



PLANNING COMMISSION MEETING MINUTES

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

DRAFT

Wednesday, March 23, 2016

CALL TO ORDER

The Planning Commission Meeting of March 23, 2016, was called to order at 7:10 p.m. by Chair Ritter.

PLEDGE OF ALLEGIANCE

After a moment of silence for victims in Belgium, the Pledge of Allegiance was led by Chair Ritter.

1. ROLL CALL

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

Commissioners Present: Commissioners Nancy Allen, David Nagler, Greg O'Connor, and Chair Ritter

Commissioners Absent: Commissioner Jack Balch

2. APPROVAL OF MINUTES

a. March 9, 2016

Commissioner Allen moved to approve the Minutes of the March 9, 2016 Meeting. Commissioner Nagler seconded the motion.

ROLL CALL VOTE:

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

The Minutes of the March 9, 2016 Meeting were approved as submitted.

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

John Bauer: Thank you for your public service to the community. Recently there was a community meeting held regarding the East Pleasanton Specific Plan which I attended. Next month, this commission will participate in a joint workshop regarding the proposed Johnson Drive Economic Development Zone. Recently, as part of a re-election kickoff, a member of the current City Council stated that his main goal during his next term was to bring Costco to Pleasanton. This quote appeared in the Pleasanton Weekly and was confirmed at a recent City Council meeting. So I'm asking the members of this Planning Commission to go into next month's meeting with an open mind, participate in the Johnson Drive Economic Development Zone workshop next month, please be objective during this workshop and do not go into the meeting with an end result pre-determined. If Costco is constructed, I'd like to point out that there's no guarantee that local residents will use it. I'd just like to add some personal shopping habits related to Trader Joe's which is on the north side of town. Even though there's a Trader Joe's in Pleasanton closer to where we live, that Trader Joe's has no parking, it's difficult to access the commercial property on the existing roads. So what do we do? We shop at the Trader Joe's in Livermore at the end of Stanley. Once again, I implore you to go into the Economic Development Zone workshop and please keep an open mind and not go on with any conclusions such as someone has already stated in a re-election promise. Thank you.

4. REVISIONS TO THE AGENDA

Adam Weinstein advised that there were no revisions to the Agenda.

5. CONSENT CALENDAR

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

a. **P15-0739, John G. Maze**

Application for Design Review approval to retain the existing residence and construct three new apartment units at the rear and related site improvements located at 236 Ray Street. Zoning for the property is Central Commercial (C-C), Downtown Revitalization, Core Area Overlay District.

b. **P16-0174, Graceway Church**

Application for Conditional Use Permit to operate a religious facility within an existing building in Valley Business Park at 1183 Quarry Lane. Zoning for the property is PUD-I (Planned Unit Development - Industrial) District.

Chair Ritter stated that an email regarding Item 5.b., P16-0174/Graceway Church was received after distribution of the packet.

Commissioner O'Connor asked for a moment to read the email.

Chair Ritter explained that the questions asked in the email were addressed in the Staff Report and that no discussion was needed.

Commissioner Nagler moved to make the required Conditional Use Permit findings as listed in the staff report for Case P16-0174 and to approve Cases P15-0739 and P16-0174, subject to the Conditions of Approval as listed in Exhibit A of the respective staff reports.

Commissioner Allen seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Allen, Nagler, O'Connor, and Ritter

NOES: None

ABSTAIN: None

RECUSED: None

ABSENT: Commissioner Balch

Resolution No. PC-2016-05 approving Case P15-0739 and Resolution No. PC-2016-06 approving Case P16-0174 were entered and adopted as motioned.

6. PUBLIC HEARING AND OTHER MATTERS

a. **PUD-99, Ponderosa Homes**

Application for Planned Unit Development (PUD) Development Plan to construct 19 single-family residences and related improvements on an approximately 9.02-acre site located at 1851 Rose Avenue. Zoning for the property is PUD-MDR (Planned Unit Development – Medium Density Residential) District.

Jenny Soo presented the staff report and described the scope, layout, and key elements of the proposal.

Commissioner O'Connor: I have one question. On page 11 of 14, I wasn't sure of what you were pointing to for the golf netting fence, is it the red line or is it the dotted line that's a little bit left of that? They both look like they cross the street that's eventually going to be built at the end.

Soo: Are you talking about this one?

Commissioner O'Connor: Yes. So does the net actually cross the street?

Soo: Yes, it goes from here to here, but the street would end right there for Phase 1, beyond that is Phase 2.

Commissioner O'Connor: So does the net come down for Phase 2?

Soo: Yes, there is a condition stating that.

Chair Ritter: And at that point the trees replace the net?

Soo: The trees would be purely on Lot 17 and so it would be up to the Lot 17 homeowners to see what they would do. Staff also pointed out in the staff report that by the time Phase 2 is under construction those trees may be considered heritage trees. So if the property owners of Lot 17 wanted to remove those trees, they will have to come in per the tree ordinance and get a permit to do so.

Commissioner O'Connor: Okay, thank you.

Commissioner Allen: I have a couple of questions. In regard to the trees being used for screening the netting, how many gallons are those trees?

Soo: We have a typical condition for the minimum size of 15 gallons, but if the Commission requests they be a little bit larger we could modify the conditions to say the trees should be a 24-inch box size.

Commissioner Allen: I'm just thinking about screening. How high is the netting and how high will the trees be say in 5 years versus 10 years at the current configuration? I'm just trying to determine whether they are really going to screen at the current level or do we need to consider something larger.

Weinstein: The applicant can probably best speak to the height of trees when they mature.

Soo: A correction—the trees are 24-inch box size so they are larger than 15 gallon.

Commissioner Allen: Okay, thank you.

Commissioner Nagler: If I could continue on this theme for a moment. Given that this netting is being constructed, why put off the final three homes?

Beaudin: There's a lease issue and the applicant can better speak to the final three, but I think the idea is that there'd be continued use of the driving range for this period of time...do you want to add to that Larissa?

Seto: If the development was going to develop Phase 2 now, the netting would have to be a lot higher to protect those homes because those homes are closer to the driving range.

Commissioner Nagler: So it's an angle thing. I get it, okay.

Seto: There wasn't an interest right now in putting up a golf ball net that might be 80 feet or higher.

Commissioner Nagler: Presumably though there will be a different Planning Commission in place 18 years from now to decide what these three homes should look like, but that's fine.

Seto: They would be covered by this PUD design, that's part of the phasing where they wanted the guarantee for the design going forward.

Commissioner Nagler: Okay, just a couple of other quick questions—the allowance by the Alameda County Fairgrounds to bisect their property at the sewer line—that approval is secured? There's no doubt that the County fair board will agree to that?

Soo: The County board reviewed it and did give conceptual approval. I could have the applicant further elaborate on that, but they did review it. Also the board's meeting minutes are included as part of the packet.

Commissioner Nagler: I'm just wondering from a legal perspective how secure we are.

Seto: Well, the easement has not been granted yet so it isn't final, but we are relying on the representations that they've made to date which are positive for it to proceed.

Commissioner Nagler: So let me just ask, if this is approved and then the easement is not ultimately awarded for some reason, what happens then?

Seto: I would imagine they would need to redesign the utilities to make the sewer work or put in different structures or equipment if they ended up needing a different alignment.

Commissioner Nagler: As I understand it, there was an alternate design which was problematic to at least one of the homeowners and that's how they've come to this design. Is it possible that we could ask that the matter come back to the Planning Commission if that easement is not awarded?

Weinstein: Yes, it would probably be considered, depending on the extent of the utility changes from this current plan to what ended up being proposed, in the form of a Planned Unit Development Modification. If it is a Major Modification we would take it back to you. If there are minor changes, such as a slight change in the alignment of the

easement or something like that, it would probably be a PUD Minor Modification. But I think if we're bringing it back to the previously contemplated utility structure, it would likely be a Major Modification that we would take to the Commission.

Commissioner Nagler: Okay. And just out of curiosity mostly, the height of some of the homes obviously exceeds the standards, but you're suggesting that's fine. As I understand it in the development of this project and deliberations, what was originally proposed by Ponderosa was actually a much taller home, is that right? And that they've already modified it down?

Weinstein: I don't think the houses were originally proposed to be taller than this. An important consideration regarding the building height in this case is that we use a couple of different ways of measuring height in the City and we can talk for a half hour or so about the nuances of measuring height, but suffice it to say that in straight zoned districts we use a more permissive method of measuring height; that it actually allows for taller buildings. It does not take into account so much of the roof, whereas in this PUD we are employing a pretty restrictive approach to measuring height where we look at the lowest grade at the bottom of the building and then we measure height to the very peak of the roof. So the effective height here, although in feet it seems it is higher than what's allowed in our straight zone districts, is not resulting in taller buildings than would be allowed under the straight zoning district.

Commissioner Allen: I want to just clarify what we're really looking at on height. In the architectural designs for the project, the front elevations, the applicant actually shows it at 30 feet from grade to roofline using your methodology which would meet the standard within our downtown district. But, the table in the report shows 32 feet. So I'm trying to reconcile that. I think the applicant is really only planning to build a 30-foot tall home. Is that correct?

Weinstein: Yes, that's correct. There's a little bit of wiggle room in the PUD development standards to allow for any changes made to the design of the project from these initial plans to the ultimate building plans, so that's where I think you see the additional 2 feet pop up.

Commissioner Allen: These plans are for 30 feet is, so hopefully the applicant will support 30 feet because that's what it is.

Commissioner O'Connor: And the Rosalyn Estates height?

Commissioner Allen: Everything else is 30 feet.

O'Connor: Well, the Rosalyn Estates were 32 feet.

Chair Ritter: Okay, so the height is comparable.

Commissioner O'Connor: I agree with Nancy, but their depiction shows just under 30 feet at 29'10".

Ritter: All right, let's hear from the applicant.

THE PUBLIC HEARING WAS OPENED.

Pamela Hardy, Applicant (Ponderosa Homes): Good evening Chairman Ritter, Commissioners and staff. I'm Pam Hardy with Ponderosa Homes and I'm joined this evening by Jeff Schroeder, our Senior Vice President and Mark Falgout, RJA, our Senior Civil Engineer. I'd like to thank staff for an excellent staff report and presentation. I think she covered quite a bit of ground. I'd like to start if I might—I'll go a little out of order here and perhaps answer some of the questions Commissioners had before I give you my summary. These are in no particular order.

The 45-foot high net that we're proposing between Phase 1 and Phase 2, as Jenny pointed out, it is on Lot 17 which is part of our future Phase 2. It is substantially lower than the net that would have otherwise been required along Rose Avenue which would be in the neighborhood of about 135-feet tall. So there's been a long, long discussion with Jeff being the lead on that, with the operators of the driving range, the fairground board, and representatives from Supervisor Nate Miley's office coming together with an agreement that would also allow the infrastructure to run across a portion of the golf range and continue out to Valley Avenue which I might add is a substantial benefit for the City. By doing so, we are eliminating a planned lift station on Rose Avenue which would be adjacent to houses on Cindy Way. So we see that as being a great benefit to those existing neighbors as well as the City because it's a lesser cost. Also, they wouldn't have the maintenance responsibility they would have if the lift station were to be built.

The screen trees are in the 40- to- 50-foot height range. We specifically worked with our landscape architect to pick fast-growing trees because believe me when I say this, Ponderosa has a very big interest in making sure that net screening is screened by trees because we're going to be selling homes next to them. We'll continue to refine that palette as we go along and make adjustments, but those trees would be planted immediately on the installation of that screen structure so we'll get a little growth by the time we build out the first phase of 16 lots. And clearly those trees will be in place should those additional three lots in Phase 2 be built. Again, should the golf range concession go away the property owners, the Altieri's, will retain ownership of that land and ultimately make the decision to construct Phase 2.

As far as the easement with the fairgrounds, we do have an agreement signed by the fair board and its procedure to ultimately go to the Board of Supervisors, but of course, the County staff is going through their plan check process with their own engineering staff. But, essentially the Board of Supervisors—it's perfunctory in nature that they would sign the easement following the fairground board.

With respect to the heights of the building, staff is correct as is Commissioner Allen that the development standards table does show 32 feet. Our homes are designed at 30 feet. We can modify that development standards table if you see the need for that. Again, as Adam indicated, we like a little bit of wiggle room, because when we go from the preliminary design, and Commissioner O'Connor understands this, when we go into construction drawings, sometimes things happen where maybe the design of the roof changes or there are other factors that come into play. I'm not talking in feet, I'm talking

in inches really, but if it's important to the Commission, we can modify that standards table and conditions of approval accordingly.

As far as the height of the buildings, the clarification of that, perhaps one of the Cindy Way residents who are here tonight might have a better recall of that than I do because they clearly have a big interest in that. I don't recall the houses being any higher, but what I do recall is working very closely with the neighbors. They actually changed the roof designs for the houses and we completely re-oriented a couple of the ridgelines to improve views towards the ridge—not saying we're going to be completely opening up those views or not blocking those views but we feel that in doing that design, we substantially widen the corridor of view opportunities for those neighbors. So that's the change in the design as I recall.

I'd like to just point out a couple of quick benefits for the project. I already mentioned the elimination of the lift station and the extension of the water and the sewer to Valley Avenue which has been long desired by the City of Pleasanton; the screening of the Altieri property, the property owners have been there for some time and allowing the protection that they need from potential impacts from the golf balls continuing to land on their property which they currently do. So we see that as being a big benefit for that land owner. There are no CEQA impacts. In fact, we got a letter from the Army Corps of Engineers indicating there is a preliminary jurisdictional determination of low impact and the remaining environmental clearance is very minor with respect to Fish and Wildlife, so we're not impacting the Arroyo. The tree elimination issue will be minimal but we are doing everything we can to protect the Arroyo dripline. In fact, as we get deeper into some of those detailed drawings, I might have an opportunity to save some more trees and that's always our goal because we like trees and it's a good selling point for our buyers as well.

FAR, we've already talked about that and that is the precise response I would have given that staff had presented to you. Last but not least is I think that by pre-plotting the houses as we indicated, it gives clear commitment to the abutting property owners on Cindy Way, who are the major stakeholders in this, so they know precisely what to expect when we construct. So with that, unless the Commission has questions, that concludes my presentation.

Chair Ritter: Any questions for the applicant?

Commissioner Allen: Just one question—on the screen trees Ms. Hardy, do you know what the growth plan is? You said 40 to 50 feet was the objective. So in 5 years, do you know the height of the trees versus 10 years roughly?

Hardy: I don't know off-hand what the growth rate is and of course, as you know, it depends upon a lot of things. They are fast-growing trees. I just couldn't tell you what the growth of rate is, but even if we did, it could vary, again, depending on the site conditions. But we are again striving to get trees there. They'll be fast-growing that fit within the Arroyo and they're going to give not only our future home buyers but surrounding property owners some level of screening of that net.

Commissioner Allen: That's great. The reason I ask is that in a previous meeting we actually had a discussion about the growth rate of trees because we wanted them to be a certain height and we ended up increasing the gallon size of the trees so they would provide screening sooner. We don't need to do it now, but that was just an area of interest as we get later in the meeting, we'd just be understanding that so that in case it makes sense to make the decision to go with the larger sized tree to create screening sooner. But it may not be needed either.

Hardy: We can continue to refine that and work with staff as well as with our own arborist. But again, some species actually don't benefit by going in at a bigger size.

Commissioner Allen: Exactly, so that's why we don't know. We'll leave it to the experts to help with. Thank you.

Chair Ritter: Okay, questions?

Commissioner Nagler: I just have a question. We'll get into this I know a little bit later in the discussion but let me just say to put my question in context, I know that you all have done over a long period of time a lot of work with the neighbors abutting this project and you've been quite responsive to the neighbors which has required a lot of time and commitment on Ponderosa's part to come up with a good project and that's good. My question though is in the recent past, Ponderosa has come to this Commission and City with two substantial projects relative to what we typically get, and I know that Ponderosa will have a couple more projects coming to us. This one is relatively straight forward because it's a PUD development plan. As I understand it, other projects that are in the pipeline for Ponderosa require either zoning changes and/or General Plan Amendments.

My question really is this. Is it your intention as you bring forward projects so that your interaction with the Planning Commission will be complete with workshops and more dialogue? As much work as you've been doing in the neighborhood, my experience so far has been that you had the near opposite of those interactions with the Planning Commission with your projects. So I'm just wondering, as your projects go forward, is your intention to participate in the workshops that I know staff will be asking of you?

Hardy: Well, yes. You know, having been here for gosh, 25 years and coming before this Commission and many other Councils, we like the workshop session. The process has really been, up until very recently, to work directly with the residents and to hold our informational outreach and neighborhood meetings. It has always been celebrated. It's not meant to bypass the Planning Commission. We value your input and support. We know you have technical expertise in many areas so I think what we need to do is rely also on our discussions with staff early on. When we have a site we think is unusual or large enough where it could be kind of like a blank piece of paper if you will, yes, that to me is a good candidate to come to the Planning Commission in a workshop format. It saves us the cost of putting together a lot of detailed plans. We have no interest in spending a lot of money or time in developing a plan that's not going to be acceptable to the Commission. But again, working with staff, we kind of have to gauge that on a case-by-case basis.

Beaudin: Commissioner Nagler and members of the Planning Commission, we have taken formal steps internally to make sure that projects that are looking at General Plan Amendments or significant departures from a zoning perspective are required to have a workshop going forward. In this particular case, because the project was largely consistent with the established single family neighborhood at the end of Rose Avenue next to a driving range, we felt like this was the completion of what had been started a number of years ago, and I know you were asking about the future. In terms of the future, there is a requirement of any development that's proposing a major change from an established policy or existing regulations to come forward with a workshop.

Commissioner Nagler: I appreciate that. That's a double sided equation though, right? The City will, as I understand the change in policy which is terrific, you will require workshops in certain circumstances, but of course the applicant can choose how well to participate, right? So I am just really asking that on Ponderosa's side of the equation and what's their view.

Beaudin: It's not an option anymore. It's a City policy and so legislative changes do provide us with some additional discretion that's not possible with projects that are by right, so we're not concerned about permit streamlining and those kinds of things. We want people to move through the process as efficiently as possible and to help them do that it's really important to get the feedback and input early from the Planning Commission.

Chair Ritter: Thank you. I want to add to that. I know Ponderosa's done a major outreach and has been working on this project for quite a while and we have encouraged our developers to do that outreach and the more you do of that the less issues we have here so we like that. I just wanted to thank you for that. Staff's done a great job working with them too. So thank you.

We have one speaker card. Is there anybody else that has a speaker card on this item or even the next item? Michael Derbish?

Michael Derbish: I live on Cindy Way basically right in the center of Cindy Way on the west side. Ponderosa's development is literally in my backyard. I'm here to support the project. Ponderosa's been really great. They've been working with us, the five neighbors here, and we had a lot of concerns going into this. They've made a lot of concessions for us. They got rid of the lift station which as you said was a problem to our Lot 1 right on the end there, and our other concerns were the setback of the new homes and they've pushed those back 32 feet as well as eliminating the possibility of second story bonus rooms on the 5 houses that will be right directly behind us, limited windows on the second stories at the homes, and designated actual placement of the homes--- which homes were on the actual lots and to prevent them from being mirrored or maybe not being as nice as some of our homeowners on this side. So they came out to meet with us three or four times and showed us their plans and have been working with us very closely so that we're happy. It is great to be dealing with Ponderosa because they've been very great to us in helping us with our concerns and adjusting their plans accordingly. Not everything, but we got to a good agreement. So, I'm just here to support them. We met just this past Sunday and went over the plans and they agreed to put the concessions in the conditions of approval with the setbacks and the layout of

the homes as well, so that's great. Aside from that, I'm also the HOA President of Rosalyn Estates so I just wanted to say that our CC&Rs allow for this HOA to join our HOA and I think everyone is very aware that having a large creek bank liability on a few homes is a huge liability for the new homes. This is going to be 16 homes with pretty much double the Arroyo creek bank that the HOA is going to be responsible for. Aside from that liability, you know, there are also economies of scale. Initially we had some concerns about having an HOA join us that had the responsibilities of maintaining a large golf net but that's no longer the case, as well as the sewer lift station which would be another burden on the HOA. But those things are gone so I think it would be beneficial for staff to consider the possibility, if it can be worked out, for having a larger HOA specifically to deal with the creek bank liability. A major creek bank catastrophe in a huge rainstorm could be up to several hundred thousand dollars in repair costs and to have 16 homes shoulder that burden is not really realistic. You know, the HOA fee would be very high to build up a level of reserve and if the HOA can't foot the bill, it's going to come back to the City.

Chair Ritter: Thanks for your feedback and thanks for working on that. I have a speaker card here, David Pitcher?

David Pitcher: Good evening, my name is David Pitcher. I live on Camino Brazos. I reviewed the staff report today for the first time and have a couple of questions or comments, one of which I put in an email form and I'm not sure if you received that, but I'll read that quickly. "My wife and I reside on Camino Brazos. Our property backs up to the Arroyo Del Val. Our master bedroom, family room and an upstairs bedroom face the side of the new homes being proposed. I'm concerned about automobile traffic at night on Leah Lane and Melinda Way shining car lights into our home and our neighbors. I'm also concerned about the placement of street lighting. With the suggested removal of 93% of existing trees and the impact they will have on our views, would you please address suggestions you would make to mitigate the impact of the foregoing in order to keep as much as possible the rural environment and view we have so enjoyed for over 38 years." In addition to that I would have a question concerning—and I think it may have been answered by the previous speaker—that is, the letter that was written by Rosalyn Estates addressing the setback of the homes from the creek. Those are specifically item number 7, 1, 2, 3 and 4 of their letter of November 2014. In your staff report that was not addressed that I could see. Thank you.

Chair Ritter: All right, no more speaker cards. Let's bring it back to questions. I guess I'll just ask for the last speaker came up and talked about the headlights and the turns, when they develop that corner there, are there trees that might shield some of that? I could see a concern there.

Weinstein: Yes, trees are being proposed around that corner, new trees, and the important thing to keep in mind as well is that the existing riparian vegetation around the Arroyo will also be retained so there is a decent vegetative buffer between Mr. Pitcher's residence and the streets that are within the project site. In regard to street lights, there's a condition of approval that relates to the streetlights that are proposed as part of the project that requires 2 things. One is that streetlights match what's in the adjacent residential development which is sort of low glare, downward directed lights, and then the overall lighting plan has to be submitted to the Community Development

Department and the Engineering Department as well for our review where we'll make sure the lights are consistent with what's to the east and that they're also downward facing and reduce spillover glare on the outskirts of the site.

Commissioner Nagler: And then on his final point about whether there are home sites backing up into the Arroyo, that's been changed, right?

Weinstein: Right, there's the entire creek, the riparian area, the banks of the creek are protected. They are not to be developed and excluded from the home sites themselves.

Chair Ritter: One other question, on the liability discussion along the Arroyo with HOAs, how does that work? It sounds like an interesting concept of using the economies of scale. It's a legal question?

Seto: The developments that were developed by the Arroyo, as part of their common areas have that area adjacent to the Arroyo, so depending on what improvements were originally built with them, they've accepted those improvements and then the homeowner's association owns that common area and maintains it. So, typically new developments are not forced to join existing homeowner associations. Usually if we have, for example, a large scale project, it might have several phases. That developer might decide that they start a homeowners association with the first phase and as their project has second phases or third phases, then those phases would join an existing homeowners association. So the existing HOA for Rosalyn Estates can certainly have discussions with Ponderosa Homes, but we would not require the two different groups for two different projects to merge.

Chair Ritter: Okay.

Weinstein: Chair Ritter, I can speak a little about tree growth rate if that's still of interest.

Chair Ritter: Sure.

Weinstein: I took a quick look at our handy Western Garden manual which we keep in our offices just to get a sense of the growth rate of trees that are being proposed as screening trees. And just for illustrative purposes, there are a couple of species that are proposed as screen trees; there's White Alder, there's European Hornbeam, Cypress and Saratoga Laurel. They're all characterized as fast-growing trees in the Western Garden manual and just as an example, the Cypress tree, *Cupressus Leylandii*, the manual says it grows from cuttings to about 15-20 feet within 5 years. So if you think about a 24-inch box tree at several feet growing at a rate that's a little bit slower than that, you'll probably get to 25, 30, 35 feet within several years, so that's sort of the growth rate we can anticipate for these trees that are proposed for screening.

Commissioner O'Connor: So we did receive one letter that discussed existing traffic problems on streets in the area. So this is really not a Ponderosa issue, but is there anything the City is looking into for improving this? Are there any improvements to the intersection, lighting, street lights, stop signs, whatever, that are going to improve these conditions?

Beaudin: What I would encourage is for those folks to either call me directly or Mike Tassano and we can talk about our neighborhood traffic calming programs and identify the issues more specifically. We hear all the time about increased traffic volumes in the City, speed issues, etc. and we have ways to help address that in the short term with the police department and then longer term working with the neighborhood and possibly implementing some physical solutions. I just haven't had those conversations.

Commissioner O'Connor: They bring up the backup at some of the intersections like there's a 3-way intersection where Division crosses the street that goes out to the high school....on the other side of the bridge....Del Valle? So it backs up far enough that people can't actually come off of Fair and make a left turn. And I've been there before and have seen it. I don't know how prevalent that is, what times of day, but I don't know if there are ways of solving those types of issues outside of speeding issues and I'm not just talking about backup issues.

Beaudin: What I'll do is make some notes now and have a conversation with our Traffic Engineer.

Commissioner O'Connor: Do you have a letter from Tim Lester?

Beaudin: I do.

Chair Ritter: I just have one other speaker card, Bertram Robarts?

Bertram Robarts: Thank you very much for taking the time to hear me and I've lived in Pleasanton since 1971 and I've witnessed considerable growth throughout the City and I've often had nothing but enormous praise for the City Planning Commission and its outstanding job it's done over the years. The thing is my concern is that Pleasanton is rapidly losing its pastoral character which gives it a unique quality whereby it rates the 4th most desirable town to live in in the United States. I speak for many of my neighbors and friends who want to keep it that way. In 1998, the people of Pleasanton voted for a housing freeze or a building freeze. Jerry Brown was then Attorney General, at that time because we were in violation of urban housing growth and we need affordable housing—no question about it. However, my concern is that the viable impact—I'm sure you all considered that regarding Arroyo Del Valle, a beautiful stretch—in fact I live across the street from it—it's just a pastoral, beautiful area. In fact, traffic congestion, overcrowded schools in the future, and also possibly crime, drought conditions; we're coming off of 4 years of very unprecedented drought. Since 1850, we've never had a drought such as this. We are being asked to conserve water, required to. We're not out of the drought yet. We're about 80% capacity in Shasta Reservoir and we're still in the drought, and I noticed that it says here "approval does not guarantee available of sufficient water capacity to serve the project." I think that's a major factor to consider. In fact, I should say also, I don't recognize many parts of Pleasanton along here. There is construction going in, condos on Bernal, apartments there, and a section on Willow Road right across from 24 Hour Fitness. It's a parking nightmare to get into 24 Hour Fitness, and imagine what it'll be like when the construction is completed. I'm just saying a few things of general concern. I'm sure the Planning Commission has considered those. I just wanted to vent some of my concerns, and I know you've probably heard this before but I'm just looking at perspective having been a resident

since 1971, and I brag about this City, and I consider myself very fortunate living here. Your Planning Commission is outstanding, the City Council, everything, but I wanted to just pose these concerns to you for your consideration. Thank you very much for hearing me.

Chair Ritter: Thank you. We value your input. I know the Planning Commission and staff wrestles with these issues all the time and that's why it's sometimes painful for us to go through this process. It wasn't brought up yet, but I believe we read in here that drought tolerance is very important to the Ponderosa in their development. Do we have any other comments on that staff?

Weinstein: Yes, like all projects, this development project was reviewed by our Landscape Architect who scrutinizes landscape plans for water use. If you look at the plant list on the landscape sheets, you'll see that the vast majority of plant species that are proposed are low and very low water use plants. There is a sprinkling of moderate water use plants, but overall, there is a huge reduction in water use from standard landscape. The only other element I want to point out about the landscape plans is that there is very, very little turf proposed as part of this project. Turf as you know is a huge source of water demand in residential environments like ours and the fact that these residents will have a very small amount of turf speaks to the fact that they are going to be pretty effective at conserving water.

The project will also be required to adhere to the latest building code requirements for water efficient fixtures which will limit water use as well in terms of project operations or the internal water use of this project.

Chair Ritter: Okay, any other questions for staff?

Commissioner Allen: I have a question for the applicant if I may. It has to do with the FAR and I wanted to share my point of view and then I'll ask the question. So my point of view is related to, and I just pulled from our website, the definition of what is considered in a PUD. There are seven items on what's considered in a PUD. Number 2 is, is it consistent essentially with our General Plan and zoning. And the next one is, is it compatible with properties in the vicinity. Now, we all know in PUDs that under unique circumstances we can make variances; changes to a PUD for specific reasons. As I look at this project, there are 2 items though, and I'm looking at Table 1 on page 6 of 14, where the project is out of sync you might say with what the standard is. I'm specifically talking about height where, in fact, the project is really 30 feet and the applicant said they'd be willing to change some of the tables to be 30 feet, so that solves my table issue on height. But on FAR the maximum should be 40% and I'm looking again at what the standard is for this kind of area, 40%, whereas this project is 45%. And all the neighboring projects have met 40%. And, this may sound nitpicky because I can understand the rationale about it's the end of the lane and we can see the reason for going a little larger. But what I worry about, in principle when we have projects where we allow fudging on zoning that isn't otherwise required or necessary is a project like this, like any project, is used often times as the precedent. As a matter of fact, the next project we'll see in a workshop has precedent, but is used as a precedent or example for the next project that comes forward. So I in principle get concerned where we have a blank slate like this which is a fairly large, open piece of property and we don't try to

design it to just what the standards are. Unless there's some unique circumstance and I'm not seeing that testament here.

So, we discussed height earlier, but after that preface, my question for Ms. Hardy specific to FAR, is there any way you would be able to help us meet the standard of 40% without having a major impact on your development. I think it's a nice development and it deserves to be there personally, but is there a way you can work with us on that so we don't have that being used as a precedent of 45% or have other homeowners come and say you forced us to 40%, why is this project at 45%?

Hardy: Thank you Commissioner Allen. The Commissioner and I have had conversations about FAR on other projects as well so I'm familiar with Nancy's comment, and I'm going to answer your question but I also again want to reiterate that you know because it is a PUD, I don't see the .45 as necessarily being a deviation or modification or fudging or anything like that because I think these are appropriate given proportion and scale to the size of the lots on the site. Now, having said that, our development standards table with the exception of lots 1-5 which we pre-plotted and committed to the Cindy Way neighborhood, shows a combination of the various plans and on Plan 2 with and without the bonus room, and what those resulting FARs would be. That gives us the ultimate flexibility when we go to plot and we consider lots of things about variation, streetscape, buyer preferences and things like that, and just getting a good overall mix of the plans.

I'm doing some quick numbers here while listening to and anticipating your question, we could plot the houses in the first phase, the total of the 16 lots, again, setting aside the Lots 1-5 that are committed for, and using all of the plotting to achieve an overall .40 FAR. We could do that. But then again, I would also add too that again, this is a little unique and I think staff said it as well, is even on the zoning ordinance, it defines FAR as being the relationship of habitable floor area to your gross parcel area. In this case, there was a guideline established I think by a previous Commission to include a portion of the garage that is over 600 square feet in area. We're taking non-habitable floor area and applying that, just like you would with habitable area, to result in the FAR. So, maybe it's not unique in some of the projects that have preceded this one in the last couple of years, but just be mindful of that as well. Again, we have looked at some plotting. We think we put in a good mix that would work with us and still not achieve an overall FAR to exceed .40.

Commissioner Allen: Thank you.

Commissioner Nagler: Could I just ask, what would you change in order to have it calculate?

Hardy: Just to get down to planning, we went through each one of these lots and said, well, does a Plan 1 work here? Does Plan 2 or 2X work here? And does it meet what we need in terms of our overall mix based on our budget? Does it fit with a good variety of streetscape, you know, is it a good match of house size to the lot. We've done all of that and we think we have a workable mix here. It's not ideal, but it's doable.

Commissioner O'Connor: Yeah, we don't want the same model repeated 3 or 4 times on the street.

Hardy: Nor do we.

Commissioner Allen: So I really appreciate you all taking a look at that. Thank you.

THE PUBLIC HEARING WAS CLOSED.

Chair Ritter: All right, just one last question. I know the concept of more building and Pleasanton's growth. I know the Mayor has said the RHNA number is our new cap rate, so I just wanted to make the point that we, the staff, the Planning Commission and the Council don't decide what gets built, we just decide how it gets zoned and it's up to the developer to figure out if they can or can't do it. But I appreciate your comment about too much building in the City because we want to keep it in the top 10 like everybody else. It sounds like we have agreement. Does anyone want to make a motion?

Commissioner Allen: I would like to make a motion. I would like to make a motion for approval of this PUD with two modifications in conditions of approval. One is regarding height and that is we change the condition of approval relative to height which includes the table on page 6 and relevant tables such that this would be 30 feet instead of 32 feet. And number two, we change the FAR for this per Ms. Hardy's comments to 40% for this project versus 45%, except for Lots 1-5.

Hardy: An average FAR of 40%.

Commissioner Allen: Yes, an average FAR of 40%.

Derbish: Why are lots 1-5 excluded?

Hardy: Because we're pre-plotting. The houses we showed you on Lots 1-5, those remain as is.

Beaudin: Can you all help me with what your intention is with average FAR? FAR is not blended across parcels typically. It is per parcel, so the idea of potentially limiting one neighbor by what another neighbor does, if there's an average of 40% across 5 parcels and some people are at 32% and some people are at 48%, that starts to become problematic for us.

Chair Ritter: I think what Commissioner Allen wants is for this to say 40%.

Beaudin: 40%, not 45%.

Commissioner Allen: That's exactly right.

Beaudin: Does that work for Ponderosa?

Jeff Schroeder: I'm sorry?

Beaudin: Changing the number in the table?

Chair Ritter: The proposed development having a maximum FAR of 40%?

Schroeder: We can't live with a maximum FAR of 40%. We have to get the 45%, but we can live with an average of 40%. If you want to limit the houses so they can't go build additional square footage on them, then we're fine with that.

Beaudin: I mean, here's the deal. It's interesting because playing with the numbers in the table doesn't necessarily achieve what Commissioner Allen may be trying to achieve. So FAR is typically used as a bulk and mass control, so allowing it to average over a number of parcels would make sense if you were to say, we're okay with bigger houses back there, but we want the smaller ones up front. If you had a concept like that in mind, then we would probably try and break it up a little bit and go in with parcels. We would go individually and say, these ones can be a maximum of this percent FAR or this FAR and the ones in the back could be a little bit more. Creating an average over an entire area would suggest that one house could be large, one could be small, one could be large again, and that would still meet the intent of what you're trying to do, and I don't know that that's what you're trying to do.

Commissioner O'Connor: How many of the existing lots are over the percent FAR? Do we know? Are we talking 1, 2, 3?

Beaudin: Do you know Pam off the top of your head?

Hardy: If they're over .40?

Beaudin: Yes.

Hardy: Counting there are....8 lots.

Commissioner O'Connor: Do you know what the FARs are on those 8 lots? I mean are they 41% or all 45%?

Hardy: If the Plan 2 with the bonus room is constructed you have a total of 3 houses that would have a .45 FAR. So that's the biggest house; Plan 2 with the bonus room, 3 of which would be .45.

Chair Ritter: 3 of 16 would be at .45?

Hardy: Yes, that's correct.

Commissioner Allen: And how many are between 40% and 44%?

Hardy: I count 11.

Commissioner Allen: That's almost a majority. 11 + 3 are over 40% Pam?

Hardy: 11 total, but you know, they're all over the map. You know, there's 42, 43, 2 at 44, and 3 at 45.

Commissioner Nagler: What Ponderosa's going to do is plot out the homes and build them and then sell them. So someone is not going to come in and say I want or don't want a bonus room?

Schroeder: We plot the houses before pulling building permits and then we offer it as an option.

Commissioner O'Connor: So you pre-determine who's going to have a bonus room and who is not.

Schroeder: Pam and I work closely together on these projects and as she mentioned, we spent a lot of time with the neighbors when we committed to not building bonus rooms on those 5 lots so they were lower FARs on those lots I think. The real driving issue on this site was that when the property goes out to market, you try and get as much money as you can for it. So technically if you come in here and you have an amenity, you know there aren't 50 lots here, but it doesn't really lay out that well on a smaller lot project. It doesn't make a lot of sense to have a big battle and put in a lot of houses here that most people didn't want. We realize it made more sense to kind of do fewer lots and frankly, almost as few lots as possible on this site and still try to make it work and not have a property owner sell to some public builder who would try and build a 30 lot tract or 35 lot tract or whatever. What kind of drove that was being able to get enough house on the lots to make it all work financially. It has to kind of make it work and we invest millions and millions of dollars to try and make these things work. I know you guys don't care about that but that's just how all this works, and so in doing so, we try to be really thoughtful about the houses and how we design them to try and mitigate some of those concerns. So the Plan 1 is a little bit wider but it's a mastered down plan. It only has 3 bedrooms and a loft upstairs so it's got a lot of single story roof. The Plan 2 is a little bit more vertical on part of it, but really the whole half of that house is only a single story. It's a garage except on some of the lots we can put a bonus room. So we know we ended up a little bit over on some of the lots with the FAR, but in plotting it the way after we saw your concern, we looked at it and plotted it in a way that made sense because we don't like to plot the same houses next to each other or across the street if we can. We try to make it varied, and we were able to get to a 40% average FAR because some of them are down to 25% or 28% or something like that because there's a couple of larger lots there. So that's sort of what we tried to think of when this came up, but I believe, I know it says Nolan Farms is 40% but I go back to when this issue came up before and I've checked all those lots there and I believe there are houses in Nolan Farms that are over 40% FAR. There are some pretty big houses on 10,000-square-foot lots out there. 4,200, 4,300 square feet, so I'm not sure exactly and I don't have the history on that, but...there's a few lots in Nolan Farms over 40%. There's 45%, 45%, 47%, you know, there's a few, so it didn't seem like that was looked at before. Anyways, that's sort of how we got here. So with your forbearance, if you could live with an average of 40%, we think we can make it work and I think people would like what they see.

Commissioner Nagler: Could I just ask a question about that? On this replotting average 40% FAR, what's the maximum FAR?

Schroeder: We still have a couple of 45%'s, but nothing goes over 45% in the whole thing. Isn't that right? They're all in that table.

Hardy: 3 are at .45.

Chair Ritter: So the FAR went up in support of trying to help the neighbors.

Schroeder: It just ended up that way because we were trying to have really nice houses that fit in and you know, I think it's going to be a real benefit to the neighborhood and it's the minimum lots we could get on there and make the thing work. The driving range thing has driven a lot of it. The driving range issue was the biggest issue here and it's taken us quite a while to work closely with the fairgrounds and with the neighbors. They've been really helpful and Greg's here tonight I think still, to get to this point, and so we think we've satisfied the neighbor's concern with plotting and whatnot that we've done and so if you guys are comfortable with the average, we can get there.

Beaudin: Jeff, here's the logistic issue, I mean, 10 years from now, we're all gone and somebody says I want to do an addition on my home and you say you're fine limiting it but it's one of those anomalies that will only exist in your PUD.

Schroeder: Well, that's done in other neighborhoods like our smaller lot project. I think we have that restriction at Stanley.

Beaudin: No additions?

Schroeder: Yes, there's no setback room in some of those lots.

Beaudin: But there will be in these ones and that's going to be the issue. People are going to buy that and it's just not going to be obvious to people on the front end.

Schroeder: It will be in the CC&Rs.

Beaudin: Can I propose another way to get to where we're trying to get? If we had a maximum FAR—there's a table. I don't know if everyone's looking at the table or not, but it's sheet 2 of 4 and it's the RJA documents towards the end of your plan. It's 2 of 4 in the staff drawings.

Commissioner Allen: Can you show us what you're looking at?

Seto: It's in this one. If you turn to the second page, it's right at Table 1.

Beaudin: So there's a table and it's not the easiest table to read, but there's Plan 2 FARs and Plan 2 FARs with bonus as some of the column titles. They show the FARs and there's certain lot, the lots are identified. What I'd like to do if there's a willingness to pursue the average, then what I would say is, let's allow for the up to 45% or up to 42% or however we want to limit them and go lot by lot and just set the number based on the

plans that you're looking at tonight so that it's clear that those are the ones that can go up to 45%, I think would be the safest way to do that. So 11 of the lots would go up to 45% and everything else would be able to go up to 40%, and that'll give folks some flexibility over time to adjust their properties and it achieves the same thing. You're getting the same development plan. The average is whatever the average will be, but we have two maximum FARs so that folks who come in know that if they're a specific lot, they get up to 45% and other folks get up to 40%. Does that work for you Jeff?

Schroeder: You said the lots that are plotted that way....you're just talking about specific lots that couldn't go over 40%?

Beaudin: That's right, I think we set two maximums-we set a maximum of 40% and a maximum of 45% and frankly, any change that results in a couple of hundred square feet isn't going to be something that will make or break the character of the neighborhood over time. So if somebody had 43% today and wanted to go to 45%, they'd go through the same design review process as anyone else in the community when they want to do an addition. The planner at the counter doesn't have to calculate the average for the neighborhood or try and figure out if someone slipped an addition in or have to say 'no' every time because someone wants to change their property. It just sets a maximum FAR which is a consistent approach to this kind of thing.

Chair Ritter: How many did you say, five?

Schroeder: It might be helpful that instead of trying to figure that out right now is you condition that and we'll work with you on which house.

Chair Ritter: I would agree. I don't think we want to pick the lots. I'd rather the developer pick them.

Commissioner O'Connor: So what you're really saying is some of these larger FARs, they're not going to be able to add onto their house.

Beaudin: Exactly. There are some that are shown with a bonus room at the maximum and they'll have what they have because they're at the maximum at 45%. Most of the lots that were shown here, there would be 11 of them that go over the 40% so I would say set a maximum of 45%, and there would be the rest that would be 40% or less per maximum FAR. And we don't have to say 11 lots. You know, it could just be the lots that are over and we work with the applicant to figure that out.

Commissioner Allen: So where I come out is that it doesn't exactly accomplish my purpose of being able to put it on a table. I mean it doesn't because more than half are that way. However, with that said, I think I can buy into the project. I'm okay with someone else making a motion on this one because my principle is, when we can, to try to design a project, unless there's extenuating circumstances of which I don't see this being one, to meet the General Plan standards per what is said in our Code about what should be considered in a PUD which is to be consistent with neighboring properties and with the City's General Plan. So I understand and can buy into this being the end of the lane. It's the end of the lane. It's the last project in the area and therefore it's not a standard and I hope never to see it as a standard for going above the FAR.

Commissioner O'Connor: It's also another argument for why we should maybe on some of these, if we can, make comments early enough, unfortunately after all the time that's been put into this project, these things have already been designed. It would be really burdensome to go back to a developer and say, go redesign 11 of your homes so that they meet 40%. I mean, that wasn't contemplated from the beginning. But unless staff is going to take a real hard look on these and limit everyone to what's normal and not give them any variance, it's really late for us to come back and want to change things.

Beaudin: I guess I'm not as concerned about the timing and the process. The percentage changes that we're talking about are not that great. They certainly affect the overall floor plan and Ponderosa would have to have a look at Plan 1 and Plan 2 and maybe break out a different plan model, but if you set the maximum, then that's what the zoning is. Compatible and consistent are pretty subjective words and what the developer has suggested this evening is that some of the neighboring properties are exceeding that 40% as well. I don't have those numbers to verify the statement, but visually, the difference between a 40% FAR and a 45% FAR, if you were just walking down the sidewalk, you're likely not to notice the difference unless somebody put a real funky addition on the front. As long as the architecture is good the massing and bulk control that FAR provides, if you've got a good architect involved, you're just not going to see that level of difference. So if there are concerns about the architecture tonight or there's an interest in having a hard cap on the size of the units, it's not too late to do that; to make those kinds of changes. So I guess that's what I would suggest at this point in the game.

Commissioner Allen: Could I ask you all a question then because I had a discussion earlier with Mr. Weinstein about this and I didn't bring it up today because I was more concerned about a standard. But I did feel like the bonus room designs—I mean my comments to Mr. Weinstein were that it felt too massive to me. And I appreciate your comments because you know, you hate to change something this late in the process. I mean, I really do because I think everything else is really well done. But, I do feel it's a little massive and now that we get into this FAR discussion, it makes me think you know, if we brought the FAR to what the standard is, it might force one to look at things like the bonus room and perhaps scale back a little bit.

With all that said, I appreciate Mr. Beaudin's comments because you're absolutely right. 5% is 5%. 5% well designed you might not notice, but the bottom line is, we have a standard and if now 45% becomes the example and standard for the future, then why not 50% because it's just 5% more than 45%. You know...so that's what I think about and worry about as a Planning Commissioner when we have flexibility.

Chair Ritter: And I would say that if you wanted to change that ratio, make it be 40 homes or something. Then you go to a trade-off and that's what we have to do as Planning Commissioners is adjust for that. So that's why I'm not opposed to 5%. We're close, and then we're going to say pick a maximum of 11. What was it you recommended? Maybe 11? Or 9? I think we're getting close to making a motion of some sort.

Commissioner Allen: So could I change my motion?

Chair Ritter: Sure.

Commissioner Allen: All right. So my motion would be that we require....actually, my motion is that this project be returned and be redesigned such that it achieve....or, I support approving the project PUD assuming that it is able to achieve a maximum FAR of 40% and a building height of 30 feet per lot, and not an average blended, but rather that the maximum be 40% and the height be 30 feet and if that can be accomplished, I'm in support of this PUD. Now, I recognize that may involve redesigning some of the homes. I don't know what's involved with that, but that would be my motion.

Chair Ritter: I'm not in favor of returning it back. I'm in favor of making a tweak a little.

Commissioner Nagler: Is there a coincidence between the FARs being over 40% and those homes that have bonus rooms planned? Or, are there reasons or explanations that they exceed 40% beyond the addition of the bonus room?

Commissioner O'Connor: So if the bonus rooms were eliminated, would they all make the 40%?

Commissioner Nagler: Yes, that's the question.

Schroeder: There'd still be a few lots over the 40% without the bonus room, but I'd like to point out again to you that the Nolan Farms project which is as new as parts of Cindy Way, there are 7 houses well over 40% in that subdivision as well as some that are fractionally over 40% on top of that. So it's not like everything out there has been 40%. That was a PUD as well and so I think that you have the flexibility to do that with specific projects that have good design. So we did try to address that issue and in looking at those, this is something we printed out years ago. We used this to say, okay, we can be over 40% on some of the lots and we have the ability to get to 40% on average, so that's I think reasonable. One of these houses was actually built in another subdivision on a smaller lot than these in a PUD project, but this house has been modified. It's got different elevations and the floor plan's a little bit different, but it's been seen before with the bonus room.

Commissioner O'Connor: So again, how many of the lots now that have the bonus room that's causing it to go over 40%?

Schroeder: So Plan 2 on some of the lots is over 40% without the bonus room.

Commissioner Allen: So how many would be over 40% if you didn't have bonus rooms.

Schroeder: Well on this table, if you plot a Plan 2 on every lot, 9 of the lots would be over 40 without a bonus room.

Commissioner Allen: Okay, and 11 with a bonus room? Is that right?

Schroeder: I think it's....

Commissioner O'Connor: So it wouldn't be at 45% but it would be over 40%.

Schroeder: Those are all the same lots with the bonus room, they'd still be under 45% so it's the same 9 lots.

Commissioner O'Connor: Nancy's asking for input if we would support.

Schroeder: Well, we're negotiating here. I'm willing to restrict the number of bonus rooms on there if we get maybe 5 of those 9 with bonus rooms. We could live with that. That's another thing to consider, but all that would fit in with our plan to go with 40% average. If we looked at each house, plotted them all, and figured out what the average was, it would be 40% and I think as long as we get 5 of those bonus rooms....

Commissioner O'Connor: If they agree to do this average thing though, I wouldn't want you to put that on the PUD. I wouldn't want that to be the restriction because it's too much like Gerry was saying....that it's really hard to accomplish that and I wouldn't want someone next door not to be able to add on because the guy next door already has 1,000 square feet more than me.

Schroeder: Well, these houses are not small necessarily. They're fairly well designed and in looking at the houses, it's hard to think where you would want to add, but who knows what could happen in 15-20 years from now. But then again, you deal with that anyways. It's part of what you do on a case by case basis. If someone said, "I want to build a single story party room here and it adds 300 square feet and nobody's going to see it," who cares? I mean, I guess it's up to the neighbors. If neighbors care, then they show up and argue with you and don't get it approved. Not that I would create work for you, but I think you do deal with that.

Commissioner Nagler: Just a comment on your thinking which I completely do appreciate the fact that you're trying to look to the future, all right? I guess I don't think all precedents are created equal and there are some things that are precedential which have enormous impacts and we ought to pay attention to like building roads on hillsides. You know, sometimes there are conditions which, you know, your idea about a retaining wall, right? That's precedent and a bridge you may not want to cross and that we didn't cross because that's not the precedent you want to create, right? There are some it seems to me that are implied in us being asked to make decisions about projects, right? Because if everything were just so, then we would have less to talk about and we would be asked to make fewer judgment calls. And on this particular one, it strikes me that it actually does matter, both what is our policy; in this case 40%, but what's the setting? And if it doesn't just completely run rough shod over our policy, then sometimes we can make those decisions because in the context of the setting, the development, the look, the architecture, the whatever, a variation isn't the end of the road. And on the point of not all precedent being equal, I actually think it would be a very damaging precedent to establish FAR on the basis of the average in a development because I think that would raise many more opportunities in the future for an applicant to come in and say, well listen, you have this precedent. We did this here and that there and you said it's okay to average and why isn't it okay now when it was before as compared to, our guidelines are 40% FAR and in a particular setting we may allow a variation, right? We are recognizing that the developer did a terrific job of working with the neighbors and they set in stone what the FARs are on that street because that was important to the neighbors. And so, we're looking at the overall project. So I guess the point I'm trying to

make is I don't agree with your underlying premise that we ought to be absolutely beholden to the 40%.

Commissioner Allen: Thank you for sharing that.

Commissioner O'Connor: I also agree. I don't think Nancy was asking to do an averaging.

Commissioner Nagler: No, I know. I appreciate that. I'm just commenting.

Commissioner O'Connor: I do think though, and I have to thank Jeff for making that option, that by removing some of the bonus rooms, it opens up the sky a bit. It makes it a little less massive through the neighborhood and he said they could live with five of the nine homes having bonus rooms and I think that would be a great compromise.

Commissioner Nagler: Yes, I could support that.

Commissioner Allen: And I would too.

Commissioner O'Connor: So I'll make the motion that we forward Case PUD-99 to the City Council with a recommendation for approval by making the three findings in the staff report and with the modification that only five of the nine homes currently shown with the bonus room are constructed with the bonus room.

Commissioner Allen: Did you want to add something on height?

Commissioner O'Connor: No, I think the height is okay. The neighborhood right next door is at 32 feet and it does give them a little bit of wiggle room and if engineering turns out to be a little off by 6" or 12", because the neighborhood is at 32 feet, I think it's okay at 32 feet.

Chair Ritter: Do we have a second?

Commissioner Nagler: Second.

Chair Ritter: Any discussion?

Beaudin: Chair? Could we just make sure we add/amend the conditions based on the memo that was submitted this evening with that motion? Jenny mentioned it in her presentation.

Commissioner O'Connor: Yes.

Ritter: Per the memo dated March 23rd, staff is recommending the following new conditions of approval be added: "The plot plans and house model and elevation type for Lots 1-5 shall adhere to the "Lots 1-5 Preliminary Plotting Exhibit," dated "Received, March 21, 2016," on file with the Planning Division." Are we all in agreement?

All Commissioners: Yes.

Commissioner O'Connor moved to forward Case PUD-99 to the City Council with a recommendation for approval by making the three findings in the staff report and with the modification that only 5 of the 9 homes currently shown with the bonus room are constructed with the bonus room, and with the new condition of approval based on the memorandum submitted March 23, 2016 to the Planning Commission from staff.

Commissioner Nagler seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Allen, O'Connor, Nagler, and Ritter

NOES: None

ABSTAIN: None

RECUSED: None

ABSENT: Commissioner Balch

Resolution No. PC-2016-07 approving Case PUD-99 was entered and adopted as motioned.

BREAK

Chair Ritter called for a 5-minute break at 8:53 p.m. and reconvened the meeting at 8:57 p.m.

b. P15-0551, Catalyst Development Partners

Work Session to review and receive comments on a Preliminary Review application to relocate the existing single-family residence from 536 St. John Street to 4372 Pleasanton Avenue and construct 12 townhomes at 536 and 550 St. John Street and the adjacent vacant lot. Zoning for the properties are RM-1,500 (Multi-Family Residential), Core Area Overlay District (536 and 550 St. John Street) and R-1-6,500 (One-Family Residential), Core Area Overlay District (4372 Pleasanton Avenue).

Natalie Amos presented the staff report and described the scope, layout, and key elements of the proposal.

Todd Deutscher, Applicant, Catalyst Development Partners: In planning the development of this site we've worked very hard with staff to try and come up with something that was consistent with the Downtown Design Guidelines and we weren't as concerned with the max density we could put in or the max height. We tried something that I would consider the economically and morally highest and best use for Pleasanton, so that when you walk by the site it gives a very good feel. I think that the maximum density is about 21 units and this plan ended up being 12. We elected not to even pursue a three-story product here just because there's no need to...we can achieve our goals internally and still maintain the consistency of the roof lines in the neighborhood by doing the product that we did. The parking is 2-car garages. Both parking spots are covered for each unit. And I know one of the comments that planner Amos had shared with me was regard to the fence in the rear and the adjacent neighbors there. I think we

would preliminarily propose a good neighbor fence with a one foot lattice above it. However, we're open to other proposals that may provide a better aesthetic or sound barrier. I think the only concern there is just making sure that all of the neighbors agree on whatever that might be because now it's just not us but it's also those people have rights too as to what they're going to see in their backyard and it's being replaced.

We have Robert Lee from William Hezmalhalch Architects here if you guys have any questions specific to the architecture. We gave you imagery but he can discuss with you in more detail about the floor plans, what the back units and frontage may look like and things like that and I'd be happy to answer any questions you might have or defer to him if they're more specific.

Chair Ritter: How long have you been working with staff on this project?

Deutscher: We started last summer so we've had a number of iterations in the design. The first couple got booted and for good reason, we started with more units. We originally started with the historic house being moved on the site over to the northeastern corner and it wasn't aesthetically pleasing. It just kind of created an odd situation. So we elected to consider different alternatives and location that would be consistent with the historical report from a CEQA architect who could evaluate that and come up with alternatives. I do want to point out that the 4372 Pleasanton Avenue site which is in your staff report is one of a number of proposed sites that would meet that criteria. That was the first one we had and we wanted to make sure that we came to this meeting with something that was technically qualified but we're still working with the owners of that property. It's not a final, and we do have other properties that we're working with too. But whatever it is, we'll meet the standards that were described in Natalie's two points below there.

But keeping it on the site, nobody liked the look of it, the efficiency of it and I think it just took away from the historic feel of the historic property in and of itself too.

Chair Ritter: Okay, we have four speaker cards. Robert Lee?

Robert Lee, Architect: If you guys have any questions, I'm free to answer any you might have, as this is a workshop session.

Commissioner Nagler: One quick question. This is obviously a conceptual design, but where on the continuum of a conceptual design and pretty close to what you're going to put in the showroom is this façade?

Lee: So the floor plans in working with Todd are pretty much what they would like to build. The elevation character that you see along St. John's Street is what we're proposing. The elevation for the 6 units in the back, we have not developed those and based on what we heard tonight from you of what you would like to see, we'll go back and design those 6 units and bring it back to you, staff, and the Commission.

Chair Ritter: Have you done any other architectural work in Pleasanton?

Lee: A lot with Ponderosa Homes, infill sites along Ironwood, the senior community. That was planned and designed by our firm, the recent one on Stanley Boulevard; I think there were 13 or 14 lots. We designed those. Historically with Ponderosa and other builders throughout, we've been in the Tri-Valley area for a number of years. Our firm is based in San Ramon and we're doing a lot of projects throughout the Bay Area.

Chair Ritter: Great. So you understand Pleasanton.

Lee: Yes, I even have a house in Pleasanton.

Chair Ritter: Great, thank you.

Commissioner O'Connor: So we received I think one or two emails from neighbors. What would it take to provide any kind of guest parking? One space, two spaces, three spaces? Is there nothing available? Do we have to eliminate a unit to put anything in?

Lee: Yes, if we could put up the site plan and we can go through a little bit of it. We are preserving seven on-street parking spaces on St. John Street since we have one limited access into this site. On the right hand side we have one driveway serving the 12 units so we're not having 12 driveways breaking out St. John Street. So after we worked with staff, we basically hide the garages as much as possible and preserve both the landscape that is existing on St. John Street as well as the existing surface parking on St. John Street for residents as well as guests that come to the Downtown. If we were to provide an extra guest space on our property, there may be room in between the two tri-plexes. They are 13 feet apart, but I think the Fire Department might like to keep that clear to be able to access fire from St. John to the units in the back without having to try to truck it. So there would be a little bit of a compromise between the Fire Department access and one guest space, but if you were to add any more guest space, it would eliminate a unit. One guest space takes up 9 feet, or 9x19, but unless we push the houses further back towards the back, they will be more private driveways than a parking spot for any random guests.

Commissioner O'Connor: So I couldn't tell how much space is in between those rear units where it's a little bit wider in the front? Is it large enough to hold a car?

Lee: No, and in between the units, the front doors are kind of....if you see the little black dots on the side of each of those duplexes...that's a walkway and there's a little porch area. So between the porch and the buildings, there's probably about an 8-foot separation so there wouldn't be enough room for a car there.

Commissioner O'Connor: And on the two outside ends what would be I guess a fence line?

Lee: Right. We would either have to eliminate the porch on the houses and still really study if you put a parking space and you have to open your door once you do park there, it is pretty tight. What they originally had was a large six-plex building, but the massing and scale of that building was not consistent with the surrounding neighborhood so we divided those into 3 smaller duplex units. I think the scale of the buildings will be more receptive to the surrounding neighborhoods, whether they have

two stories versus three stories. So we were really trying to meet the character of the neighborhoods rather than making one or two big buildings. You know, then we can maybe have parking but the scale would be different from what we see here.

O'Connor: Do you know how many curb cuts are in the front of these three lots? How many curb cuts are there today? Because now it only looks like you need one. So are we filling in two other curb cuts that would have been for driveways for the other two lots?

Lee: Right now I know the existing home had a driveway with two lots on both sides.

Amos: There are two curb cuts along the project frontage.

Commissioner Nagler: So we're eliminating one.

Lee: Yes, we're eliminating one.

Amos: There's 3 lots currently, so that's why. They have a curb cut along where there's a garage in the back through here. They have a curb cut here and they have another curb cut through here for this vacant parcel here.

O'Connor: So there are three today and we only need one, so we're actually filling in two?

Lee: Potentially, we may be getting one or two extra parking spaces on St. John, but we have not taken the exact measurement of the existing condition and how many parking spaces fit in there. With the proposed one curb cut, we are providing 7 parking spaces.

Chair Ritter: And no guest spaces.

Lee: We're assuming St. John Street will have a guest parking space.

Commissioner Nagler: The assumption is that each owner will have two cars.

Lee: The requirement is one enclosed and one uncovered space. We're providing two covered spaces per residence.

Commissioner O'Connor: This area can be real tight for parking for anyone. Staff, is there a way to tell the owners of these units that they can't park on the street? You know, a lot of people fill up their garages with things and even if you put that in the conditions of approval, there's really not an easy way to manage that. So if they don't have the two spaces available, they'll also be out on the street as well as the guests. I don't know how to solve that real tight parking area.

Amos: Your experience is exactly the same that we all discussed before which is, we have the requirement in the conditions of approval that it is disclosed in the CC&Rs and you can try to have enforcement of that, but whether someone decides to park in the street because they know a guest is coming and maybe offer the guest the parking

space just to make sure they have it, we can't enforce that. People try lots of different techniques but because it is a public street, we can't tell people they can't park there.

Commissioner Nagler: We could though have time specific restricted parking, right?

Amos: There could be that depending on where the City Council or the traffic engineer recommends it. We have started enforcing that now on Main Street again and on some of the side streets, so that is happening.

Beaudin: We do have a downtown parking strategy and implementation plan. We just got it in draft this week. So I don't want to put all of the burden of downtown parking on that plan but I do think there will be additional opportunities just a block from this location. We've resurfaced as temporary parking, I believe it was 42 spaces, and I haven't seen a car park there yet.

Commissioner Nagler: I did the other night. It was full.

Beaudin: It was full? Oh, excellent, so I haven't seen that during the day. I'm hoping employees start to migrate there but we are creating spaces where we can and we'll be looking for other opportunities like that as part of the implementation part of the plan. We are looking for ways to add additional parking supply downtown and better managing the supply that we have, and it may come down to limiting the duration of on street parking and really staying the course on our enforcement.

Commissioner O'Connor: Did I hear you say temporary parking?

Beaudin: Yeah, we're calling it temporary because half of it is actually owned by the railroad so we need to find a better solution, longer term, or come to some agreement with the railroad. But I'm calling it temporary for the time being because we own half of it, and it's not real pavement. We didn't go through the refinishing process we would have with landscaping and those types of things because we need to find a better long-term solution.

Chair Ritter: So to get more on-site parking, you would either have to go up or eliminate some units. I guess those are the two options?

Deutscher: So if you guys were considering more guest spaces, is there a major number for the number of guest spaces that would be required on a site like this beyond the 7 that are on the street? I think there is a parking measure where it's limited to maybe two hours for parking on St. John Street. That would prevent someone from parking there all day long. We would be open to that suggestion and definitely the CC&Rs would require each homeowner to occupy two parked cars in their garages. Many associations do that and if there is a violation, they assign violation fees. So we would be open to implementing something like that in the CC&Rs as well. But the last resort is to remove any units.

Commissioner O'Connor: I'm assuming there's no contemplation as a rental project. This is an all for sale project?

Deutscher: Correct.

Commissioner Allen: Can I ask a question since we're all on parking, can you refresh us on apartments? You had asked what the standard was for guest parking. We have a standard for apartments and what is that ratio? This is not to say this is an apartment, but just for apartments, what is our standard that we have?

Amos: Again, it depends. It's based on the number of bedrooms. So if you have two bedrooms then you have to have one and one-half parking space in a core overlay district. It'd be something like one space and one and one-half space if you're having a guest.

Weinstein: Just to clarify too, small projects in the core area overlay, or less than ten units in the core area overlay, have no guest parking requirement if you're talking about apartments. So I just wanted to clarify that.

Commissioner Nagler: But it's actually an interesting question, thank you. So if the apartment standard wasn't in the overlay district, we'd be talking about two guest parking spots, right?

Commissioner O'Connor: One per seven units, so it would require two spaces.

Deutscher: The other design solution just to throw it out there is just the current parking requirement is one covered and one uncovered. You could do a one-car garage enclosed and then have the other space next to the garage as kind of a carport and that could be open for the residents' guests to park there versus the residents parking two spaces in the garages. It's one garage space, one carport for their guest to park on their lot and each lot would have one guest space and one enclosed garage.

Commissioner Allen: That's an interesting concept and it's a little bit along the lines of what Kimberly Commons did. I don't know that it's right or wrong, but Kimberly Commons when it was approved, they specifically said they weren't going to have a closed garage. That was agreed upon during deliberations because they wanted to make sure people wouldn't be putting all their stuff there. And they thought if it was more of a carport design it would reduce the likelihood people would use a garage for storage.

Commissioner O'Connor: You could stuff your garage and always park outside and your spouse would be on the street.

Commissioner Allen: Yes, but we should hope one that would use it.

Deutscher: I'd like to reiterate for the Commissioners that we will put it in our CC&Rs with regard to the concern that you raised. I think trying to have one uncovered...excuse me, one carport and one garage, it probably would have an adverse aesthetic as well as marketability and economic characteristic for the project. Again, we are losing a couple of curb cuts and we are doing two covers versus one cover, so I would prefer to do this as we move forward from the buyer expectation and control standpoint than try to

physically adjust the project and potentially have a material and adverse effect on trying to meet a metric that way.

Commissioner Allen: Can I ask just one last question around this problem that we always face about garages and how they're used because, for example, I live in a homeowners association that has the rules that your garage is supposed to be used for parking and I've been on the board. We can't enforce it. It's unenforceable for the most part. But, is there a way to have a garage door that has some kind of window in it? If there was a way to have a garage door that has some kind of window in it then at least the homeowners association has the ability or someone else does to look and see, and that may prevent people from using the garage as storage. And I don't know if there's a garage door that does that that's on the market.

Weinstein: I'm sure that's something that could be included as part of the project. In doing so, you would sort of weigh if there were security considerations or durability considerations or aesthetic considerations. But I don't think there's anything that would prevent the Planning Commission from requiring or to asking for a window in the garage door.

Commissioner O'Connor: You know there's only six units I think when people open their garage door that you could tell if they were storing something. You know, it's not a big complex that's really spread out.

Commissioner Allen: I don't know that we'd go there, but we deal with this all the time.

Commissioner O'Connor: They might self-enforce because if there is so little parking on St. John down in here that if you want to be able to put your car away, that's the only place to go because there's no parking on the street. They may do it just out of need without having to be forced. Don't remove it from the CC&Rs but I don't know that there is much more we can do.

Ritter: I have two speaker cards. Alice Mohr? Thank you for coming and staying so late.

Alice Mohr: I live on St. Mary's Street in Pleasanton. I came because I'm concerned that my property is right in the back of the back part of that property and I wanted to see what the plans were because I was worried they might be considering three stories. When I saw how many townhouses they wanted to put on the property, I was concerned with three stories, which I think is out of character for that area, and I particularly don't want a three story house behind me, but that's beside the point.

The other thing I was going to ask is that if it could be a solid fence, like you know, one of those cement panel type fences that goes across the back of the property. And then I noticed in the plans that I was reading, if I interpret it correctly, it doesn't look like the setback from the back houses there to the back property on what would be the south is the minimum. It looks like it's supposed to be 30 feet and I think it's like 16-20 feet that they have there and I was just wondering if that's a problem. And then the other thing is that I think the estimate for parking on St. John depends on whether you're going to park there after midnight especially on certain nights like Barone's Thursday Night in the

summertime. The parking is really, really terrific around there until the bar closes. Then it lightens up, but it's hard to even put out your trash on St. Mary's Street on those Thursday nights. But, I like the music!

The other thing is the Wednesday nights in the summertime; the parking's a little stiffer. But other than special event things, there is some parking on St. John Street. I do a regular dog walk so I keep up. So that was my concern; that the buildings not be too high and because I recognize it's a commercial property and they can put whatever the Planning Commission allows them. I was just going to say what I sort of would like. Thanks very much for listening to me.

Chair Ritter: Ok, we have the last speaker card, Linda Behers?

Linda Behers: I've lived on St. John Street, across the street, for 19 years, coming up on 20 years and I've lived in Pleasanton since 1989 so I understand Pleasanton. The first I heard about the project was when I got the proposed card, so I read the report last Friday when it was posted and I emailed Natalie and followed up with a phone call to make sure she received it. I know in the report tonight you had asked developers to talk with the neighborhood and no one has approached us as far as I'm aware. I'm the president of the St. John Court Board. I am representing my own interests but I've heard my neighbors talk and I know a few of them mentioned that they sent in their emails. So you're already starting to address some of our concerns about the parking. We have responsibility for enforcing our own parking issues. We do have guest parking spots. Even with our guest parking, our two per unit resident parking—we have residents parking on St. John Street on a regular basis, so we know there's people already out there from our 28 homes. My concern is the 12 additional units and what kind of parking would come along with it, because you can't assume just two cars per home. Some people have 3-4 cars, with kids home, kids home from college, and we have a lot of difficulty even tagging cars in our own complex that are using resident and guest parking for 2-3 days—those types of things. So that was when I put out a solution there. I wondered if there could be less units or what could be done to increase some of the space for the parking.

This wonderful lady mentioned the Barone's night. I do enjoy the music and I'm very grateful that I don't need to park on the street, but I do see people coming down the end of the street doing U-turns, looking around so that traffic gets backed up. Sometimes I just want to get home and get to dinner and I see the traffic backed up all the way down here to Bernal as people look for parking. So if there's hope on that parking, that would be awesome with those spaces there.

I also am concerned about the future homeowners and what their expectations are for parking on the street. I don't want to see those future homeowners coming into our guest and resident parking because I have to chase people out of my dedicated outdoor spot, even though it says "reserved" they are going to take it over. So I have to tag or tow them and I don't want to have to tow anybody out of that parking spot.

Lastly, I would just say as you're coming north on Peters and you make that left turn onto St. John, there's a lot of traffic that comes down from the north and they have the right-of-way. They almost always kind of start to cut you off. They cross that double

yellow line on Peters that runs north. So my concern there is future accidents that are going to be happening as more homeowners go in that direction.

Commissioner O'Connor: What do you think about a limited time for parking on the street? Like a 2 hour or 3 hour limit?

Behers: I think you'd have some unhappy homeowners who are currently needing to park on St. John for greater than 2 hours. I think you would hear their complaints of, you know what I need to leave my car out there half the day and now I have to move it after two hours. Maybe if there was resident permit parking, you know, like they do in the City, where residents get privilege, that could be an option, and maybe just the random guests that are just kind of coming and going would be limited to the two or three hours for the Barone evenings. That might be very helpful.

Commissioner O'Connor: So you think currently homeowners are parking on the street as opposed to their designated parking?

Behers: I think we have the garage storage issue that Nancy has brought up as well. It's very difficult to enforce, right? Plus, you have a neighbor that you're going to have to say, your garage is filled with storage and we're going to keep writing you up. Being on the Board we'll go through a number of notifications and then get to fines, but we're an all-volunteer board member so we have to take our personal time to monitor those things and it's not something that's very enjoyable to keep dinging your neighbors for what they're doing for their garages, what they're doing with their parking. They know where you live and they knock on your door and you've got a bigger issue going on then.

Commissioner Nagler: Just to follow-up on your question, I live on Walnut Drive and the City allowed us to do restricted parking by time but to your point, the residents can get one permit per home. So there is a possibility or variation where you could do something that allows the residents access.

Chair Ritter: Great feedback, thanks so much for coming.

Behers: Certainly, and I know the parking goes beyond Barone's nights. It's during the fair as well.

Chair Ritter: And I do know as this process goes they'll be a lot more outreach from the applicant to the neighborhood so this is the start of the process.

Behers: Okay, yeah, this is my first time here.

Chair Ritter: Thanks for coming. All right, back to us. Do you guys have any questions for staff or should we go through these bullets? So I was thinking, what I could do is go through each bullet, if you guys say your thoughts and if everybody agrees with the thought, put your hand up or say 'I agree' and if you don't, you don't need to. Adam was asking if we could narrow it down to bullets and what our thoughts are on this so we could come up with recommendations. Does that sound okay? So let's just go to the first one:

A. *Does the Planning Commission support demolishing the existing home at 4372 Pleasanton Avenue and relocating the historic home at 536 St. John Street to the Pleasanton Avenue site?*

Chair Ritter: Do we want to do a comment? I'll just say I agree.

Commissioner Allen: I agree.

Commissioner Nagler: I have a quick comment which speaks to the applicant's point. I totally support the idea of moving the historical home, but if that doesn't turn out to be the site, what I would ask is that by the time this project comes back to this Commission for approval, that the site be nailed down so that we can make an actual decision about whether that site's the right place to put the house.

Commissioner Allen: I agree.

Commissioner O'Connor: I agree.

Chair Ritter: I agree. Okay, and discussion point B.

B. *Is the proposed density for the St. John Street site acceptable?*

Commissioner Nagler: I personally think that the scale of the building is appropriate to the neighborhood. I think it's terrific that it is two stories. Had it been a three-story proposal it would have been something to think about, so I think the density's fine. But, I do think that this question is a very close cousin to the question about guest parking.

Chair Ritter: We're getting to that one.

Commissioner O'Connor: I agree, I'm okay with the density, but I'd like to talk more about the parking and setbacks.

Commissioner Allen: Setbacks are included in the density.

Commissioner O'Connor: If that's part of the density question, we should talk a little bit.

Amos: It could also be a part of C, for the conceptual.

Chair Ritter: Nancy, are you okay with the proposed density other than the parking and setback?

Commissioner Allen: Other than the setback discussion and the parking.

Chair Ritter: Ok, let's go to C.

C. *Does the Planning Commission support PUD zoning for the 536 St. John Street site and the conceptual site plans for the two sites?*

Commissioner O'Connor: We do need to go to setbacks. I think the building height is going to be fine at two stories. I'm sure we're not going up to 40 feet and we'll hopefully

be around 30 feet tall. I notice the requirements say 20-foot setback but we have a lot of places where they are not at 20 feet. I'm more concerned with the rear for people who live behind this project. So instead of a 30-foot rear setback we're somewhere between 10-24 feet.

Beaudin: The rear setback is somewhere between 20-24 feet.

Commissioner O'Connor: 20-24 feet is for Plan 2. This other one says 10-14 feet.

Amos: There's a bonus option on the back for them to do a small addition. I believe it's called a California room.

Lee: It's a covered porch in a backyard. It's a very popular feature we're adding to new homes these days. It is a single-story covered structure. Instead of a homeowner putting a pergola or trellis in the back, we would include it as part of the design feature of the house.

Commissioner O'Connor: Is it equivalent to a pergola?

Lee: Yes, the square footage is like a patio area that has a roof on it but no walls.

Commissioner Nagler: What's the roof height relative to the roof height of the home?

Lee: It would be a one-story between 12 and 15 feet.

Commissioner O'Connor: Okay, so it's open. It says Plan 2; 20-24 feet. Why do we have this 4 foot...?

Lee: There's one part of the site that jogs 4 feet.

Commissioner O'Connor: So we're talking about 20-foot setbacks where 30 feet is the norm? I don't know if neighbors would be okay if we did a taller fence or if there's an option to give them more privacy and sound...

Lee: You could look at trees in the backyard of those units to provide vertical screening for the residents behind them because a fence only goes up so high, but if you put the trees and different vegetation in, it has an opportunity to grow higher to provide the privacy for the existing residents, but still allow the 20-foot setback. As part of the application coming in, we would provide a landscape plan, and identify what species of trees could grow in the backyard, and then maybe the size of a planter box we put in there.

Commissioner O'Connor: This is a two-story structure so you can always look out your window and look at somebody else's backyard if they are a single-story home or even if they are a two-story. I was thinking more of sound attenuation. Usually landscaping does not do much for sound. A lot of people think it does but it really doesn't.

Lee: If sound is the consideration, I think one option is the block wall. That helps out.

Deutscher: We're not trying to create a Mona Lisa there, but certainly something that's pleasing to look at and gets the job done. That's fine.

Commissioner O'Connor: And there's a benefit to the new owners of these units as well because they only have so many feet. They can't get away from the sound or anything else.

Deutscher: And if you look at the aerial, you'll see the neighboring yards. Many of the neighboring yards have very, very mature, if not heritage, trees along there anyways, but we're absolutely willing to do some sort of sound wall if you will that is satisfactory to the City.

Commissioner O'Connor: Yes, I think that would be better than trees or something. This isn't a very big backyard. If you put trees in there then your backyard is gone.

Chair Ritter: Staff, is that enough for C?

Weinstein: Yes, that's good, so we can explore two options.

Commissioner Allen: I agree with your comments about the rear setback, and on the front setback, what did we do for the Peter's project with Mike Carey? What is the front setback?

Weinstein: I think the Peters project was something like 25 feet, but the important thing to consider with that project is that there were garages in the front. We wanted that additional setback in the front to get some guest parking, so this is a different architecture and different sort of street interface.

Commissioner Allen: How about the project by the Bank of America?

Amos: Are you referring to the one on Peters and West Angela? The one the City developed?

Commissioner Allen: Kimberly Commons.

Amos: Kimberly Commons' setback is essentially about the same; 10 to maybe 15 feet, but I think it is more closer toward what the applicant is proposing on the front ones along the Peter Avenue side. If you're referring to the one developed more recently on Peters and West Angela, that one has a significantly more reduced setback. That went up to the stairs and I think it was 8 feet to reach those stair entry areas.

Commissioner Allen: Right, that's not a good example and that's why I asked.

Lee: I don't know if you have the floor plans in your packet, but based on Plan 1 and walking through the front elevation, the front of that house, they are kind of designed as a row house where the front porch and front doors in this development; each of the homes face St. John Street just like the garages. What we're doing is adding an 8-foot porch on the front and we have a little study area on the ground floor next to the living room that has a little bump out. That little bump out we took from the existing home

that's on the site now and kind of use that as a little character reference. So we're really trying to replicate some of the older style homes that were in the downtown area and we have two steps up to the front porch, bringing the porch and the front door closer to the street versus pushing it further back. We want that interaction between the resident sitting on the front porch and people walking on the sidewalk. So we figured that design feature, incorporating a porch element in the front door, and the social interaction for potential home buyers that live at these residents will be part of the community. So they will kind of monitor activity on St. John Street and bring it out to the front area.

Commissioner O'Connor: So does that 10-foot setback go to the front of the porch itself so the actual living room wall is 18 feet back?

Amos: It's taken from the building wall or study wall to the property line, about 10 feet, 3 inches.

Lee: So the porch extends two feet into that ten feet, so the porch is eight feet from the back of the walk.

Commissioner Nagler: But the point is that you could have the 16-foot setback if you eliminated the porch and eliminated the study, right?

Lee: Then you would have primary garage on the front of it.

Commissioner O'Connor: You'd have 10 feet to the study and 16 feet to the front door.

Lee: Our living space behind that porch is only about 28 feet and that includes a powder, a stairwell and a small living room. So if you take out any front space for additional front setback, you do get a bigger front yard, but....

Commissioner O'Connor: I wasn't suggesting that. I was just getting a feel of how far back the front door was from the property line.

Lee: The front door is about 16 feet.

Amos: You'll see per the site plan or the PowerPoint, it's just over 16 feet from this property line to this wall. From here to the building wall it's 10 feet.

Commissioner Allen: Building wall being the front of the porch?

Amos: No, the front of the study area.

Lee: The little pop out on this first floor. The second floor steps back from the first floor so there is a little bit of relief on that. The second floor steps back about six feet from the edge of the porch and six to eight feet with a little jog in that. We're considering maybe putting a deck off of that where you can have access from the master bedroom. The master bedroom faces the St. John Street, and we would option it off as a deck option for the buyers. It would have a little French door that opens out to the second level deck that looks down toward St. John Street. On the homes on the back they don't have that offered because we want to maintain the privacy of neighbors.

Commissioner O'Connor: So that would come over the front porch?

Lee: Yes, they would go over the front porch. To address the private open space, they will get as much private open space on the ground floor as well as the second level.

Chair Ritter: I think I'm okay with the setbacks with the openness of them. It's not like it's a big wall coming out.

Lee: Right. If you want to add more character to the street, maybe we could put a little picket fence or some kind of low wall in the front to define the public space on the St. John sidewalk; maybe set it back two feet and have a little private yard fence or possible gate before getting to your front porch. It kind of creates a small town feel that Downtown Pleasanton is, so we could be adding more features to the front yard and front yard landscaping to create that quaintness and charm for these buildings.

Chair Ritter: I'm not in favor of those little fences. It's too tight. You can put them on a bigger area.

Commissioner O'Connor: If you have only eight feet to the front porch and you want to set it back two feet, you only have six feet just to give a picket look.

Lee: Or you can do a hedge without the fence. That kind of creates the same buffer zone of private/public space.

Commissioner Allen: So my initial impression on this is if these were individual stand-alone row houses, more like Kimberly Commons, small new homes, then this kind of setback feels okay to me. With a triplex, it feels more massive to me, and therefore, I'm feeling like I want a setback that is greater.

Chair Ritter: I would look at it the other way. I think because they have an open porch, it feels like it's not right at the curb.

Commissioner O'Connor: So the difference is that at the ground floor, the porch sets back and you step right onto the staircase going up.

Commissioner Allen: Now are you talking about the Kimberly Commons?

Chair Ritter: No the other one.

Commissioner Allen: No, I'm not talking about the other one. The other one's not a good example to me. That is overwhelming. I'm talking about the Kimberly Commons which are small little cottage stand-alone units right around the corner.

Amos: The one on the corner is actually closer; the duplex, that's on the corner of Peters and St. John. That definitely has a closer setback on that side, but the rest is more comparable to this proposal here with further setbacks.

Chair Ritter: That actually feels high.

Commissioner Allen: What does?

Chair Ritter: Kimberly Commons.

Commissioner Allen: The Peter Street side. So now are you confirming that it is 10 feet or you said 10-15 earlier? I'm just trying to figure out if you know what it is.

Amos: Yes, I'm confirming that you can kind of see in the image, to the east of the project, you can see where the building envelopes are and where that line is also on the site plan as well, so they are about the same setbacks.

Commissioner Allen: These are the ones on Peters Street?

Amos: Correct, with the exception of the duplex on the corner.

Commissioner Nagler: I'm okay with it, as long as you heard the guidance on the back side that the fence line needs to be more of a wall than a fence. It needs to be a substantive structure that is aesthetically pleasing but acts both as a visual and a sound barrier.

Lee: Yes.

Commissioner O'Connor: And in the front when we talk about front setback, I think it would be nice to see, and we'd have to see some visuals later, but like you said, a lower hedge that separates or even a little picket fence that is more decorative; something that brings that Pleasanton feel. There are a few houses down there where this is done.

Chair Ritter: Ok, discussion point D.

D. Is the proposed parking for the 536 St. John Street site acceptable?

Commissioner O'Connor: I don't think there's a way to fix it, but I think we should look at considering the resident parking permit.

Seto: I should clarify. Currently right now the only resident parking system that the City enforces is near the high schools to prevent high school students from parking in residential neighborhoods when they should be parking on the campus.

Commissioner O'Connor: And how do you know if it is a student?

Commissioner Nagler: And Walnut Drive.

Seto: And Walnut Drive. The permits are issued for the residents to put in their cars for them to park.

Commissioner Nagler: So for example from 8:00 a.m. to 3:00 p.m. you can't park there.

Commissioner O'Connor: And what does it say on Walnut Drive? What are those permits?

Commissioner Nagler: Similar; Monday through Friday, during business hours you have to have a resident permit.

Commissioner Allen; Is that because of the schools nearby?

Commissioner Nagler: No, it's because around the corner on Ray Street, there's an office complex that crowds workers into it and without that parking restriction on Walnut Drive during the day, there's traffic coming and going.

Commissioner O'Connor: So this is a different area because we've got Barone's at night and especially on weekends, and I don't know how we would say it's now only for residents.

Commissioner Allen: I'm not excited about doing that, restricting it to just residents, and the reason is, it's back to if residents choose to use their garage for storage, then they'll want to park on the street and I don't want to incentivize reserving that for them to park on the street if they choose to use their garage for storage.

Commissioner O'Connor: I'm just trying to figure out how to get a guest to come over if there's no parking there.

Commissioner Allen: They have to deal with it just like we do.

Commissioner Nagler: Every resident gets a plaque they can put in the car.

Commissioner O'Connor: Absolutely, but I think going back, you have that card and like Nancy is saying, the resident is actually parking in the street and not using their garage.

Chair Ritter: Can they put a sign on the street, since we're gaining 2 parking spaces on the street, can you put a curbside guest parking sign? Even though you don't enforce it?

Seto: No.

Commissioner Nagler: The parking issue I really think comes down to a simple choice and I think we just need to give the applicant some guidance. Either we believe that there ought to be guest parking attendant to the development for this one and every one that's going to come after it, in talking about the earlier point about precedent. Because we obviously are seeing a trend downtown when older properties are being repurposed for multiple, interesting units and we're just going to see an ever increasing number because it's the way we're infilling, and we have to decide whether we're going to require that parking be handled on a unit by unit basis or not. In the end, for this project, it comes down to whether or not there ought to be 12 or 11 units.

Commissioner Allen: I think that's the fundamental question.

Chair Ritter: I agree. It seems like, for this project, you need two guest parking spaces on the lot.

Commissioner Allen: I agree.

Chair Ritter: And you've got to figure out how to use 11 lots.

Commissioner Nagler: And for us the choice on this project and every other project is: what's the balance of interest, the public interest, between the parking challenge versus us wanting to create enough housing opportunities in the downtown core to create a viable neighborhood, and it's a trade-off. You know, it's not necessarily black and white. Everything is incremental, but it's sort of that choice, right?

Chair Ritter: And, it's a space they could do something with and we're not doing in-lieu fees, so it's a perfect opportunity to say we need two extra spaces.

Commissioner Allen: I agree, and it's somewhat consistent. The other little design issue that was a little bit of a worry to me which supports taking out one unit to help parking was that there was one unit in the back that had a front-facing garage and that showed from the street.

Amos: That would be Lot 7.

Commissioner Allen: Lot 7 had a front-facing garage that was offset and it showed on the street, and our policy is that there shouldn't be front-facing garages showing on the street. I mean it's a side issue but another reason why that one unit was a little problematic. So taking it out seems to fit two different reasons.

Lee: Can I address that? The one unit you can see from the street, Lot 7, its 100 feet back from St. John Street. If you take a conventional single family home anywhere in Pleasanton that has a pulled back garage they're probably not set back 100 feet. So we're significantly greater than your conventional single family with detached garages that are pulled back. Garages are visible throughout Pleasanton so if we could somehow meet your guest parking ratio and come up with a solution, hopefully you'd be open to that versus taking out Lot 7.

Commissioner O'Connor: I think what Nancy was saying is that's an added bonus. We wouldn't take the unit out just because the garage door was showing, but we're looking for 2 parking spaces.

Lee: So the decision is for 2 guest spaces. Maybe we could come up with a creative solution. If you had 12 units with 2 additional parking spaces, the parking ratio comes out about 2.17 per unit is the ratio. So if we could somehow meet that 2.17 without taking out a unit, would you guys be willing to do that?

Commissioner Allen: They'd be guest spaces, they wouldn't be tied to a unit. They wouldn't be used by anyone within the unit and, let me just test, I don't think we want to do it by going up to 40 feet.

Lee: The possible design solution is that instead of the 3 duplexes in the back, maybe it becomes 2 triplexes with a little more separation.

Commissioner O'Connor: Or one 6-plex. It's in the back.

Lee: Or one 6-plex.

Commissioner Nagler: It's fair to say we're open to it.

Beaudin: May I ask the Commission, you were just talking about making two spaces magically appear here. We're gaining the two spaces on the street by closing those curb cuts, or possibly only one depending on how the curb cuts get measured. If push comes to shove and it means a design concession, is one space on street gained and one space in the project sufficient? That street space is not for the project, but they are essentially giving one towards the supply. So I'm just asking.

Commissioner O'Connor: It would only take about two minutes to fill up that little space.

Beaudin: But it's not there today. It's trying to get the best possible residential development and hoping that 10 years from now cars all park themselves and they'll stack at the end of the cul-de-sac and it's not going to matter.

Commissioner Allen: So my comment is the same reason Commissioner O'Connor stated. I'm not supportive of that because other people will likely use the street parking and I think it needs to be dedicated to those units. I'm comparing this to the Spring Street, the final Spring Street project; the Knuppe project that the Council had go back and redo the parking. It's a project like that which is nice and now has the two-car garage and it has 2 spaces behind each garage for guests. Remember in our workshop how we said that? This project is pretty tight because it just has a two-car garage but there is no driveway behind the garage. Had there been a driveway behind the garage, then I would have been open to not requiring guest parking. In this case, it's so tight that I think we need it.

Chair Ritter: Yes, I agree. Okay, let's move on because we only have two left here.

E. Is the architecture of the townhomes acceptable?

Commissioner O'Connor: I like them.

Chair Ritter: I think they look great.

Commissioner Nagler: Good quality. I think they look great.

F. What other information would assist the Planning Commission in its decision on the proposal (e.g., color and material board, photo simulations, photo illustrations)?

Chair Ritter: I'll just bring it up—one thing we always like is the 3-D visual of what the neighbors will look at. Since these are not three stories I don't think we need story poles... but that helps when you're out talking to the public and 3-D is always good. Any other comments? Okay, staff, did we give enough feedback? Thank you for coming and listening to this. It helps us understand what you're doing, so just talk to the public. It makes it a lot easier.

Lee: Thank you very much.

Deutscher: Thank you.

7. MATTERS INITIATED BY COMMISSION MEMBERS

No discussion was held or action taken.

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

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

Chair Ritter: I just want to say thank you to Gerry for giving us this list. Was there any bicycle trails meeting?

Commissioner Allen: No.

Chair Ritter: (read off commission names)...Heritage Tree Board? Yeah, what was the result of that meeting?

Commissioner O'Connor: One yes, one no.

Chair Ritter: Okay, I just like these because I think it's important for us to get out and attend these. I went to a Chamber meeting where they talked about the upcoming EDZ and so a lot of discussions are happening about that and also the Urban Water Management Planning Supply Evaluation Update by Zone 7 and the water fix. They're talking about how that's affecting Pleasanton. Those are just some interesting discussions going on out there. If you have any tidbits of information, please bring them by.

Commissioner O'Connor: Maybe we could ask staff. Did any of you three attend the last Council meeting where they had an update on our water situation? Did they make any changes?

Seto: The fines will still go back into effect.

Commissioner O'Connor: At some point but not....?

Seto: In the Spring, so I don't know exactly what date, but when they had put them in suspension over the winter, there was a date when they automatically went back into effect and that has not changed.

Commissioner O'Connor: I thought the date they had was February or something. Is it in effect or not in effect?

Seto: We can find that information and get that for you—when it goes back into effect.

Chair Ritter: I would think the public would want to know too.

Seto: And I do believe it shows up in our water bills. I'll have to check that section.

Commissioner O'Connor: I heard someone else say that there's still a discussion too about two years ago there was a 40 unit amount we could have without any penalty and last year only 30 units was the minimum. So I don't know. I called the water company and they were confused.

Seto: We are the water company. The restrictions of the City Council originally adopted when they declared the local water emergency was to provide for the reduction requirement. So the 25% mandatory reduction we're all familiar with. There are different cases where at certain levels there is such a minimum amount of use that the fines haven't been imposed, but that also depends on whether or not somebody was on a multi-family situation or a single family situation. I believe there are some variations.

Commissioner Allen: Could you recap the changes made to Spring Street?

Seto: I'm going to defer to Community Development to make those summaries.

Chair Ritter: It was approved.

Weinstein: Yes, it was approved. So the applicant came back with revised plans that made a couple of significant changes. One, the second story was set back a little bit more than it was initially. It was set back from 6 to 12 feet to just get more relief on Spring Street. Secondly, the building mass itself was sort of broken up. Before when you saw it, there was one monolithic building and now it is sort of broken up into two pieces. Big change to parking—no tandem parking at all so as Commissioner Allen mentioned, each residential unit has 2 garage parking spaces with 2 guest spaces behind.

Chair Ritter: That's what they started with.

Commissioner Nagler: How did they achieve that?

Weinstein: They just pushed and pulled the commercial space. They chopped off about half of the commercial space. It's now 1,800 square feet instead of about double that and they used that extra floor space to make the residential units a little bit wider essentially. And then because the commercial space was about half the size that it was before, not as much commercial parking was required and so the result of that was that the applicant had to pay in-lieu fees for only one parking space, so the in-lieu fees were significantly reduced compared to the previous project.

Commissioner Nagler: Did they keep that studio apartment?

Weinstein: Yes, but I don't think it ended up being a studio apartment. It was a little bigger than that.

Commissioner Allen: It's now on top of the commercial. The applicant ended up with, in my mind, a win/win. The developer even got a larger townhouse instead of the little studio or one bedroom. They actually have one townhouse that's 500 square feet more.

My learning on all of that as I looked at it, was in our workshop, I don't think we were as clear to you about our priorities and tradeoffs and that became clear. We said we wanted a different balance of commercial and residents. I mean for the takeaway, you had, let's add more commercial, but when we added more commercial, it ended up causing a parking issue and in some way, the tandem parking got built in, but we never asked for it. Had we been maybe clearer as a team or me as the Chair being clear, that actually the top priority if it was, was parking.

Commissioner O'Connor: I thought we were clear. They were supposed to eliminate one townhouse, create more parking and leave the commercial at 4,000 square feet.

Chair Ritter: But the process worked. You didn't have to send it back and kept it moving along.

Commissioner Allen: They said that.

Commissioner Nagler: I think the learning we got out of it was that if there are issues we feel strongly about, we have to push back. There is a creative way to meet the things we consider to be important.

Commissioner Allen: We could have pushed it back versus saying no we won't do it because in the end I think we all kind of felt we were compromising a bit.

Commissioner O'Connor: The Council heard loud and clear that we wanted on-site parking and no tandem. They wanted all of the parking handled on site.

Chair Ritter: The moral of the story is its okay to keep the thing moving, not to say you have to have a final vote.

Commissioner Allen: Or to potentially push it back at our level if we think it's just not fitting anything versus wait for the Council to do it.

Commissioner Nagler: Is it possible when they are done to send us electronically what those plans are?

Weinstein: Yes, we can send them out.

b. Future Planning Calendar

Commissioner Nagler: On the Future Planning Calendar, on the Workday project, that's interesting. That's the first time this appeared. I see that they're going to come back for a bigger building basically? From 410,000 square feet to 430,000 square feet?

Beaudin: No, it's the other direction. 430,000 square feet down to 410,000 square feet.

Commissioner Nagler: And the question is on the parking that seems to be changing, is there any conversation about including extra BART parking?

Beaudin: Yes, every day. We understand that there's a shortage of parking there and BART is working with us and the mall, and we're really trying to find resolution there. It's not something we're trying to impose on the Workday project. There is a Development Agreement. They're making design changes but we're not coming back with amendments to that Development Agreement. We're trying to leave Workday out of the BART parking shortage discussion because that's not what we agreed to originally, but we certainly are working hard with others in the neighborhood to try and solve that problem. The property on the other side is on the market, a Safeway property, and we're going to be looking at all angles with folks we don't already have deals with.

Commissioner Nagler: Thank you very much.

Commissioner O'Connor: Aren't they going to put the police substation over there as well?

Beaudin: That's correct, in the first floor of the BART parking structure and we're going to come up with another name for it, but it'll be a police location. It will be a service center.

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.

f. Matters for Commission's Action

No discussion was held or action taken.

9. ADJOURNMENT

Chair Ritter adjourned the meeting at 10:18 p.m.

Respectfully submitted,

Adam Weinstein
Secretary