his density of 95, it would be approximately 17 that he would need to have to be affordable. So we originally put this as a place marker until we understand exactly how many houses are approved, exactly how many the final development will be and then we'll adjust it. You see the two buildings that are there in the green—the upper ones—those are the building concepts we would have. It would be similar to a college dorm in a way in which you might have some individual, single efficiency apartments with kitchens, but then you might have an area or floor that has a common living area and master bathrooms on site depending upon whether you wanted to cook or not cook. The big building you see down at the bottom is the community center and we personally believe that given the interest to the families, we want to put more of our effort into a community center that is large enough for everyone in the subdivision who might need to use it to be able to use it. So we put most of our efforts there.

At 1.3 acres, it is just slightly under the 22 per acre density and we feel comfortable with that. Our architect is also here in the back if you have any questions about that, but we are also using her in our Livermore site as well and the concept is very similar there—just a bigger piece of property, it's 2.3 acres.

Commissioner O'Connor: So my understanding is the developer would be donating the property to Sunflower, but Sunflower would be building.

Houghton: Correct. We will go over a separate entitlement process once the General Plan and Zoning changes are approved and we know that we can. At that point we would partner with a non-profit housing provider like Mid-Pen or Eden. This project at 17 is under what Mid-Pen typically does in terms of property management. They are our partner in Livermore. Therefore, until we know exactly how many units we're going to have, we're not going to choose a house plan here. There are other apartments such as Housing Consortiums in the East Bay where this is in their wheelhouse and they would be very interested in working with us as a partner. That's one of the reasons we decided to delay our entitlement, is because we didn't know exactly how big it would be.

Commissioner Nagler: Prior to sitting on the Planning Commission I sat on the Human Services Commission and three years ago Sunflower made a presentation saying you were "coming to town" and you were looking for a site and you were going to do what you're now talking about; so, congratulations on making this much progress! Could you just explain to us the history a little bit because at that time, you didn't have a site identified? How did this partnership come to be?

Houghton: Well, thank you for that. Yes, we feel very grateful that our vision has resonated, and really we started as a group of parents four years ago who said, what are the options for our kids after high school? 80 percent of all individuals with special needs live with their parents their entire lives. Obviously, that's not sustainable. We're not going to live forever, so many of us felt compelled to find a place that would house our children. Unfortunately, there are not a lot of options. There are group homes. There are great places and organizations like Reach here in Pleasanton that have purchased homes, but the need is great. I guarantee you this will fill up instantly. We know this vision resonates. So we started as a group of parents thinking we had this unique idea

and little did we know this was a vision taking shape nation-wide, and parents all over America are developing what we call “intentional” or “affinity” communities, similar to senior living because of exactly this. If we don’t do it, who will?

So that’s how we started and we’re fortunate that we have a board and as our vision came up and started resonating, we got more and more interest and I have to tell you, I went early on to the cities, and Pleasanton was one of them and I didn’t know anything about affordable housing. I didn’t even know early on that I needed an affordable housing partner, so I learned a lot and we’ve all come together and we realize that we don’t have the skill set to develop it, but we needed a partner to help us.

Along the way, we were introduced to Mike Serpa and we’ve been talking to him for the last year and one half; almost two years, and he offered to donate the land to us as part of this. We’ve talked with City staff and have worked with them to see if this was a good fit and have started down that process. So for us, we’re very grateful for the ability to build this hopefully within this subdivision, and we know that as other land opportunity comes up, it will resonate with their members just as well and we can fill it easily. I hope that answers your question.

Commissioner Nagler: It does, thank you. And you talk about families purchasing homes in the neighborhood to be close to the community center and pool and so forth. Do you have a sense of how many of these 95 homes are going to be taken up by families?

Houghton: Well, let’s ask our families. Oh, do you mean families or individuals, because probably what the concept would be is that three or four families go in together to buy a home in which their children live. So we have several members’ kids here today and they would maybe then all live together, but the families would go in as part of purchasing that. It would not be families living in Sunflower Hill. Most of our kids honestly will never marry, but they are friends and they want to be together, so being in a community that’s supportive like senior living is so important because that’s their socialization. We all go to the RADD activities that the City of Pleasanton has, so we would want to partner with RADD and other groups to have activities on site. But I think because we will be following fair housing practices, we will have a lottery system basically that we hope to define that helps us, but there is a chance that families would not get in. So that’s why this is such a unique vision for us because those families who may not get in could certainly have the ability to purchase a home and still be close to the amenities that we want to have in terms of a campus.

Commissioner Nagler: Thank you. And then on the design of the homes themselves to the extent that there would be that, is the height or multi-story element, or the design of the homes amenable enough to be residences for the kids?

Houghton: I think every family is different. I’m very happy to see there are two-story homes. I think that would probably resonate more. Most of our kids or members do not have physical disabilities, most of them are development disabilities; but certainly yes, having accessible homes for those who do have physical disabilities is important. Ours are just two-stories because we do want to make sure they are not too tall and they are appropriate and accessible.

Chair Ritter: Are there other questions?

Commissioner Brown: You mentioned possible day use and I noticed the Sunflower Hill has proposed 20 parking spots and I think there are three or four for staff. Do you anticipate—obviously it's going to depend on how much of a community can walk—but do you anticipate the recreational community being used by people who live outside of walking distance as well?

Houghton: We do, but most of our kids do not drive. In fact, I can't think of one that does. So they would not be cars that our members have or residents have. They would be people coming on site, perhaps caregivers, people who are assisting with some of the project management and property management. I know that the on-street parking would probably be something that we would want to utilize if we had a big event obviously, but we believe that this ratio of parking is kind of consistent with senior living and we followed it similar to a development in Sonoma called Sweetwater Central that was developed a couple of years ago and has 16 residents and approximately the same amount of parking.

Commissioner Brown: Okay, thank you.

Ritter: Okay, we'll open it up to speakers. I have four cards. If someone wants to say something, please bring them up. We'll start with Lauri Fehlberg. You'll have three minutes.

THE PUBLIC HEARING WAS OPENED.

Lauri Fehlberg: I won't take even that. Lauri Fehlberg, Principal of Dahlin Architecture and Planning. We've been working with Susan and Sunflower Hill folks since this first started out in its inception. We are very excited to be in front of the Planning Commission tonight as part of this Irby project. We're so excited, and when I first met Susan, to be very honest, it was a little bit of a flat forehead moment as an architect who does not have a child with special needs. The question of what happens to these kids when their parents pass on, it was a total flat forehead moment to me. And so we've become very passionate about this effort. I'm here to answer any questions you have. We're looking forward to this moving through the process so that we can start to support the families here in Pleasanton and just look forward to working closely with the Planning Commission and City staff to move this process forward. Thank you.

Corey Messenger: Hello. I'm Corey Messenger for those who probably don't know who I already am. In the days of my youth, probably when I was no older than two years of age, I was diagnosed with a mental disability called Autism which rendered my ability to speak, but slowly but surely I regained my ability to speak and I got through my education just fine without becoming something of a mute or vegetable or anything like that. Speaking of education, I also happened to be currently attending Las Positas College in which I usually tend to take the bus to and from said college. Also, once I'm all done with college, sometime by this year or quite possibly the next I intend to go to Fresno State College so that way I can further expand on my knowledge of independent living skills and also be able to become eligible to get a job in the near future. And also after that, I intend to go to Sunflower Hill community where I will benefit from the safe

environment and all that and thankfully be welcomed with open arms by the said community as well as an empty apartment that I may live at for the rest of my days or for as long as I so see fit, and also to be able to visit my parents every now and again, along with my friends and family. And I believe that is about it. Thank you for your time good ladies and gents.

Bruce Frank: Good evening, my name is Bruce Frank, a long-time Pleasanton resident, although I can't say 120 years...half that. I'm in favor of this development. I have a son, Austin, who is now 25 years old. After he went through all of his elementary school, middle school and high school in a special education program it has taken us over four years to find a group home for him. It is in Livermore and fortunately it is with a very loving couple who manage to take care of him and another individual. We would so much like to have our son back in Pleasanton in this community, and once again, I'm in favor of this development and Sunflower Hill going forward. I read through some of the comments in there and one of them struck me pretty hard. It says "The special needs apartment project sounds a little scary and inappropriate for this location." My question is what is an appropriate location? Again, is that being sequestered out in the middle of the desert some place? I believe that to alleviate some of these concerns, those individuals that do have concerns about special needs that maybe they attend a RADD activity sponsored by the Pleasanton services or they maybe participate in a Pleasanton Challenger baseball game or maybe they participate in Special Olympics somehow. That would give them a great, in depth idea of who their neighbors would be in the community.

I also think that these young people should be afforded the same rights, privileges and opportunities to live in a home of their own that is close to family, friends and in their own community. Again, I support this activity. Austin's mother supports this activity and we would like to see this go forward. Thank you.

Commissioner Nagler: Sir, may I ask you a real quick question?

Frank: Sure.

Commissioner Nagler: Just the theme I've been wondering about, obviously there's not going to be that many units within the Sunflower Hill development and I'm just thinking of limitations. So, could you see yourself in fact going in partnership with other families and purchasing one of these homes in the neighborhood?

Frank: That's certainly a strong possibility. Where he is at right now, which is true with most providers is, they are going to age out of providing for our children and young adults so there needs to be some place where our children can reside and call home and make their permanent home.

Commissioner Nagler: And you could see yourself having your son circulate in this neighborhood the way it's laid out and the way traffic flows. In other words, having a picture in your mind of your son living in this neighborhood?

Frank: Oh certainly, yes. It took us over four years to find a home where we could place him. Planning on him just getting used to the fact that Mom and Dad aren't going to be

around forever and he's going to have to be on his own; although he will always need assistance with daily needs and safety and those kinds of things. Yes, I think this would be an excellent opportunity.

Commissioner Nagler: Great, thanks a lot.

Debra Zentner: I'm Debbie Zentner. I'm a resident here in Pleasanton. I've lived here for about three years and a lot of times I'm accused of being Bruce's mother, Bruce is actually my brother and he's 50 years old. He has been in and out of group homes. He lived in Fremont with my parents until he was about 30 years old and then he moved to group homes; he has lived in three. But four years ago my father died and my mother (who was 76 years old at the time) lived here in Pleasanton, and I decided to move him home with my mother. With the chagrin of many relatives who decided that wasn't a great idea of having a mentally challenged child with a 76 year old, I decided we were going to try it. Well, she has memory loss and he's a little autistic. He doesn't forget. She doesn't remember. They are an incredible couple and they live here in Pleasanton together. The problem is, she is aging and he's 50 and I'm older than him. So we have an issue coming on and so Sunflower Hill is the perfect solution for us. I have no envisions that we are going to get into the number of small homes here. The chances of us getting in with everybody else is small, but we also own two rentals here in Pleasanton and David, to answer your question, I would gladly sell one of those rentals to buy one of these and move him in that—absolutely. This is a perfect concept for anybody who has ever had a mentally challenged brother, sister, or family member. We are getting older. We have nowhere to put these kids. If my brother didn't have me, we would have nothing. My mother can't take care of him and he would be in a group home. So Sunflower Hill is an outstanding concept for all of us and I hope you can see to fulfill it.

Anuradha Paid: Thank you for giving us the opportunity to speak here today. I've been in Pleasanton for 20 years. Both my children were born here. My younger son is on the autistic spectrum. When we moved to Pleasanton, we didn't have any children. We moved because we love the community. We liked the situation here and it was close to us for work. When my second son was diagnosed, we realized the amazing support we have from the school system. He studies at Pleasanton Middle School right now in special education and every time we go to the street fair, it seems like the entire community knows him. Somebody either works with him, they know who he is, they have had some interactions with him and so it is really a community bringing these children up together for us. That's how we feel and so what is proposed here with Sunflower Hill and the surrounding neighborhood, and Susan spoke to this—the affinity, the community feeling, this is a continuation of that for many of us and it is great to see this vision coming through. It's also a great environment to have and to continue the story of not just providing an education, but also helping them find a place to live and maybe work and have some skills in the community moving forward so they can contribute to the community, add value and also be independent in their lives. I think that's a great setup for us to have and a great message for Pleasanton to be able to bring forward. So I appreciate you considering this. From our end we're very excited and fully supportive of this. To your question, we would happily go into a partnership with other families to buy a place if we can't get into one of those spots. Thank you very much.

Commissioner Allen: Just to understand, if you were to buy a home in a shared situation, would there generally be an assistant living there with the young adults?

Paid: I think it depends on the group of children living there because these are children on a spectrum so some are very high functioning in certain areas and it's not a physical issue—it's more of whether they can stay independently or do we need to look for a care giver or somebody who could stay with them. So I think it depends, there's multiple ways to deal with that so we would look at that situation and say, do we need somebody or do we need somebody to check in everyday with them, so there are many ways we could deal with it. But yes, we will be happy to look at those.

Brock Roby (with son, Barrett Roby): This is my son Barrett. Actually, I'm on the Human Services Commission so it's nice to come and see you guys in your work here tonight, and Barrett is a young adult who's happy in the Down Syndrome community. How old are you now?

Barrett Roby: 24.

Roby: Barrett's 24 years old and we obviously appreciate you doing a workshop tonight. Obviously you've got your fill on Item number 6 or 7, questions about Sunflower Hill and I hope you're going to have enough time to talk about some of the other items, but we saw the opportunity to come down. I saw some of the public comments and people asking about Sunflower Hill, about the community for adults with special needs so we thought we would take advantage of the opportunity and come down and speak on behalf of how we are in favor of it. As Mr. Serpa pointed out earlier in all of his work in the development world, he has not seen a community like this and that is because there aren't communities like this. I think if you talk to Susan and the other board members from Sunflower Hill, they had to look far and wide across the United States to find other potential communities like this because it's a new idea and a much needed idea and I know, my wife Ann and I work hard right now to try and find housing options for Barrett. Barrett qualifies for the affordable housing units that come up, in some of the recent developments like St. Anton. There's another lottery right now and Barrett actually will qualify for the very low, but because of his special needs, he needs to find a roommate, a non-profit that will provide supportive living services, so it's not an easy thing. I know you'll ask some of the families who will come up and ask hey, will you be willing to buy a home nearby, and all of us are going to say yes because we think that sounds like the most supportive thing of the project. It's difficult because if we did get that place, we would have to also find roommates that would want to stay with our young adult. We'd also have to find services that could be provided. When you get a community like Sunflower Hill that gets taken care of.

Barrett, though he may qualify for low income housing, he needs the services, and the City of Pleasanton is to be commended. You're doing something that we will see all communities eventually do, all loving and caring communities provide housing for their seniors, for their veterans, for those with special needs. Pleasanton is that kind of community and so we are very much in favor of that. Thank you for talking about that this evening.

Chair Ritter: So we'll close the workshop to the public and bring it back to staff and Commissioners.

THE PUBLIC HEARING WAS CLOSED.

Chair Ritter: Do we have any questions for staff? I'll just start with an easy one. Is there any other non-profit or private and public similar to this in Pleasanton; not necessarily special needs that you know of?

Hagen: There really isn't anything similar to this. You know, we have a senior housing project; Kottinger Gardens, who has partnered with Mid Pen for senior housing, but outside of that, we do not have any other specialty group housing of any type, special needs, or anything like that. All the rest are affordable components of larger scale residential projects.

Chair Ritter: And I understand that that School of Imagination in Dublin did something similar but that was for younger kids. Does it compare with that at all?

Hagen: No.

Commissioner Nagler: Can we just go through, if it's appropriate, some of the comments that staff has made specifically about the development proposal because I think it's hard to answer this question—do we support the General Plan Amendment.

Chair Ritter: We're going to go through these and take any questions and then we'll go through the discussion points?

Commissioner Nagler: I'm actually going to ask staff to be more detailed about some of the conversations they are having with the applicant about architecture, density, and I would really like to have a detailed conversation about the traffic impacts if you could this evening. I'm sorry if that's not appropriate, but that's what I was trying to do.

Chair Ritter: Okay, I thought you were just starting off with number 1.

Commissioner Nagler: No, I'm saying, in order to answer number 1, I think we need to talk about some of the details.

Hagen: We had this discussion in the numbering of the questions, perhaps we need to answer number 1 last. I think the other questions that you have are all wrapped up in the other discussion points and obviously in order to determine whether you would be supportive of the overall project and General Plan Amendment, we need to figure out whether you could be supportive of the traffic, the design and so forth. We can kind of push this general question off to the conclusion if you want to start at question number 2.

Commissioner Allen: I'm fine with that but I still do think that we should know about traffic. I mean, that's just part of the normal concern.

Chair Ritter: Let's just do the traffic now because that's a general question we're all going to ask.

Commissioner Allen: Especially trips.

Chair Ritter: Okay, before we go there, Commissioner O'Connor?

Commissioner O'Connor: One thing that came up a couple of times is that I'm hearing back in 2012 when we were trying to analyze the various properties around town to make our RHNA numbers and zone for 30 to the acre, this property came out very highly rated. Why didn't we select it?

Hagen: Ultimately it went through the Housing Element Task Force that had a typical assessment of yes and no questions. They were things like, is it close to major transit? This was yes, off of Stanley Boulevard. Is it in walking distance from downtown or other major thoroughfares? This would be yes. So a lot of those straight-forward questions they answered very highly, but then the task force was tasked with then taking those generic question ratings and then put together with public input, and would this high density development be compatible if this location was in Downtown? The ones that we ultimately picked were more designated toward our transit-oriented development sites; the ones that were closer to BART or areas closer to the freeway; the Vintage site just down the street that didn't have residential directly across the street. So I think a lot of those played in, but it did score very highly on the actual rating score sheet. When it came to the actual task force in the end in deciding which of the 9 sites out of 17 would be chosen this was not one of them.

Commissioner Allen: Would it be okay if I added one item because I was very involved in almost every one of those meetings? I think this was either next on the list or right after that to be eligible. One of the other critical factors in deciding was the balance across the City was important in selecting spots and the spot that was selected which is almost right next door to this is the Auf de Maur property across from McDonalds....

Commissioner Nagler: ...that's being built?

Commissioner Allen: That's being built right now. That's just maybe a couple blocks away from this and that's about 350 units, and because that was being built, they said we don't also need one almost next door and that had a slightly higher rent and it had more units, so it got a higher priority.

I do have one just general question before we go into traffic that I wanted to clarify for my understanding. It has to do with the discussion you had with RHNA. So what I understand from the report and from what you said is that we've already met our RHNA requirements through 2022 and if we were to rezone this and it got built prior to 2022, it wouldn't help us meet any more numbers. Also my understanding is that if though we waited—just an if—if we were to wait and build this in 2022, rezone and let's say in 2022 we had the same kind of RHNA requirements we're getting now for 1,000 more units, would it count then most likely? Would it count then toward lower income and moderate assuming that we were required to have a certain amount of units if we waited?

Hagen: So when we do the Housing Element Update, what we are required to do is provide a site inventory of properties that are currently designated for residential uses. So, right now this currently would not qualify because it is not currently zoned residential, but to be eligible it had to have been zoned for residential to allow for residential development. Based on different formulas, based on the density we can calculate that if every single one of those properties within the inventory were to be developed with affordable housing at, you know, "x" rate, and then we could meet our RHNA numbers. We are not required to actually develop those properties. We just have to show that we have the capacity for it.

Right now since we do currently have the capacity, this would not benefit that capacity. Ultimately, HCD is going to look at the city at the end of our RHNA cycle and look at how many units we actually did develop and they are going to take that into consideration and look to see if there was anything that hindered properties that were already zoned residential from becoming affordable housing and so forth. If we can show there is nothing

that we did to stand in the way, that it was just economics and the marketability, we would be fine.

For this to count for the next affordable housing cycle or the next RHNA cycle, it would have to be rezoned to allow for residential. It could be entitled “prior” but it could not be under construction until after we get our next RHNA numbers. If that were the case, then it would count towards our next cycle.

Commissioner O’Connor: So if it was built today, we wouldn’t get any credit for the affordable inventory that we have that’s already been built and occupied?

Hagen: It would be part of our annual progress report that we present to the state so it would be reported as new affordable units, but in our overall capacity, we don’t get any bonus for increasing our capacity. But, you know, we will get credit for those affordable units in our yearly report that we report to the state saying that we did provide “x” amount of units each year. So as our end goal, it would look better but ultimately the State just looks at the fact we had the capacity and not that they are all constructed.

Commissioner Nagler: Let me just ask this follow-up question, Jennifer. What you’re describing is for this current RHNA cycle, but I think what Commissioner Allen is asking is, how might it impact the next cycle and in looking at the next cycle, isn’t it the case that the calculation will take into account the actual number of affordable units we have built relative to the number of overall units in the community?

Hagen: No.

Commissioner Allen: No, it’s all about zoning, so this is one of the questions we always have to grapple with as Commissioners, is the project a good project. But second is what the right timing to bring the project forward is? So my understanding in double-checking is whether this makes sense or not almost doesn’t matter. The fact of the matter is that it is all about RHNA requiring us to make zoning available and we already have enough zoning available now so we’ve met our RHNA requirement in this cycle. In 2022, whatever is already built—if these get built before 2022, it doesn’t help us with anything. It just helps us say that we built them but it doesn’t help us in 2022 to meet any new requirements for providing 1,000 more units.

Commissioner Nagler: But doesn’t it affect the calculation?

Beaudin: Can I jump in? So the housing element process is a planning and zoning exercise to make sure we have the ability in the community to build our RHNA allocation and the ability to build is that we’ve zoned the land appropriately. The RHNA calculation is complicated, but if you really want to boil it down to a sentence for the sake of simplicity, it is really jobs: housing is how it is looked at. So the breakdown of the type of housing in town is really an important detail but the real driver is the number of employees you have coming to work every day or going to work every day in your community and then that relates to a housing number that we then have to plan for. And we end up with an 8 year Housing Element cycle so in each 8 year cycle here in Pleasanton we had a number just over 2,000 which translates to about 235 units per year which we’ve taken in our growth management ordinance.

I think what's challenging about RHNA and the Housing Element is that there's a planning and zoning process and then there're projects that come through the City outside of what's been planned for in RHNA and that really is what this is. It certainly takes an important site; a site that was considered and was ranked fairly highly in the last cycle and to develop that outside of that RHNA process, it's a different set of benefits. There's meeting RHNA and addressing those State housing obligations and we still get credit for generating affordable housing. It's just that those units are not coming off of the sites that we had preplanned in our Housing Element process. So it's really a policy decision about how much housing you develop outside of your pre-zoned or zoned property for higher density or for RHNA housing numbers. I'm not sure if that helped clarify things or not, but really it is a discussion in Pleasanton about whether or not we should be rezoning property for residential purposes outside of the RHNA cycle because there's so much discussion in the community about housing.

I'll also say that in this particular case, the Sunflower Hill concept is part of the City Council work plan, so when this partnership formed, it gave us something else to think about in terms of this particular residential application and how we look at it from a policy perspective because this component of this project was identified by Council as something we should be trying to accommodate here in the City of Pleasanton.

Commissioner Brown: So a clarifying question-on top of page 10 in the staff report it states, "Although the project site was not included in the inventory, any affordable housing units constructed during this RHNA cycle as proposed as part of the project would still be counted toward the progress in meeting RHNA goals." So in other words, it counts towards the achievement of the goal but it doesn't take away from the allocated inventory. Could you potentially go back and rezone back things within the inventory to take into account exceptions made to the baseline?

Beaudin: You could, but we wouldn't. It's a challenging thing to undo. It would be seen as a bad faith move from HCD.

Chair Ritter: So, maybe traffic's everybody's favorite topic. Mike, could you give us your insight on how this development will affect the rest of us driving around.

Commissioner Nagler: And in your comments Mike, could you remember to include the planned impact of the 350 units down the street?

Commissioner Brown: And I'll add one other thing. The applicant mentioned that they are studying these three intersections mentioned, but he didn't say that he expects it will improve circulation. So, we would like to understand that statement.

Mike Tassano: Sure, so I don't have a presentation set up for you, but I can give you an overview of the trip generation because I heard that question. I also heard questions about the Sunol interchange, First Street, the three study intersections, I'll touch on the 350 units and if I miss anything you can ask if you want.

So I'll start with the trip generation. 95 single family homes; the easiest thing to remember is one in each peak. So 95 single family homes generates 95 trips. I call it 100 just to make it easier. So 100 in the p.m. peak hour and it's actually .75 in the a.m. peak hour but we've looked at the p.m. and it's just easier to go 1 each. So anyway that's just the rule of thumb I use. 100 trips in the p.m. peak; we focused on that. There's a distribution that it's kind of in

the middle of town and I know that from previous conversations with City Council and Planning Commission, there's this vision of everybody that owns a home in Pleasanton drives I-680 south. Which isn't actually true but it's kind of that overall feeling, right? So even if we assume 50 percent drive to the south, of that 100 p.m. trips, there's only 2/3 of them actually coming home, so there's about 70 coming home. Sorry, there's going to be a lot of math here. 70 trips are coming home. If half of them are coming from the Fremont area, that's 35. So you have 35 p.m. trips driving First Street/Sunol. To kind of put that number in perspective, 35 trips in the p.m. peak hour, my traffic signals, you get 30 green lights in one hour. So if they're coming up that road and it was an even distribution, you get roughly one new car for every cycle.

And so when we look at what the impact is once we take these 100 trips and start to distribute them out from the center of town, it doesn't appear that any of the locations will really reach that next level of significance. What we do for the City is that we don't really even look at projects unless they generate 100 trips. We don't usually do a traffic study unless they reach that 100 trips because it distributes out so quickly. So this is kind of right on the border. It actually generated more when it was a commercial use or the 138 units that was studied. Those were multi-family so it's a little smaller generation, so it's kind of right on the border. But this project is also really close to First Street and so there's a lot of congestion, a lot of concerns. I want to make sure we study those intersections. They talk about studying three intersections. We actually require them to study 11. It didn't go through our process so because they happen to use Fehr and Peers which is a good firm, I said we would take a lot of their information but they would still be required to contract with us so while Fehr and Peers answers all of my questions as opposed to answering all of the developer's questions, there will be a little additional analysis that they have to do.

Anyway, but they did study 11 intersections. Some of them are downtown intersections so they're actually exempt from our level of service D standard. The summary shows that in 2014 when they did this study, they passed. We've seen kind of an increase in some of the circulation. Some of it is due to construction on the freeway and things like that, but we didn't have them study the Sunol interchange. That was one of the questions. We know that that's a future project for construction. I already know that's going to be a future project for construction and I know they're going to put trips through and they're going to have to pay fees for that. That's the same thing that Lund Ranch had. There's going to be trips that go through there and the mitigation is to pay fees.

So we can study that intersection. We can identify that that intersection has a failing level of service. I could tell you that right now, and that the result would be for them to pay fees. If they pay fees, we don't include that one.

I want to talk about Nevada Street because the image that you saw up there with the three blue dots of the three intersections, those are the three intersections that stand to gain the most for the Nevada Street extension. You put Nevada Street kind of through the middle of Bernal and Vineyard and you get another route for some cars to go. So those two north and south intersections actually have a traffic reduction, and probably the easiest one for most residents to identify is the morning peak hour—we have a large number of vehicles that travel northbound on Bernal, make the left turn at McDonalds so most of them are going towards the high school. That left turn is pretty congested and it backs up pretty far. They now have an alternate route, right, so they'll be able to make a more direct path taking Nevada Street to get to Old Stanley which is kind of a direct line for them. So that helps one of our impacted intersections of Stanley/Valley/Bernal.

And then Vineyard Avenue, we all see Vineyard Avenue congestion in both the a.m. and p.m. peak at Ray Street right where we merge down to a single lane. It takes some traffic off of that left turn to head southbound. It puts it on a through movement which actually gets a lot more time. That intersection is just a re-distribution. The volumes stay about the same. The level of service stays about the same for all of them, but there's a reduction in a couple of the intersections. So that's what's meant by the Nevada Street extension makes improvements. It makes improvements but it really doesn't change the level of service.

Commissioner O'Connor: So Mike, you're talking about improving the intersections but now we're creating a lot more traffic within the residential neighborhood, right?

Tassano: I don't know if I'd qualify it as a lot more traffic.

Commissioner O'Connor: Well, whatever we relieve off of the intersection is going to come through the new development.

Tassano: So it will come through the collector road. There are no homes that are fronting it, so the Nevada Street extension is a minor arterial/residential collector road. It's actually where we want cars. What we see right now is, as that northbound left turn that I was talking about at McDonald's starts to back up in the morning, a lot of people actually take that left turn early by the Fire Station and then they'll drive through California and up to California and Reflections so they kind of drive through. It's not really a neighborhood. It's an industrial area and commercial area, but that would be more like cut-through traffic. That's where I don't really want them to filter through those smaller areas mostly because when they get to my signal, then I have to turn it green for them and it stops the main flow of traffic. I'd rather have them on my collector streets. So it kind of goes through residential but no more than if they were on Valley Avenue going through residential. It's not really through-residential as I envision it.

Commissioner Allen: You talked about peak hours being around 100 and the rule of thumb. How about total daily traffic like on a Saturday? How many more trips for 100 homes will there be?

Tassano: We go 10 for single family homes, so 1,000.

Commissioner Allen: So I'm looking at the Lund Ranch traffic summary. Essentially, this is twice as much traffic as Lund Ranch, more or less?

Tassano: Yes, because they were about 43 and this is 95.

Commissioner Allen: So it's tough, I mean its more cars in a busy area.

Tassano: Yes, and I think one of the things that I look at as a traffic engineer is, it doesn't have to be developed, but we anticipate something to be developed. So even though it is zoned as agricultural—those two properties—I have no vision that that was staying as agricultural. So in my model that has been around since 2000 or so, we've always had it as commercial right, because that's what it's also zoned as, commercial. Is that right?

Hagen: The General Plan Amendment?

Tassano: Yes, and so I had commercial on there and when we went through and did the Housing Element, we switched that and we put the residential units on there, and that's what we had them do in study because it was 2014 and really close into the Housing Element. I think we had just approved it, but the volume is pretty much the same so we left it as that. So that's what we had them analyze it at. So, yes it is new trips, but it is not unanticipated trips.

Commissioner O'Connor: How many trips did you have when it was industrial?

Tassano: So it was commercial, which is retail, and it was 65,000 square feet which is a little over I think about 200 peak hour trips. It's a little over 300 for retail, but the distribution pattern has changed a bit so you have to kind of watch that.

Commissioner O'Connor: That was peak hour?

Tassano: Yes, it was p.m. peak hour.

Commissioner O'Connor: How many per day trips?

Tassano: I don't know. I don't memorize the daily stuff because....

Commissioner O'Connor: You don't have a number for square feet?

Tassano: You mean like a magic number for daily?

Commissioner O'Connor: No, like 10 per house and do you know how many per 100 or 1,000 square feet?

Tassano: Let me see if I can find it real quick. It might be in here. 20, so 65,000 square feet would be 2,100 trips.

Commissioner Nagler: Twice as many as anticipated.

Chair Ritter: But we get caught up in the difference. We say twice as many but if we're going to 95 homes versus developing this as a commercial/industrial lot, it's not twice as many as it would be if it were developed under your current zoning. It's a bit more. Is that correct?

Tassano: It's less.

Chair Ritter: It's less for 95 homes. That's what I wanted to clarify.

Tassano: 1,000 daily trips with residential and 2,000 with the retail.

Chair Ritter: Right, so with the current zoning there would be more traffic, but rezoning to 95 homes there would be less traffic.

Tassano: Yes.

Commissioner Nagler: So here's what I don't know enough to be able to get a picture in my head about, is we're constructing this high density housing across from McDonalds, and you've determined obviously the number of daily trips, total trips and peak hour trips at these various intersections, particularly the problematic intersection that you talked about at the top of Ray Street, and now we're adding another 100 peak hour trips plus a total of 1,000 trips per day. What I can't quite understand is or can't get a picture of, how do those two—even if they were anticipated theoretically, in real terms of someone sitting in their car, sitting at the intersection, waiting for their turn, how do these two projects together change the current traffic flow? That's my question.

Tassano: I can't give you definitive answers. I can bring that back, but the way we would look at it is, the easiest way to look at it, from a driver perspective is how much longer you have to wait at that signal. Do you currently wait 30 seconds and now you're going to wait 42 seconds? So 12 seconds is pretty significant. Our level of service standard where it's unacceptable is if you have to wait more than 55 seconds. That's an average so if you wait 110 and someone else waits zero, then we're dead even from the last time. The 350 units, because they're apartments, they generate fewer trips per day instead of the magic number of 10 for single family. Apartments are 6. They also generate in the peak hour. They don't generate 1. They generate .6 and so it's a little bit reduced. So it seems like, 350, oh my gosh, that's 3 ½ times this development, right, but instead of 350 you go half which is 175 and a bit more or call it 200, so call it 200 trips. This one does 100 trips in the p.m. and you can see that roughly that 350 apartment complex which sounds huge and menacing generates 200 trips and this would generate 100 trips. You do that same distribution where you break out the in's and the out's and the directions they are going and then we look to see what that difference is, but I don't have the exact number of seconds. I'm not sure how much that is.

Commissioner Nagler: But based on what you said, it's going from maybe you wait ...even the combination of the two may result in waiting one or two additional light cycles, right?

Tassano: Yeah, so if we look at it from a small perspective, when I was saying, as you're driving back in and that development's there and you get one more car per cycle. So maybe when you pull up in line, instead of being the third car, you're the fourth car. That's almost like not noticeable, right? So, I'm the fourth car and I waited an extra 2 seconds before I actually got through that intersection. The combination of the two, you would be 3 cars back. Maybe you would notice it a little bit more instead of being the fourth car you're now the sixth car or the seventh car. So you would start to experience over time, as the City builds out, oh, this takes a little bit longer to get through here and what I want to make sure is that even though it takes you a little bit longer, you want to get through on that first light. If you guys don't stop at that red after the solid green then that's what we're going for and that's what this continues to be.

Chair Ritter: So this is a workshop, so would a traffic study be included in the planned proposal with this?

Tassano: Yes, they submitted a traffic study for our review last year in 2015 and then we're going to have them make some changes because they changed their site plans and some of their parking things, and we'll get to those later. We have some other analysis that we can do. We can have them add in...actually the Housing Element was another report, and it would be updated and I will have some other data for you as well.

Commissioner Brown: We heard the gentleman up here say he would be taking the bus and I don't want to focus just on car trips. How convenient is the bus route for this development?

Tassano: Route 10, the V-route which is what I would call it—that's pretty much the main route there and has been the entire time the LAVTA has been existence. It runs down Stanley Boulevard. I don't think you could choose a better location, even LAVTA that's going through and adjusting their routes and trying to streamline them and make them more efficient; they have taken out a lot of Dublin routes and other routes that just kind of run around the three cities and aren't really efficient, but Route 10 stays and it stays with the 15 minutes and it's their one route people are on. So I don't have any concerns that this will continue to be there.

Commissioner O'Connor: Would they change their stopping location based on the new development?

Tassano: They could. So their current stop in the westbound direction coming into town is actually right there at Stanley and Old Stanley. The bus stop is actually in the right turn lane. If you were coming from McDonald's and driving into town and you wanted to turn right to go onto Old Stanley like you were going to Amador High School, that right turn pocket, the back end of that right turn pocket is actually the LAVTA bus stop. I'm not entirely positive where the eastbound stop is at. I'm not sure there's a pull out, so that could be a potential improvement that's included.

Chair Ritter: Okay. Thank you.

Commissioner Allen: Okay, so what's on my mind is that I'm thinking about the application we had recently for Ponderosa Homes near Centerpointe Church. Centerpointe Church was part of the Ironwood development when Ironwood was developed and approved. The deal was that the church would be an important part of that property and part of the deal for the development. I'm thinking of this in a similar way. This is background for my question and what we learned there was that over time in this case, the church decided that they were going to sell the property and find a less expensive property and profit. They were going to sell the property that they got semi-donated to them at a lower cost and ended up making money and buying another property and re-investing in their church. So I'm thinking about this because as Planning Commissioners, we're really supposed to look at zoning. As Chair Ritter always reminds us, look at zoning and not the occupant of the zoning.

So in looking at the zoning we're creating; high density, my question is what happens if whoever the occupant is, and in this case the occupant we're talking about. What happens if for some business reason things change and they decide that they want to sell this property that has been donated to them and move to a different place or consolidate more in Livermore?

Hagen: That's still part of the negotiations and terms of what the nature of the affordable housing agreement is. As we discussed, the developer of the Irby project will be donating the land to the City and then the question is, is the City going to—much what we did with Kottinger Gardens, perhaps there is a long-term ground lease or some other structure for the ownership of the 1.34 acres. That would still be an issue for negotiation.

Commissioner Allen: So this is new to me. The land is donated to the City and not to the non-profit? Is that what I heard you say?

Hagen: That could potentially be one option. There could be another option where it was a direct donation, so there are lots of different potential aspects for how the ownership could work.

Commissioner O'Connor: So we haven't decided on that yet?

Hagen: That hasn't been decided yet. That's correct.

Chair Ritter: It's a workshop. Thank you, great question. I like the idea of leaving this question for last also and maybe we'll go to discussion points. We have 8 topics. If we do 10 minutes a topic that's about 80 minutes. So, what I'm asking is that if we all agree on something, you don't have to repeat it. Just agree and we'll go down the line. We'll just kind of take turns going down the road. Would you mind, maybe less than a minute, help discuss this site plan?

Hagen: So the first discussion point we're going to talk about is that basically overall: Is the overall site plan and street/pedestrian design layout acceptable? We are looking for comments on the visibility, the connections between the green spaces, sidewalks on the site, the overall parking design and layout. Is this something you feel acceptable such as are there enough sidewalks, enough pedestrian access? When you drive by Stanley, can you see directly into the property? So we are looking for comments from you on that and whether you feel the current design is appropriate.

Commissioner Allen: So high level, I agree with everything that staff is putting here under their recommendations and changes under amenities, page 12 of 17. So just specifically, I agree that ideally there should be some kind of program, active space or enclosed active space for children.

Chair Ritter: Wait a minute—that's amenities. We're number 2, site plan.

Commissioner Allen: Oh, I'm sorry. I'm jumping ahead. Okay. All right, so I agree with staff's position on this too; that the overall pedestrian connections and views could be strengthened by providing enhanced landscaping, greater visibility through the project and they specifically cite where and I agree with that. Now, with that said, if I had a visual landscaping or a realistic visual, I could help feel better about that, but I'm really going with staff's feeling and looking at some of the drawings that makes sense to me.

Commissioner O'Connor: I agree with Nancy too. And staff, again I was concerned on the site plan where the parking was. As I went through this I didn't realize how little street parking there is. There's really only one side of Nevada Street, so we have no real driveway aprons for parking. We really have garages. Now, given that, I'm going to assume that not everybody's going to fill up their 2-car garage with stuff because there's not enough parking for everybody to park. You have to have at least one space I guess, but again, even with I think some people parking in visitor parking if you will, the open parking, I don't know that there's enough for people who come to visit or for the people who have the third car if there's a family living in some of these homes. It looks under parked to me and I don't know how staff feels about that. It feels under-parked.

Commissioner Allen: Do we want to discuss parking now or do we want to discuss it as part of number 4.

Commissioner O'Connor: Oh, I'm sorry; she mentioned parking when she said the site plan.

Commissioner Nagler: No, that's a good comment though.

Chair Ritter: Yes, if you could add a comment about parking. Let's just keep going. Regarding the site plan, I like the layout of it. I think we need to make sure we incorporate the trails and sidewalks in because I think it's a walking location to the downtown and I sense there will be a lot of walking if we have a special needs and group in there. So I think that's real important. Proper lighting on the trails and inter-connectivity, and the overall site plan: I like it. Personally I would like to see Sunflower Hill get a bigger pad, but I know we have to make all the numbers work for that, but I think there's a need for that down the road. That's my second point.

Commissioner O'Connor: I'm sorry but something that came up earlier—is staff at all concerned with Nevada Street, for lack of a better word cut-through traffic coming off of Bernal as an easier place to go? If this is really the walking path area between the residents and the Sunflower Hill portion, there's two ways in there. One's on the north side and one's on the south side, but that's going to be a fairly busy street.

Hagen: It will be a fairly busy street, but it's going to be a complete street. They are going to have the streets with bike lanes on it, as well as parking on the north side of the street, and on both sides of the street they also have landscape strips with trees and landscaping.

Commissioner O'Connor: Is the sidewalk going to be separated from the street?

Hagen: It will be a separated sidewalk from the street. So the sidewalk is going to be separated from the landscape strip, from parking, from a bike lane to the street. And then on the opposite side, the multi-use trail will have the landscape strip between the multi-use trail and bike lane as well.

Commissioner Brown: K Court, are you concerned that there's no sidewalks there?

Hagen: Correct, K Court is the newest part of the project and that's where the Sunflower Hill project was, so this was the first time we really discussed it. In looking at it, staff does believe it does need some type of sidewalk/pedestrian access there for K Court.

Commissioner Brown: Okay, yes, that would be a good improvement. You might want to consider whether or not you want...you're kind of encouraging people to cut through central green into the park space so I can see why you're concerned. Maybe a cross walk or something might help ease or identify, but you're going to have people crossing over I Street and I guess the other part of B Street between Central Green and the Tree Park. But other than that, the only other observation I had was that Nevada Street where it comes into First Street seems a little off kilter considering the opposing Old Bernal, or sorry, is that Old Stanley? The center lines might make it a little difficult for people trying to cross over to a jog just based on the angle. I'm going to trust the traffic engineers and designers better than me.

Hagen: Yes, that is something that we're still working on. The center lines don't match up right now. The plans that we have don't show the full complete design of that intersection. Most likely, there's going to be intersection improvements on the opposite side of Stanley

on the Old Stanley side to have a better transition, but right now, that's something that we're going to look at as we get further with the incremental plans.

Commissioner Brown: Okay, perfect.

Commissioner Nagler: I agree with comments made and have just a couple of questions. First, when you're driving or walking down Stanley Boulevard, what will be your view of this neighborhood?

Hagen: Basically your view is going to be something similar to this. Going down Stanley, you will have the homes that are going to front Stanley. On Stanley, it's going to be two-story homes.

Commissioner Nagler: So the homes will front on Stanley and there will be a green space and then a sidewalk as there is today...okay.

Hagen: The homes on Stanley, actually they have a little bit larger setbacks than the rest of the homes within the development. This one here is supposed to represent the entry street. The entry streets typically I believe have about 8- to 15-foot setbacks on these entry streets, but on Stanley they can go up to 30-foot setbacks of the homes. So it will have a little bit more setback. Also, they're going to have private picket fencing around the front yards as well to create that private space.

Commissioner Nagler: So as cars are coming up Stanley going eastbound in front of this neighborhood, people are going to be putting on their brakes and turning into their driveways.

Hagen: There are no driveways facing on Stanley. The driveways are all on the back side.

Commissioner Nagler: Oh, that's right, Okay, I got that. And then one quick question and maybe this is already addressed, but your comment about K Street and D Street in your staff analysis, you're specifically referring to the lack of sidewalks?

Beaudin: Those two streets right now, those are rear loaded units for the most part which means the garages come in through the back and the front space fronts public streets. So some of these areas with garages on the lane don't have any pedestrian amenities, so K and D are two that we think particularly need some additional pedestrian amenity because right now your front door takes you onto a main street. If you come out of the back of the home, you're essentially in a lane with no sidewalk.

Commissioner Nagler: Okay, so say you're walking south on J Street, there's sidewalk on one side or both sides of the street?

Hagen: On J Street there are very little sidewalks at all. There are sidewalks on the entry court and sidewalks up until the park. On the south side of J Street there are some sidewalks, but there are no sidewalks on the north side.

Beaudin: I'm a really visual person, so sheet L-4 in the package will show that. If you get to L-4, see the pedestrian circulation at work? This largely shows where the sidewalks exist and the paths and sidewalks, but you can see how J Street has a dotted sidewalk presence on what would be....if J Street is running north/south it would be on the east side.

Nagler: Right, right. Okay, could we just go back to page L-3 for a moment? So again, just as an example, on J Street, on one side are driveways and garages, right? And on the other side of J Street I guess I'm confused about where the entrance to the homes are.

Commissioner O'Connor: They're on the front. They're on Stanley.

Hagen: Yes, so on the north side of J Street, the homes front Stanley and on the south side of J Street, the homes front the green park. So the homes on J Street, H Street and I Street all front the central park, and the same on G Street and F Street—they front the central green.

Commissioner Nagler: Got it. Thank you. That's what I was asking. Okay, thank you for bearing with me. So having gotten through that, I agree with everything that's been said. I agree completely with what staff is suggesting about K Court and D Street. I also have some trouble with, but understand that the size of the homes directly correlates to their affordability but I have some trouble over the density of the neighborhood. There are just quite a few homes being built in a relatively small space and it particularly plays out in my mind, given the fact that there is not much open space given the density of the neighborhood. So for example, the homes on D Street, E and C Streets and L Court have very little green space in order for their kids to play; again, my operating assumption is because these are more affordable homes, there may be a high propensity of families buying these homes; that in order for a kid who lives on the corner of D and C to play in a park, they and/or with their parents have to walk quite some distance to cross a few streets, find where the sidewalks are to get to central green. And so the density of the neighborhood it seems to me sacrifices a certain amount of open space and park space that would benefit this neighborhood a lot.

Linked to that is the fact that there isn't programmed play spaces, I believe flies in the face of the experience of most parents that kids like swings, kids like to climb, and that's what they do. And, to say that the modern world deems sufficient open space in which you can be creative and do whatever you want, just in my experience flies in the face of how kids behave at certain ages. And so to have structured play in open space somewhere in this neighborhood or maybe in several places I think is important.

Chair Ritter: So you're going right to discussion point 3; great segway there! I'm going to let you keep talking because this is number 3 and Jennifer, do you have anything you want to add at this point as to what you're looking for?

Hagen: On this one right now, similar to what you had just gone through we want to know whether you think the open space concept is appropriate or whether you would rather have programmed space similar to tot lots, as well as if you had any comments on the layout and concept for the amenities and community garden park as well.

Weinstein: And if I could just ask for clarification as well when you're talking about density and the relationship between the project density and the open space, if you could clarify to what extent are you talking about number of units versus the actual building mass because there are ways to extract more open space out of this project that would involve not necessarily carving off residential units from this site but reducing the size of houses or clustering them together. So, to the extent you can talk about those two options as well, I think that would be helpful as well in staff's view to work with the applicant.

Commissioner Nagler: So everything that's been said and then in response to how this, as I see it, to potentially create more open space, it is what I was referring to in fact is the number of units and so the obvious conclusion to me would be to ask for reduction in number of units in order to get green space. If instead, you can change the configuration of the neighborhood or change the lot sizes or keep the number of units, I probably would be open to that personally, although to do that it likely would make the neighborhood more compact, right?

Weinstein: Some of the houses may be more compact. There could be clustering of houses with larger amounts of open space and there are lots of ways.

Commissioner Nagler: That's fine, and I know there are public amenities and I'm sorry that I'm skipping around but just to be clear in going back to the site plan comment, I think the fact that these are more affordable homes and by definition therefore are smaller is a good thing. It's a real attribute of this project, so I just want to be clear that I say that.

So then on the public amenities, we should talk I guess later about the restoration or not of the historical home, but as it relates to the barn and that historic park, I think that the concept is great and it should definitely be supported. I obviously don't think that the number of public amenities is sufficient by virtue of my comment about the open green space and that more could be done and should be done.

Commissioner Brown: Okay, I actually want to go back to point 2 for a second. I just noticed Lots 8, 9, 10, 11, 12 and 13 off of D Street, there's really no way to get there by sidewalks which I find kind of odd and how do you get to Lots 14 and 15? I see how you get to Lot 16, but I'm presuming the front is facing to the right?

Hagen: Right, so that's one—we had a small section in the staff report about areas that we already identified that we want to work with the applicant. One of those specifically is the homes on D Street that front the wall basically and the homes on K Street that front the wall. We want to explore different options with the applicant potentially creating a fifth unit type that maybe has a front door entry on the same elevation as the garage or something that has a side entry so it's not necessarily facing the back wall. It's something we have identified as something we want to work with further.

Commissioner Brown: In terms of the open space and this kind of gets into how space is designed and so forth, I've got similar concerns as Commissioner Nagler in terms of the number of units and the spacing between the units. One of the questions...anyway, I'm digressing off number 3, but it does relate to the public amenities in that I think with less units you have better open space. I do have some skepticism much like Commissioner Nagler around the vision of re-creating the barn and the water tower and so on. I mean, it kind of comes down to what you expect the owners to be, right? So we heard tonight from a lot of people who said this is a really special project because this is the Sunflower Hill component and a lot of them would like to buy these two-story homes so that they can partner their adult children who will survive them from a life perspective and give them an opportunity to thrive and integrate into the community.

So, the reason I bring it up, it addresses multiple things. It was mentioned earlier that most of those folks will not be driving. So it touches on the parking. Right now, if my assumption is that other families purchase these then parking is insufficient. If families of special needs individuals are collaborating and buying these homes, then the parking is less of an issue

and the open space component—and the reason I bring it up is that if the proponents of buyers of single family homes have children, then they're going to need a play area, right? They will try to climb that barn for recreation and not necessarily play in the greenhouse whereas if it's adult children that are living in that community, they're going to need and expect a different type of open space. So I'm kind of struggling with how you balance that because I'll be looking for quiet reflection type places versus playground spaces. And we can't control it because the 95 homes or whatever it ends up being would be priced at fair market price so you can't control it but it does affect all of those components and that's why I bring it up. From my perspective, once side will have insufficient parking; the other the wrong kind of open space, but what I see in the project is probably the right kind of open space and the right kind of parking depending on what the homes end up being. So those are my comments.

Chair Ritter: Thanks. With regard to public amenities, I think it depends on the target market we're going after for this. Workday came in here the other day and said they are looking for their young professionals for a place to live close to the downtown, so this might not be just a kid's area but it might be young professionals moving in there. But as far as getting density, I know the applicant put up a picture of rooftops where we could have single families and it looks less dense or you get townhomes with four in one unit and the rooftop sits denser. I think because the yards are kind of small, I think it's important to have more public areas so I would give up a little bit of density, make it a little more dense to get some more green space in my opinion and I'm going to leave that to the professional to decide, but this is just a workshop so just a general overview and those are my thoughts on amenities.

Commissioner O'Connor: I too think for me more open space and how to create that. So I would rather not see these go into a clustered or attached type of townhouse or condo. I'd rather see them stay single family and I would leave it up to the developer and the City to work this out, but I'm not necessarily thinking we have to have less units, but maybe the larger units could be smaller so there are two things—we create more space and we create more affordability because if they were all in that 1,600 to 1,800 square feet and we did not move up into the 2,400 square feet, they are going to be more affordable. Maybe in there we could save the space of two or three homes to create more green space. But, you know, we do have a tree park, a central green and a few things like that that I think would appeal to an older set of children and young professionals, but I still think we should have something. If this is more affordable and young families can afford this, I think we need to have at least one area where younger kids can go. You know something like a jungle gym or monkey bars or whatever they are. Something and not necessarily something for two and three year olds, but maybe more something for the seven and eight year olds and the ones that really want to use this type of facilities. Anyway, I'd leave it up to the professionals but I would rather see smaller units to create this space than to eliminate maybe the single family homes.

Commissioner Allen: And I'm feeling the same way as all of you have said with just a couple little additions. I think it is too dense. It's 38 percent denser than what the norm would be. 38 percent or there are 26 more homes at this density than at an average density and that's a lot. And I am okay with smaller homes. I'm okay with the smaller home strategy, but I think we need more open space. I want to make sure we've got the right amount of sidewalks and then we're going to deal with parking later, but I think we've got to park this better or have more parking because I think it's under parked.

And in terms of target market this is kind of a challenge but I think the safest way to bet because this is a market based community and there will be a lot of buyers and there's lots of demand for lower cost housing. I mean it's not low cost, but.... \$700,000-\$800,000. We've got to assume it's the open market. You know its young families, there may be some special needs here, but I think we need to design it around what that market would generally buy it and then customize it later if needed.

And the only other thing is the barn and the historic houses. I would love to see those more visible from Stanley versus Nevada Street if possible because I think it's the character we're trying to create, is people coming down our First Street and at Stanley, what will they see. And so, I don't know, but if there was a way to preserve some of those somewhere more near a tree park or more open space that would be created somewhere in front near Stanley, to me that would be nice to have versus hidden away.

Chair Ritter: Save that thought for number 6.

Commissioner O'Connor: And keep in mind that Nancy brought up a very good point about the densities. When we do go over the mid-point, they are supposed to offer more amenities when we take extra density. So it's not uncommon to ask for this.

Commissioner Allen: And Commissioner Nagler brought it up which I agree with and I think we're all saying: adding 26 more homes is a lot more homes above the average and it deserves significant amenities in my mind. I mean, that's a significant increase and it does result theoretically in more traffic and water and load onto the community nearby.

Commissioner Nagler: And if I could just follow up on Commissioner Allen's comment, the challenge clearly for this development in this regard is that if I were the applicant listening to this conversation, I'd say, yeah, but they're ignoring the fact that we're giving this land to Sunflower and that is the biggest public amenity one could imagine as compared to what we're talking about as planners a neighborhood separate and apart from Sunflower and what's the quality of life, what's the appearance, what's the density of a development in and of itself ignoring the fact that there's also going to be this Sunflower component. So it makes it a bit of a challenge and I think that given we're considering a zoning change, its okay for us to say to this applicant, yes, it's true. We're asking you to go beyond what you had envisioned or penciled out to be the level of amenities even with the contribution of the Sunflower site because of the overall density of the neighborhood, our Commissions' and hopefully the Council's perspective about the quality of life living in the neighborhood, and again the fact that you're asking for a rezone. But I just want to acknowledge it's a little bit of a challenge because we can't forget that the land's being contributed to Sunflower, but it's like two different projects all in one.

Commissioner O'Connor: Keep in mind too that the land donating for the Sunflower is the affordable component.

Commissioner Nagler: Maybe, but they're still going to talk about it.

Commissioner Allen: We'll get to that right?

Chair Ritter: Yes, we're on number 4, parking: Is the proposed parking sufficient and properly dispersed throughout the development?

Commissioner Allen: So my first thought here was that this happens to be a project where there appears to be less impact on our public streets and the residents using our public streets for parking so I'm not as personally concerned about if the development's under parked because it's not going to overflow in public streets. But with that said, if I was a buyer in the community, I think it's significantly under parked and I think that if I was buying here I would expect there to be a small driveway; an entrance, so if you have a one- or two-car garage, you've got an entrance so you can park there where you store things in the garage and you can have your guests park there. Or, if for some reason you didn't want to do that, at a minimum you have a dedicated car parked for every unit, and this is a model I've seen in Danville Oaks which is great because they have a garage, but they also have a dedicated carport nearby. Most people store things in the garage but they use the carports and the carports are all full. So I think it's really under parked if I was buying here and there isn't anywhere else for people to go. And, in the senior communities we've worked with recently, we actually had both of them come and ask for more cars and this is the community, the Continuing Life Care. You know, they just came to us and they parked at 1.5 and they just requested 2 parking spots. This is for seniors, and the same thing happened at Ironwood for those apartments that they designed at 1.5 parking spots and now they're really almost at 2 when the church area got redone. So I think it's really under-parked as a buyer.

Commissioner O'Connor: I'm re-thinking the parking. We do have 74 spots that would be visitor parking. You're right. They're not going to overflow on other City streets unless they're going to go further out Nevada and go into the industrial area. But, I think they're going to have to self-police themselves and keep their garages open. If you're going to buy in here, you're going to have to know that you need the one or two garage spaces that you require because otherwise you can park in your visitor parking but now you will have no visitors. So I'm not so concerned about the parking at this point. I think we're okay. I mean, the more the better but I'm not too concerned about it.

Chair Ritter: I think you need to have some on-street parking and make that available for visitors or friends and families visiting this area too.

Commissioner Brown: I'll reiterate my earlier comment. There are 74 spaces. So basically you have less than one visitor spot. I know I have a two-car garage and I can only fit one car in there at a time, so I'm skeptical on the parking. I do take Commissioner O'Connor's point that when you choose to buy you know what you're getting into. But, I'm still concerned.

Commissioners Nagler: I'm closer to Commissioner Allen's point of view and the only thing I would ask is that as the plans are finalized is that the distribution of the on-street parking is evenly distributed throughout the neighborhood and that the number of guest parking spots I would suspect is slightly but not substantially inadequate if you assume that a lot of residents will park on the street and use the guest parking. So I don't know what the magic number is, but the one thing I would be concerned about is to be sure that it's properly distributed throughout the neighborhood.

Chair Ritter: Okay, number 5; does the Planning Commission support the proposed building setbacks, building position, home design and massing?

Commissioner Brown: I will start. I had a question. How does the density and space in between homes compare to say, the Bernal Safeway?

Hagen: Currently, the Safeway project at Township Square is the only project in the City right now that's similar in scale in density that we have. Currently what they have at that site is they do have five-foot setbacks between each home.

Weinstein: While Jennifer's scrolling to the right slide, there's also an exhibit to your staff report; Exhibit C which shows the development standards for that project.

Hagen: So these are the development standards that we used for the Township Square. For the Township Square they do have two-car garages. They do have 18-foot driveways for the two-story units. But for the three-story units, they have similar driveways. They basically don't have any driveways. One of the differences though in this is that they do have more space in between buildings. They have a total of 10 feet between the buildings where the current proposed project has approximately six feet between buildings.

Commissioner O'Connor: So was these zero lot line?

Hagen: We're still in discussions right now with the way they've shown this project, is that one of them will be zero lot line and there will be six feet on the other side. That's the way they currently have shown it. Within our discussions we really haven't talked to them about how that works and what the easements are going to need to be and where the windows line up and whether there is going to be just passive open space or whether they're actually going to be fenced privately. So it is still something we are determining that we need to work out with the developer, but right now it is shown as zero lot line for the Irby Ranch development.

Commissioner O'Connor: And 6 ½ feet is in the table?

Hagen: Correct.

Commissioner Brown: So just to finish my point I guess, if there's one area to get kind of unsolicited feedback on it's the distance between homes there so that's why I was asking. I know this proposal is 5 feet on each or 10, and I also think you can take a tape measure and trespass to measure that, so it's just interesting to compare. From a public perspective it would look similar to that development. And so to the points made earlier, if you make the houses slightly smaller or maybe space them further apart, you get some more green space. You're not necessarily reducing the number of units, so those are the things to consider. That's my comment. Thank you.

Chair Ritter: Great—I'll just keep going. I agree with Commissioner Brown here. I think if you made the houses smaller there'd be more green space and you know, when you buy a house in California, you want to live outside and I think that if you don't give any outside space on your property, I think it's a disservice to the buyer because we're outside. We get 300+ days of sunshine a year so that's just my idea on the density proposal, but I know this isn't the most dense proposal and it's not the least dense, it's kind of in the middle for that area based on the Google images of that area.

Commissioner O'Connor: I agree with what you said and I know we should've talked about design earlier, but this is a different community because the front yards don't even face the other front yards so it doesn't look like neighbors are going to meet neighbors very easily here. But, yes, I do think if we make the homes a little bit smaller and the larger ones a little

bit smaller, we will get green space and possibly space between homes, and I think that's a good point.

Commissioner Allen: And I agree with the comments made as well.

Chair Ritter: All right, number 6: Does the Planning Commission support the applicant's proposal to demolish all of the homes or should one or more of the homes be retained? If one or more of the homes should be retained does the Commission have a preference where on-site they should be retained and how they should be used?

Commissioner O'Connor: I support retaining at least the Irby home which is historic. I think it would be great to see it from Stanley, but the downside is, is that's where we create more green space? And I'm not sure that's the best place to hang out because it's going to be noisy and more pollution and all the rest of it. I was looking at where they had the historic park community garden and how that occurred and maybe it is less usable for home sites. I'm okay with using that area but again, I'll leave that up to the designers.

Chair Ritter: I agree with Commissioner O'Connor. I know this is kind of the entrance into Pleasanton which is bringing up First Street. I wish we could see the historic-ness from First Street or Stanley but I know it's hard to find that location there. And I do think that trying to preserve the Irby home is important and I know relocating that is not easy and it's important for the community.

Commissioner Brown: So I walk past the three properties today and I personally don't have an issue with the other two properties. I did have a question on the Irby home specifically. I don't know if it shows well in the picture, but I presume every home can be saved. I guess I had a question of is it structurally sound today and is it a worthwhile investment. If re-conditioning it to standards results in basically redoing the whole home, is it worth it.

Hagen: It is questionable whether it is structurally sound at this time. We haven't had our Building Official go out there but you know we have been out there. We know that they have sloping floors, rotting issues, electrical issues and things like that. So any relocation of this is really almost going to be a recreation of this. We can keep the architectural integrity and the historic presence of the home, but I'm not sure until we get a professional inspector out there and the Building Official to take a look and see actually how structurally sound this structure currently is in its existing state.

Commissioner Brown: Yeah, that was my hesitation and the way I described it, it looked fragile.

Hagen: Yes.

Commissioner Nagler: I think it absolutely should be a condition of this development that the home be preserved and you know there's a home as we know on Neal just above Third Street that the City owns and was donated and bids are now being taken. Some private party is going to fall in love with that place. As structurally unsound as that place may be and they're going to restore it. Okay, so it's already pending, and somebody's going to put another half a million or something dollars into that place and that barn, and more, okay, and restore it. So it is always possible. It just is a function of how much is it going to cost, right? And it just occurs to me that given the role that this home has played in the history of this community and the fact that we're allowing this piece of historical land to be rezoned for

a development that at a minimum for the integrity and the history of our town, we ought to have this home preserved. And whether it's on the current site or moved somewhere else within this development as opposed to some place at the corner of, you know, something else and something else, I just think it ought to be imperative to have this development go forward.

Commissioner Allen: And I agree with David, plus our historic guidelines say we are required to preserve this, correct? This is an historic resource.

Hagen: There are different interpretations to it. Like we talked about earlier, there's no historic guidance outside of the Downtown Specific Plan which the Irby home is not within. There are also CEQA requirements for historic resources. When this property was evaluated as part of the Housing Element, the original CEQA document, the homes on the site were not evaluated at that time, but it took into consideration that at the time of the project that if these homes were evaluated and determined to be historic resources that it was a significant impact that would be mitigated with some of the mitigation measures which were recorded and documented.

Commissioner Allen: I understand. It's not in the Downtown Specific Plan and that's what makes it different. So anyway, given this is a rezone and what we would be looking at here I absolutely agree it should be preserved and Mr. Serpa told us how critical this is to the history and it has all the pictures so to not preserve it would seem irresponsible.

Hagen: Can I clarify whether anyone has any preference on how it should be used? On whether you're looking for it to be preserved as a community building as part of the park, whether you are looking for it to be preserved as a residential unit or whether this is something you are comfortable leaving up to staff and the developer.

Commissioner Allen: I think it should look nice and I'm comfortable leaving it to staff.

Chair Ritter: And I am too.

Commissioner Nagler: And I'm fine with that other than having it be a private residence.

Hagen: You do not want it to be a private residence?

Commissioner Nagler: No, but anything else you guys come up with would be fine.

Commissioner Allen: Could it be like a caretaker's unit potentially? I don't know if that would ever happen but when you say not a private residence, do you mean just not a regular house? It needs to be part of a group situation? Shared?

Commissioner Nagler: There needs to be some social benefit.

Commissioner Allen: Shared?

Commissioner Nagler: Yes.

Commissioner Allen: HOA.

Commissioner Nagler: Something.

Chair Ritter: Okay, number 7: Is the Sunflower Home development an appropriate use within the overall development and is the conceptual plan appropriate?

Commissioner Nagler: I'm just going to repeat what Commissioner Allen said. Again, what really drives this development I think is the real creative partnership that's been established between Sunflower and the developer. There is something really unique and unusual about this whole project given that partnership and if for some reason Sunflower isn't able to put together the non-profit partnership or the funding or the whatever, and they actually proceed with their part of the project, I think that ought to impact the opportunity to do the development as being envisioned.

Commissioner Brown: So similar kinds of comments. Obviously this is my first meeting and I'm actually quite pleased that I get to comment on something that could be a very meaningful project for the City. It's important that we address all aspects of the community and it certainly gives the potential for independence, pride of ownership. Something I didn't know coming into this meeting was the real legitimate need for children with special needs and potentially outliving their parents. That's always my wish, that my children outlive me, so I'm very flattered and honored to comment on such projects.

I agree with Commissioner Nagler in terms of the rezoning. My consideration of the rezoning would be very heavily tied to such a use because we really are talking about making an exception outside of the requirements to meet the state mandate to allow sort of a re-use of the land.

Commissioner Ritter: In my opinion, this project doesn't happen without the Sunflower Hill element which does support a need that's in our community. My only suggestion is that instead of creating an area where they could have 17 units, I wish it was 27 units. I just think there's a huge need for that in our area and if we could take a lead of being passionate in Pleasanton and carrying the burden of citizens, so I'm very much in support of it.

Commissioner O'Connor: I too think that if Sunflower Hill was going to be part of this project and this project moves forward, I would hope we could get more than 17 units. If they can get 22 to the acre in Livermore, these should have 1.3 or 1.4 acres then I'm really hoping we can get more than 17 in because there's such a need for it. When we ask if it's appropriate, I have to say I wasn't thrilled to see the Rezoning and the General Plan Amendment for this for a couple of reasons. We've been through the General Plan update.

Chair Ritter: You're going back to the first question.

Commissioner O'Connor: No, the question here was, is it appropriate.

Chair Ritter: But you're asking the first question too.

Commissioner O'Connor: So what I was trying to say that we had a General Plan update and some Housing Element updates. We didn't rezone this property and I thought for good reason. I'm very concerned about the loss of light industrial. We had so little of it here in town. There is a need for diversification so that any downturn in the economy or in the housing that we had before, the better we're diversifying the better. I certainly support Sunflower Hill though and that's to me the carrot that makes this work. I really wish we could do both. I wish we could leave this industrial and find a better home for Sunflower Hill maybe like at the back of north and south Valley Trails, back in there, when they're going to

do something back there. But again, if Sunflower Hill like David said, if for some reason this doesn't come to fruition, I really don't think we should rezone and do a General Plan Amendment. That is definitely the carrot here that would get me to move in this direction.

Allen: So I think, and I'm not talking about timing of when this would be rezone; as answer on this. I do think the Sunflower Hill development is an appropriate use within the development. When this is developed, I would also ideally like to see more acreage because I just think it's going to be difficult to maintain 17 units and all of the overhead that goes with 17, you know, 2 buildings or dorm situations with the overhead for 17 versus something that would be 25 or 30. So you know if you ask me for a wish list that would be it.

I know pricing and costs are an issue, but I also know that in total, this project could be 95 plus 17 units so that's what, 112 units? And our inclusionary zone requirements are 20% for single family homes. So that would actually be 21. My back of the envelope says the requirement would be 21 low cost units in a development of this size would be required to provide. So, Mr. Serpa's choosing to donate the land instead of paying an in-lieu fee or do low cost housing.

Seto: I should mention, as part of the discussions there's also a discussion about making a monetary contribution to the lower income housing. All those details remain to be negotiated.

Allen: Okay, so I won't go there because that's not my expertise except for knowing that we've been hearing it's a donation of land but the bottom line is it's part of our inclusionary zoning to say that when you build a development of this size, you can choose to donate land or pay or actually build low cost housing and it all gets balanced out. So I don't view this as above and beyond.

All right, so let me get to my point. I fully support Sunflower Hill. In my family we have two disabled young adults and the parents fly to Arizona to go to a special camp when the mom's in the hospital or on vacation so I totally understand the need for that and I think it's the right thing. My bottom line on number 1 though, is this to me is primarily a project for building 95 homes and rezoning land for 95 homes that will add 1,000 cars a day, potentially will have an impact on schools, on water and is something that we don't get any units credit for RHNA. It would mean in 2022, we'll actually have to build 95 more homes because these will have never of counted against any allocation requirement in terms of state law that we had to meet. So I can't in all good faith right now say that it's the right thing for our community to rezone this and add 95 or so units of land. I don't consider that I could do that, not when our community and the recent client service survey says that growth, traffic and water are the top three issues that they have.

So that's where I sit now in this workshop. I would request because we didn't get a lot of feedback from the public on this because there was low awareness. I talked with about 20 people today that wouldn't have been notified; people that live near Santa Rita and Valley in my development. They never heard anything about this. No one at the Downtown Association meeting that I attended yesterday had heard anything about this. I mean they heard a long, long time ago there was something in the housing element, but they didn't even know who the developer was and these are people that are the senior leaders in the Downtown Association who had no idea this was going on. So, I mean, 100 homes—I don't know when the last time we rezoned 100 homes that were not part of the RHNA requirement. I mean, do you guys know? That's a good question. This is like a mini-East

Pleasanton Specific Plan project that we're talking about and I mean it could be 20 percent of what the East Pleasanton Specific Plan is. So I think about this like I think about the Council decision that was made to pause on that project and go to the voters and get input about whether the community wants 100 or so homes. So then it just brings me to Sunflower Hill and saying, is there another way because I think the need is here—is there another way to use our low cost housing funds that we already have, get creative or find money somewhere else to meet the Council priority which I think is right on about helping this community even if we start off with a day center like Susan discussed where we have the pool and recreational room and people from the community could come there. So anyway, that's how I think about. I can't support it now, but I could in 2022.

Commissioner O'Connor: One question for staff. You had mentioned there's also on-going discussion about maybe also a contribution to the...

Seto: To the lower income housing fund, yes.

Commissioner O'Connor: If that happened and if there was a contribution, could it be targeted to Sunflower Hill?

Seto: And that's also part of the discussion, yes.

Commissioner Nagler: I came into the discussion this evening with thoughts remarkably similar to Commissioner Allen. Let's focus on RHNA but just on the density of the project, the fact that we're building the number of units that we are a half a block away or whatever it is; that I felt like Sunflower Hill was being used candidly as a little bit of a Trojan horse to get the development. That's how I came into the discussion and what's been interesting to me about this evening have been a couple of things. One is that the traffic impacts are potentially not going to be as severe as I anticipated them to be. So I'm definitely concerned about the traffic impacts particularly at key intersections and again, how this interacts with the development going up down the street, but less concerned than I was before tonight's hearing. And while the community of interest of special needs kids have a particular point of view and they showed up to advocate obviously for this project, the construct that they described of having relatively affordable housing contiguous to and admittedly too small a development for their needs also struck me as being interesting. So having said that, I think this is way too dense, that there are way too many units being proposed for the piece of land; that the amount of open space being proposed is inappropriate to what is being requested; that if this project were built as proposed we are not representing the citizenry well in exchange for the rezoning, and that therefore, the project would need to come back in a pretty significant reconfiguration.

So I guess what I'm saying is the impact on RHNA is less important to me. I am sensitive to the fact that the people of Pleasanton are nervous about growth but I'm not sure that I should be the one making the decision about that as opposed to the Council and although I completely agree with what you're saying in that regard, but as a question of what is it that would be approvable, it would need to be for me a community that has houses that have proper articulation which we really never talked about but I'm going to say as an aside—the difference between this and the homes that have been built next to Safeway—I don't mean to be critical. I wasn't around when that was approved—those are monolithic rectangles. These are more interesting articulated structures which won't have the feel and look of being as dense as those structures next to Safeway, but having said that, I'm also saying I think there's too many of them, right?

But just to be clear, I could probably surprise myself and vote for a project with less concern that has been expressed about the RHNA impacts, sensitive to the fact that there is an interaction between what the community represented by Sunflower Hill represents and the fact that these are relatively affordable houses, but it would have to be a substantially reconfigured development.

Chair Ritter: This is a workshop so we're exploring ideas and getting feedback and I don't think we have all the answers yet. In general, I'm not supportive of making amendments to the General Plan and Specific Plan in general because they spent a lot of time putting those together; however, I am supportive of filling a need in Pleasanton which I think is this special needs need and I think that outweighs my other concern of not doing an amendment. I do think there is a lot more to be studied on this. The traffic made me feel what we could have with current zoning would be worse. That's not good. Water is a big issue, but if they utilized this the way it is agricultural, there would be a lot more water usage for the number of homes.

There is a need for workforce housing as well from what I understand for Pleasanton. We're bringing Workday into town and there's just a lot of opportunities there, so I think there is a need. And then the other big one is the Nevada cut-through street. If we could get the developer to pay for some of this project that we're likely going to have to do because it's worn out and rotting, I'd rather have someone else pay for it than our taxpayer dollars. So that's why it moves up my chain of what I'm thinking is a priority because we have someone that yes, they are going to build some homes, but we need to get something out of it that's worth it for the City and the residents.

Commissioner O'Connor: So I feel the same way as David. I came in to this meeting thinking we really shouldn't be making a General Plan Amendment. I said it many times before. I don't think we should be rezoning for the benefit of the developer or for the project de jure. You know, right now housing is the most expensive thing going so it's the most desirable. We passed it over the General Plan before and the citizens of this town really don't want any more development, of houses at least. They made that clear. We lost the housing cap lawsuit, but the spirit is still there. They don't want to keep building and building and building more homes. I really want to support Sunflower Hill though and that's one of the reasons like David said, you might be able to support the project if it came back less dense and a little more amenity but I think I'm swinging a little closer to Nancy. I don't think I can support a General Plan Amendment. I know it's a great, great project for Sunflower Hill and I know it would be a great amenity to the City. I would hope we could find another home for it. I would hope we could find some of the dollars we used for senior housing to help our disabled housing. We've done a lot of senior housing and I'm not saying that's a bad thing. I'm saying we haven't done anything for the kids that need something and young adults and even older adults that are disabled and need a place. So I think that should definitely be a priority of ours because it's certainly a priority of the Council. But, right now, I don't even know in 2022, but right now I don't think I could support a General Plan Amendment.

Commissioner Brown: I align a lot with what David said. I don't think it's fair for parents in the room to ask them to wait until 2022. I don't know what other opportunities there might be for Sunflower Hill. If it wasn't for Sunflower Hill, I wouldn't consider a General Plan Amendment. I'm on the same page as Nancy and Greg on that front. I'm still considering it in terms of the zoning. Like David I'd like to see something with less dense, more space between homes, better open space because as Greg pointed out it would be a very tough sell to the residents of the town to go beyond the state requirements that we have that

already have been allocated. That's why I asked the question earlier in terms of can you do a trade-off and whether we can. So, I think it's a great use. I think the developer is being genuine and heartfelt. He spent 3 ½ years I think was the comment. There definitely is a need. I think you mentioned there are 900 families in Livermore and 700 in Pleasanton that have this need and we just don't have anything like this anywhere else in the City and I think it's a very interesting proposal that needs further refinement before I'd be prepared to make a decision.

Chair Ritter: All right, did staff get enough information or are there any other ideas to enhance the design of the project?

Commissioner Allen: I have an idea, sort of an idea. I'm wondering if we could do a community workshop of sorts around this project because sitting here, I'm hearing what both of you are saying. Maybe if there was....making this up, 20 single family homes and with a little larger Sunflower Hill community, I could buy into this. I mean that's extreme, but I don't know, none of us know, what is that range. I also don't want this to turn into another referendum. I mean Lund Ranch was 50 homes. It was a different issue but it's a little less. And a lot of our projects that have been at this size are getting a lot of initiatives against them. So I think it would behoove us no matter which way we go on this to have some type of community workshop and bring in folks that could have an impact on traffic and others like Valley, Santa Rita, and others that are within a mile or a mile and one half in the downtown area to provide some input so you all and we all could calibrate what is sort of the range of acceptability. Then certainly the developer has the pocketbook so the developer is going to need to be looking at their tradeoffs. But that's a suggestion because I have a feeling that as people start to learn about this, there's going to be more and more interest and I don't want to have it just be a problem later on saying we didn't know and why did we approve a project like this if it gets approved.

Beaudin: So we'll certainly take that into consideration. I appreciate the comment. I think what's interesting to me tonight is that it sounds like the Commission is leaning towards some pretty significant changes to the project. So what I'd like to do is go back and talk with the developer or the applicant here tonight and with Sunflower Hill and see if there is still a project, based on some of these comments, and then decide on our next steps, and certainly keep the Commission informed about those efforts.

Ritter: Okay, great. So we'll conclude the workshop. I want to thank Sunflower Hill for being here and we appreciate all your involvement and it sounds like we still have a lot of information to go through so no decision's been made tonight and we appreciate you coming tonight.

b. P16-0828, City of Pleasanton

Proposal of a policy that establishes a new project review procedure to consider the merits of legislative change applications for residential or mixed-use projects that have a residential component.

This item was continued to the May 11, 2016 meeting.

7. MATTERS INITIATED BY COMMISSION MEMBERS

NOTED PRESENT: Commissioner Balch Returned.

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

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

Chair Ritter: Commissioner Allen, did you have a report?

Commissioner Allen: Sure, I went to the Downtown Vitality Committee meeting yesterday and here are just a few updates. This is the group of 6, 7 or 8 people who are part of the Downtown Association and they look at economic vitality downtown. Number one, they strongly said they appreciated the outreach that Adam, Gerry and Pam have provided to them and they feel like they are really well-informed generally with what is going on.

Second, as a team they're chartering themselves to create alignment on a vision for downtown. How high do they want residences to be, what is the picture of density, what is the parking, so they are trying to come up with their own alignment about some of those points because they are really quite diverse right now, so they can give input to the work going on in updating the Downtown Plan.

They talked about a few specific projects that some may be interested in. Inkling's Coffee which is the old Roundtable, construction is underway and that should be open by mid-September. The Peters project, the Mike Carey project we saw recently, they are interviewing people to build a coffee shop or deli in that area and they are very excited about that. There was a rumor that Uncle Yu's might be coming to town where Fernando's is, but that is still a rumor and then Stacey's Restaurant will probably be closing. That's been long-coming because of financial and the business model. And then Peet's Coffee, there's nothing official on Peet's Coffee.

Commissioner Nagler: Except they have a lease sign on the window.

Commissioner Allen: Yes, it sounds like they have a lease signed and hopefully that will be determined soon. And all of them will be very interested in coming to our next meeting when the topic of changing the process for bringing in rezonings happens. Many of them were quite interested in that and had a lot of questions. None of them knew about that, which also just strikes me again that as much as we are close to some of these items, the Downtown Association really didn't even know that was on the agenda. It's not our fault. We did our normal notification but it just takes so much to get folks aware.

Chair Ritter: It was great you went to the meeting.

Commissioner Allen: Yes, Herb was the one who inspired me to do that. And then my other committee is Bike and Pedestrian. The big news there is there will be very soon, hopefully by the end of the year, a new access trail to Pleasanton Ridge from Old Foothill Road which is by the Alviso Adobe. They are actually turning that Old Foothill Road into a one-lane road and allowing parking on one side of that road and there will be a restroom and a high end port-a-potty, and there'll be a trail going up to the ridge, so Justin's been part of that team so we're both really excited about it. That's it for me.

Chair Ritter: That's great.

Hagen: To add to that note, staff can confirm that Uncle Yu's did sign the zoning certificate this week. They have confirmed with the City and you can also be looking at the Tully's location for their new tenant by the end of the week. They should have signs within the windows for who is going into that tenant space. They finally finalized that lease that they signed so they will be posting signage by the end of the week with the tenant's name.

Commissioner Allen: Great.

Chair Ritter: Anybody else go to any Housing Commission or other meetings? I do want to get that list in the packet of who's responsible and alternates are for each of the committees just for next time and encourage us to go.

b. Future Planning Calendar

Commissioner O'Connor: I have a question. On Future Planning Calendar, we have two items with the same address, which is Chabad Tri-Valley and the Pleasanton Masonic Center. Are they both going to come in with something? Do we not know if Chabad is actually taking over the building?

Weinstein: So this is definitely on the future planning calendar. What's happening is that we're continuing to get complaints about activities at the Masonic Lodge that are occurring under the Masonic Lodge's existing conditional use permit. So that's the Masonic Lodge item. In the meantime, Chabad is a religious institution that is seeking a CUP to replace the one that the Masonic Lodge already has. The Chabad's CUP is contingent on Chabad buying the property from the Masons so these two permits are sort of running concurrently—well, they're not really running concurrently but the Masonic Lodge is undertaking existing activities, occurring under a CUP and causing potential problems for the neighbors, that's happening concurrently with Chabad wanting to process its own CUP assuming it is able to buy the property. So we've been fairly patient with the CUP being processed for Chabad but the timeline for that has been a bit uncertain so what we told concerned neighbors is that if Chabad does not come back with a complete CUP that's ready to go to the Commission then we will take the Masonic Lodge's existing CUP back to the Commission for a potential re-working so that we can in the meantime address the noise, traffic and overall activity issues that are occurring on the property right now and causing concerns to the neighbors.

Commissioner O'Connor: So there's complaints now from Chabad or from the Masons? Is Chabad actually using the space right now?

Weinstein: It's sort of complex. Chabad and other organizations are actually currently renting space from the Masonic Lodge and are operating essentially under the Masonic Lodge's existing CUP. So that's what we would look at if and when we revisit the Masonic Lodge's existing CUP.

Commissioner Balch: Can I ask a question? So the entitlements don't pass to a new property owner, correct?

Seto: That is because the Masonic Lodge has a CUP as a fraternal lodge and so Chabad is not that same organization so they're coming in for a different CUP. But if you had another fraternal organization coming in, you could potentially have them continue under that permit.

Commissioner Balch: Because it's a new entitlement per se. Okay. So if I may further this, so the group I recall asked to bring the Masonic Center's CUP back, right? And we understand the delays to this point but isn't that horse the lead horse at this point?

Weinstein: In considering what our original expectation was, was that the property sale and Chabad's CUP would be wrapped up relatively fast and so the neighbors who had issues with the activities at the Masonic Lodge agreed to hold off on what we had originally planned to do which was to bring the Masonic Lodge's CUP back to you for re-working. However, that process has taken a lot longer than expected and in the meantime the neighbors are still raising complaints about what's currently happening at the Masonic Lodge. Again, the timeline of Chabad coming back with this CUP is uncertain and along with associated property sales and we agreed to bring the Masonic Lodge's existing CUP back to the Planning Commission for a rework. But that could be followed very closely by another CUP application that would replace the Masonic Lodge's existing CUP.

Commissioner Balch: So if I may, I'll just venture to say that I could clearly understand the complexity and would hate to have staff to do double work, but I think this body has asked that the Masonic Lodge come up. I remember us voting on it. I remember Gina was here at the time, and I think we wanted it to come back. I remember the Miller's requested an extension, but I'm just re-emphasizing the request was made.

Chair Ritter: But there was ownership change.

Commissioner Balch: There could be many things that could delay it but I'd hate to have this conversation a year from now and it's not back yet.

Weinstein: So yeah, that's exactly what's happening right now. Just to be clear, again, the expectation was that the property sale would happen fast and that Chabad would come in with a complete CUP, and the Millers who are primarily the complainants in this case, agreed to hold off. They did want to spend time re-working an existing CUP only to have it be replaced by an additional use permit, but we're at the point where we are bringing the existing CUP back to the Commission.

Commissioner Balch: And my point to that is that regardless of the Miller's actions or requests, the Planning Commission has asked for it to come back. So that's what I'm saying. I'm saying there was a vote that we did and I think it was unanimous—I don't want to state that it's not familiar, but we've asked for it to come back under the standard process. If there's something that's amiss, we can re-evaluate conditional uses, right?

Weinstein: Right.

Commissioner Balch: So I'm fully with you. I fully understand the timeline and have been here the whole time with it, but I'm just saying we've asked for it back. So it's a different issue that the Millers have decided to delay. We've asked for it back. I will just re-state.

Weinstein: Right.

Commissioner Nagler: Can I just ask one quick question as a follow-up? Has Chabad been in touch with the Miller's?

Weinstein: Yes, they have.

Commissioner Nagler: Okay, good.

Chair Ritter: That's a good question though. All right, are we good with that? All right.

c. Actions of the City Council

No discussion was held or action taken.

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 Ritter adjourned the meeting at 10:19 p.m.

Respectfully submitted,

Adam Weinstein
Secretary