



PLANNING COMMISSION MEETING MINUTES

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

APPROVED

Wednesday, September 29, 2010

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

CALL TO ORDER

The Planning Commission Regular Meeting of September 29, 2010, was called to order at 7:00 p.m. by Chair Olson.

1. ROLL CALL

Staff Members Present: Brian Dolan , Director of Community Development; Julie Harryman , Assistant City Attorney; Janice Stern , Planning Manager; Steve Otto , Senior Planner; Rosalind Rondash, Assistant Planner; Dennis Corbett, Senior Plan Checker; and Maria L. Hoey, Recording Secretary

Commissioners Present: Chair Arne Olson; Commissioners Phil Blank, Greg O'Connor, Jennifer Pearce, Jerry Pentin, and Kathy Narum

Commissioners Absent: None

2. APPROVAL OF MINUTES

a. August 25, 2010

Commissioner Narum moved to approve the Minutes of August 25, 2010 as submitted.

Commissioner Pearce seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Blank, Narum, Olson, Pearce, and Pentin.
NOES: None.
ABSTAIN: None.
RECUSED: None.
ABSENT: None.

The Minutes of the August 25, 2010 meeting were approved, as submitted.

b. September 15, 2010

Commissioner Pearce:

- Modify the sentence of the sixth full paragraph on page 15 to read as follows: "Commissioner Pearce requested confirmation ... less than 15 units and that, therefore, in-lieu fees must will not be paid."
- Modify the last sentence of the third paragraph on page 17 to read as follows: "She added that she recognizes the need for more housing, ... which, while not in good great condition, is still a heritage house in the City."
- Modify the first and the last sentence of the fourth paragraph on page 17 to read as follows: "Commissioner Pearce stated that while she did not get information on the parcel size, she would have liked She added that what is missing...the project rises to the standard of City-approved projects."
- In relation to the discussion on the Heritage Building Ordinance, Commissioner Pearce stated that she does not recall discussing a draft ordinance, as noted in the sixth paragraph on page 20. Additionally, she indicated that she remembers that when Mr. Dolan stated he could provide a summary of the history and the status of the Heritage Building Ordinance, he also mentioned that the matter would be agendaized for a future Planning Commission meeting. She requested that this be included in the fourth paragraph on page 21.

Commissioner Blank:

- Commissioner Blank requested Commissioner O'Connor to confirm that his statement in the sixth paragraph on page 10 was accurately reflected.
- With respect to his statement in the last paragraph on page 16 regarding project phasing, Commissioner Blank stated that it was not his intent to have the City codify this as restrictive. He indicated that his comment was in response to Mr. Otto's statement regarding project phasing and not to Mr. Dolan's second-to-last statement regarding the City's flexibility.
- Commissioner Blank noted that he did not make the statement in the third paragraph under Selection of Housing Element Task Force participants on page 22 and believed it was either Mr. Dolan or Mr. Steve. He requested that this be changed accordingly.

Commissioner Pentin:

- With respect to the discussion on Commission Packets on page 21, Commissioner Pentin clarified that he was not receiving reports and materials of other Commissions' meetings but only the agendas and minutes of commissions such as the Housing Commission, the Parks and Recreation Commission, and the Youth Commission. He indicated that he would prefer to receive these documents via email instead. He added that with respect to documents other than the Planning Commission packet, he would like to receive them in pdf format, which would save more trees and time.

Commissioner O'Connor:

- Modify the seventh paragraph on page 10 to read as follows: "Commissioner O'Connor inquired if there was a condition that this be included in the CC&R's ~~since the City does not enforce CC&R's.~~"

Chair Olson:

- Modify the sentence in the second paragraph on page 14 to read as follows: "Chair Olson commented that reducing the ~~speculation~~ speculative nature of the project..."
- Modify the sentence in the tenth paragraph on page 16 to read as follows: "Chair Olson noted that the applicant had indicated that the project ~~is somewhat phased~~ would likely be constructed in phases."

Commissioner Blank moved to approve the Minutes of September 15, 2010, as amended.

Commissioner Pearce seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Blank, Olson, Pearce, and Pentin.

NOES: None.

ABSTAIN: Commissioner Narum.

RECUSED: None.

ABSENT: None.

The Minutes of the September 15, 2010 meeting were approved, as amended.

c. September 22, 2010

Chair Olson requested that the first sentence of the second full paragraph on page 20 be modified to read as follows: "Chair Olson stated that one of the things ... and things get added on which ~~equals~~ adds to the cost."

Chair Olson stated that he did not believe Commissioner Blank attended the Chamber meeting as indicated in the first sentence of the third full paragraph on page 20 and requested that this be corrected accordingly.

Commissioner Blank confirmed that he was not at that meeting.

Commissioner Pearce moved to approve the Minutes of September 22, 2010, as amended.

Commissioner Narum seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Narum, Olson, and Pearce.

NOES: None.

ABSTAIN: Commissioners Blank, O'Connor, and Pentin.

RECUSED: None.

ABSENT: None.

The Minutes of the September 22, 2010 meeting were approved, as amended.

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

There were no speakers.

4. REVISIONS AND OMISSIONS TO THE AGENDA

There were no revisions or omissions to the Agenda.

5. CONSENT CALENDAR

- a. PTR-7981, Mike Bedker, Americap Property Solutions
Application for Tentative Map approval to subdivide a 0.876-acre parcel located at 3835 Vineyard Avenue into ten residential lots for townhouses and three common-area lots. Zoning for the property is PUD-HDR (Planned Unit Development – High Density Residential) District.**

Chair Olson advised that he owned property in the vicinity of this project and indicated that should there be discussion on the matter, he would recuse himself due to a conflict of interest.

Commissioner Blank moved to find that there are no new or changed circumstances which require additional CEQA review of the project, to make the tentative map findings regarding the acceptability/suitability of the project, and to approve Case PTR-7981, subject to the Conditions of Approval as listed in Exhibit A of the staff report.

Commissioner Narum seconded the motion.

ROLL CALL VOTE:

AYES: Commissioners Blank, Narum, O'Connor, Pearce, and Pentin.
NOES: None.
ABSTAIN: Commissioner Olson.
RECUSED: None.
ABSENT: None.

Resolution No. PC-2010-32 approving Case PTR-7981 was entered and adopted as motioned.

6. PUBLIC HEARINGS AND OTHER MATTERS

a. PRZ-55, City of Pleasanton

Application to amend the Pleasanton Municipal Code to reference the California Green Building Standards (CALGreen) Code, with local amendments to address specific green building issues, and other related green building amendments.

Rosalind Rondash introduced Dennis Corbett, Senior Plan Checker with the Building and Safety Division. She then gave a PowerPoint presentation on the California Green Building Code.

Mrs. Rondash stated that staff is proposing to amend the Pleasanton Municipal Code to reference the California Green Building Standards (CALGreen) Code, as well as local amendments to address specific green building issues and other related green building amendments. She explained that the purpose is to avoid having two regulations in effect at the same time; if the amendment is not adopted, both regulations will be in effect January 1, 2011. She noted that staff's proposal will result in having only one set of requirements for building structures in the City.

Mrs. Rondash noted that green building is a whole-systems approach to the design, construction, and operation of buildings, which significantly reduce the negative impacts of buildings on the environment and occupants in five broad categories:

- Sustainable site planning;
- Safeguarding water and promoting water efficiency;
- Energy efficiency and renewable energy;
- Conservation of materials and resources; and
- Indoor environmental quality, which is another way of saying the air that we breathe while inside.

Mrs. Rondash then gave the history of the green building requirements, stating in 2002 when Pleasanton adopted green building requirements for new commercial buildings of 20,000 square feet or more and civic buildings. She continued that in 2004, Governor Arnold Schwarzenegger signed an Executive Order, known as the "Green Building Initiative" focusing on state-owned buildings, and in 2006, the Pleasanton City Council

expanded its green building requirements to new residential projects. She noted that in 2010, the California Building Standards Commission adopted the Green Building Standards Code (CALGreen), with the final version of CALGreen being published in July 2010, and automatically going into effect state-wide on January 1, 2011. She indicated that the City has historically formally adopted California building codes, with local amendments, and staff expects the same to take place for CALGreen. She added that those local agencies that take no action will have CALGreen in effect in their jurisdictions.

Mrs. Rondash reviewed the elements of CALGreen as follows:

- In addition to the mandatory regulations (also known as CALGreen basic measures) CALGreen also provides for additional voluntary measures (known as Tier 1 and 2).
- Tier 1 and 2 levels encourage local communities to take further action to green their buildings and to reduce greenhouse gas emissions, improve energy efficiency and conserve natural resources.
- City staff has evaluated and compared Pleasanton's existing green building requirements with CALGreen's basic measures, and its Tier 1 and Tier 2 optional provisions.

Mrs. Rondash indicated that CALGreen will help the State to meet its goals of achieving 33 percent renewable energy by 2020 and will curb global warming by requiring the following

- Reducing water consumption,
- Diverting construction waste from landfills,
- Requiring the installation of low pollutant-emitting materials,
- Requiring separate water meters for nonresidential buildings' indoor and outdoor water use,
- Requiring moisture-sensing irrigation systems for larger landscape projects, and
- Requiring mandatory inspections of all energy systems for nonresidential buildings over 10,000 square feet.

Mrs. Rondash stated that CALGreen provisions will be inspected and verified by the City Building Division staff. She noted that the City's current process relies on programs from outside agencies, with commercial and public buildings being handled with LEED requirements produced by the United States Green Building Council (USGBC) and residential projects by Build It Green guidelines. She then provided an example of the LEED scorecard/checklist.

Mrs. Rondash stated that the current rating systems measure how environmentally friendly or green a project is based on a point system. She noted that CALGreen is not a point system; it includes mandatory measures and electives with Tier 1 and Tier 2.

Mrs. Rondash stated that staff was charged with comparing the two systems, and in order to compare the point system to a non-point system, staff converted measures in

CALGreen to the points listed in the City's current programs. She then presented a table which was established to indicate categories evaluated and the minimum points for the current system as well as minimum total points. Staff listed CALGreen basic measures in the first column, CALGreen basic measures plus Tier 1 requirements in the second column, and CALGreen basic measures plus Tier 2 in the third column. Staff then assigned points which were already being required to evaluate how the points for each measure compared to the City's current system.

Mrs. Rondash explained that in the LEED scorecard for commercial and public buildings, there is no category minimum; just a total point minimum, which is currently 40 points. She noted that when basic measures are calculated, 15 points are achieved; however, in CALGreen basic measures plus Tier 1 measures, 46 points is achieved, which is equivalent to the City's current system. She then displayed an example of achieving the total minimum points but not all category minimums.

Mrs. Rondash stated that only "must haves" are considered for total points; however, there are also 66 electives from which to choose in the residential categories, and 99 electives in the commercial category. She then described a scenario to meet current standards for the single-family residential and repeated the scenario for multi-family residences.

Mrs. Rondash stated that staff's recommended action is consistent with Pleasanton's existing requirements, with a few minor changes to meet the State's new mandatory minimum requirements. She added that staff believes the developer cost to implement the CALGreen Tier 1 is equivalent to the cost to implement the City's existing green building ordinance, and that taking the action is likely to help developers save time and money while working on construction drawings.

Ms Rondash then presented a cost analysis based on standard construction versus the Tier 1 measures in effect. She stated that Tier 1 would be equivalent to the City's current standards and would have a no cost impact. She added that the cost analysis does not include savings from reduced energy, water, medical bills, or existing incentive programs such as tax credits or rebates which would also reduce the payback projection from the approximately 10-15 years.

Mrs. Rondash also described the cost effectiveness study and payback projection prepared for the City's climate zone, which states incremental improvements in overall annual energy performance of buildings exceeded Title 24 by 15 percent. She added that the study further notes that the building's overall design, occupancy type, and specific design choices may allow for a larger range of incremental first cost and payback projections. She noted that the study did not consider the tax credit or rebates.

Mrs. Rondash presented what other jurisdictions have in place, as follows:

- City of Livermore
 - Has a green building ordinance; will amend their green ordinance to default to the CALGreen. They are looking to enact something that is not

less than their current ordinance. They are still analyzing the new code, but think that their recommendation will ultimately be similar to Pleasanton's.

- City of San Jose
 - Going with CALGreen basic for now. After next year they will be looking at offering an option for developers to go with a tier as an alternative to using the third party system.
- City of Dublin
 - Has a green building ordinance; is recommending CALGreen basic with a local amendment to require PV prep on all new construction. They will keep their existing ordinance for all other projects.
- City of Walnut Creek
 - No existing green building ordinance; will be adopting CALGreen basic.

Mrs. Rondash indicated that the City is currently preparing a Climate Action Plan (CAP), and it is possible that the Green Building Ordinance will need further amendments later next year as a result of that Plan. She noted that the CAP will also be looking more in-depth at opportunities for City incentives to be offered.

Mrs. Rondash presented staff's recommendations as follows:

- Adopt CALGreen Tier 1 for those "Covered Projects" currently subject to Pleasanton's Green Building requirements;
- Adopt CALGreen basic for new Downtown buildings, and for new buildings not located in Downtown which are currently exempt from green building.
- Adopt CALGreen, with amendments as appropriate, to incorporate the current regulations on additions, and to continue to exempt historic structures.
- Amend the Pleasanton Municipal Code to incorporate CALGreen as the reference standard.
- Adopt an alternative compliance option for developers to pay a verified third party rater for LEED/BIG certification process as a substitute to the City's green building plan check review process and provide the City with proof of completion.

Mrs. Rondash then presented the following points for Commission discussion:

1. Staff's initial recommendation
2. Additional local amendments (e.g., PV ready):
 - Staff has received comments about the additional conditions of approval which require a "greener" project. The Commission may wish to discuss whether or not this practice should continue.
 - The Commission can recommend additional local amendments to the green building ordinance which would require some of the more standard conditions (such as PV ready) and/or continue to add conditions on a case-by-case basis as deemed appropriate.
3. Not requiring Initial pre-permitting review of the green building measures:
 - Staff is considering a recommendation that Planning staff simply talk to applicants about the green building requirements during an initial application

review and the green building measure be reviewed at the building permit stage.

In conclusion, Mrs. Rondash presented a timeline of the tentative meeting schedule. She stated that the item will come before the City Council between November and December, and staff will be undergoing training at the same time in preparation for the CalGreen Building Code implementation in January 2011.

Commissioner Blank stated that he was not at the special Commission meeting when this item was first discussed and asked for examples of cool roof requirements.

Mrs. Rondash replied that for commercial buildings, a cool roof would achieve a Solar Reflectance Index (SRI) of .9 or less, which is a measure that reflects heat off of the roof. She noted that this would typically be white or a special type of sealant. With respect to residential roofing, she indicated that there is a special type of shingle which is currently a little harder to get hold of but that other materials should come onto the market as the Code and the industry progress.

Mr. Corbett advised that cool roof requirements are already in the energy regulations for the State for residential projects. He added that cool roofs are measured in terms of solar reflectives as well as thermal emittance which indicate how much heat radiates back into the attic. He indicated that cool roofs establish a higher threshold.

Commissioner O'Connor inquired if this could also be accomplished by some type of membrane placed between the roof sheeting and the roof itself versus the shingle.

Mr. Corbett replied that cool roof requirements refer to the roofing materials themselves and that there are requirements for a radiant barrier underneath the roof. He added that they have been required for commercial buildings for about four years now but have been added in to residential requirements just this past year.

Commissioner Blank referred to the costing slide and inquired what causes the variation between \$1.67 and \$2.14.

Mrs. Rondash replied that the variation was due to the different types of products selected. As an example, she pointed out the range of toilet costs from \$100 to \$250 and up, depending on the type of toilet.

Commissioner Blank stated that he with the exception of infill projects, he could not recall a stand-alone single-family home of less than 3,500 square feet in area. He inquired how the 2,100-square-foot number was arrived at.

Mrs. Rondash replied that this is the threshold selected in the study prepared for the California Building Industry Association (CBIA). She indicated that homes of other sizes were also reviewed, but this is the size closest to the City's current threshold of 2,000 square feet.

Commissioner Blank inquired if a 3,500-4,000 square foot home would change any of the calculations.

Mrs. Rondash replied that this number relates to standard construction measures and applying green measures. She noted that the City's current Green Building Ordinance would apply to a 3,500-square-foot home in the same way as CALGreen would apply to a 3,500-square-foot home. She added that the City would not anticipate any price change for construction.

Mr. Corbett noted that the question of cost came up at the Chamber of Commerce's first meeting with stakeholders, and this was the initial information from the CBIA. He added that staff then reviewed a study done by a consultant in Alameda County who looked at different types of projects, specifically 3,500- and 4,500-square-foot homes in the City's climate zone, and the numbers for the 2,500-square-foot home were fairly comparable. He indicated that in both commercial and residential structures, the larger the structure the greater the cost reduction and payback time.

Chair Olson noted that the staff report did not reference a 3,500- to 4,500-square-foot increase. He stated that he took the expensive side of those ranges, added it up, divided it by 2,100 square feet, and he arrived at a cost per square foot increase of \$3.17. He inquired how staff arrived at \$1.67 to \$2.14 per square-foot increase.

Mr. Corbett replied that the figures were provided by CBIA to staff in mid-August. He noted that CBIA, along with the AIA and other organizations, has been involved in the development of the code from the start. He indicated that CBIA is a stakeholder in developing the code and that they represent the builders and are supportive of cities going to the Tier 1 measures. Mr. Corbett added that costs would rise dramatically as one chooses the high end of construction materials. He used as an example the range of costs for toilets, depending on the type.

Commissioner O'Connor inquired if having two different water meters for domestic use and for exterior use is an option or a requirement.

Mrs. Rondash replied that it is a requirement listed in the CALGreen Code. She added that staff would be amending it to indicate that separate water meters would be required for indoor water and for outdoor water to meet the Tier 1 standard.

Ms. Stern clarified that this is an amendment staff is suggesting.

Mr. Corbett noted that having separate meters is a non-residential requirement and not a residential requirement. He added that it is currently a common practice and mandated for non-residential projects with over 5,000 square feet of landscape area, breaking it down to a smaller threshold or to 1,000 square feet of landscaped area.

Mr. Corbett stated that there are significant advantages for a business to do this because there are different rates for domestic and irrigation waters. He noted that water use is a common measurement for sewer capacity and use, and by separating out irrigation, it portrays a more accurate picture of the true sewer usage of a building. He added that the connection fees for two smaller meters are typically significantly less than the fee for one larger meter.

In response to Commissioner O'Connor's inquiry regarding connection fee costs, Mr. Corbett replied that a connection cost is paid for each meter but that there are different rates for domestic water and irrigation water.

Commissioner O'Connor inquired if staff was requiring only non-residential projects and not residential projects to meet Tier 1 standard.

Mr. Corbett replied that there are different requirements for residential and for non-residential projects and that the requirement for separate meters is only for non-residential projects.

Commissioner O'Connor inquired if staff envisions eventually requiring separate meters for residential projects for having grey water or recycling water for irrigation.

Mr. Corbett replied that the City has had one large home in town where the owner installed a separate meter for irrigation purposes because irrigation water rates were much less expensive.

Mrs. Rondash added that the City's Utilities Division indicated that if a residential project owner wanted to propose separate meters, they would potentially have lower bills and other fees may not be tacked on; however, this would be the property owner's option rather than a CALGreen requirement.

Commissioner Blank inquired what future incentives might be provided for residential homes utilizing separate meters for irrigation and landscaping purposes.

Mrs. Rondash referred the question to Ms. Stern who handles the City's Climate Action Plan.

Ms. Stern stated that this would be a good question for the Climate Action Plan and the Energy and Environment Committee to consider as part of the Plan.

Commissioner Blank inquired if there were cities that offer incentives for Tier 1.

Ms. Stern replied that she did not know whether other cities had enough experience or were already offering any incentives.

Commissioner Blank stated that it struck him that the City would limit green building requirements to commercial buildings greater than 20,000 square feet. He indicated

that he realizes a 15,000-square-foot building is not that large and inquired why it would not start at 10,000 square feet.

Mrs. Rondash replied that the City's current ordinance specifies 20,000 square feet. She explained that when the ordinance was approved in 2002, it was understood that this was the break-even point where it would not be cost-prohibitive to incorporate these measures into that construction process.

Commissioner Blank inquired if this was something staff could propose as a take-away because a lot of technology changes have occurred between 2002 and today, especially in the field of green building. He indicated that he would not be surprised if there were new measures and new construction techniques. He added that he cannot imagine that given construction costs today, a 15,000-square-foot building would be economically infeasible.

Ms. Stern stated that staff would be applying basic CALGreen to all structures.

Mr. Dolan added that this would require a different exercise than what is on the table. He stated that at this point, staff is confronted with the new State law and would like to transition smoothly into the new system.

Commissioner Blank indicated that he would bring this up under Matters Initiated by Commission Members.

Commissioner Pentin stated that he also was not present at the Special Commission meeting. He requested clarification on Recommendation No. 3 on page 5, which reads: "Amend the Pleasanton Municipal Code to adopt a modified CALGreen, as appropriate, to incorporate current regulations and additions, and to continue the exempt historic structures." He noted that further down, it states: "Additions are exempt from CALGreen, whereas larger additions (e.g., residential additions greater than 2,000 square feet in size and or commercial additions larger than 20,000 square feet in size) are subject to Pleasanton's Green Building Ordinance." He inquired what was being changed.

Ms. Stern replied that staff is recognizing that the City's current Green Building Ordinance does require green building for residential additions greater than 2,000 square feet and commercial additions greater than 20,000 square feet, and staff would like to amend the CALGreen to require the same.

Commissioner Pentin noted that this refers to residential additions exceeding 2,000 square feet rather than to the entire residential square footage. He inquired how this would affect a 17,000-square-foot commercial building that adds 4,000 square feet.

Mrs. Rondash replied that as currently implemented, the total construction area would have to be 20,000 square feet or more. She explained that in situations where there are multiple projects of less than 20,000 square feet, conditions of approval are put in place

that would require best efforts of green measures to be implemented for each of those buildings.

Commissioner Blank stated that he agrees with the majority of the Commission about including PV-ready into the Municipal Code. He inquired if this could be done and if the proposal included adding this to the Code.

Mrs. Rondash replied that the proposal did not include adding this to the Municipal Code and that this would be one of the amendments Council could direct staff to do. She explained that one can imply or apply more measures than what is currently stipulated in the CALGreen Code, but things stipulated as a minimum cannot be removed.

Commissioner Blank inquired if this would be a major undertaking.

Mr. Dolan replied that this would not be a major undertaking, but it would reduce the flexibility provided to the applicant. He explained that while it would count towards one of the requirements, it would force the applicant to pick a certain avenue.

Commissioner Blank noted that every single commercial building he has seen as a Commissioner, including the Consent Calendar item on tonight's agenda, require "PV-ready with pull strings and pipes" as one of its conditions.

Mr. Dolan replied that he is simply relaying to the Commission the feedback staff received from virtually every group staff they talked to. He stated that staff supports transitioning like for like into the new system but does not want to add to the requirements. He indicated that while this may be minor, it does reduce some amount of flexibility.

Commissioner Narum stated that the City would not be adding to the requirements but rather making this mandatory as one of the four electives.

Commissioner Blank compared this to the requirement for sprinklers, stating that the City is taking such a long time to approve an automatic sprinkler ordinance, and now State code is mandating what the City has been implementing with Council guidance from the City Council that sprinklers be installed in every commercial and new residential buildings.

Commissioner O'Connor stated that his understanding from the minutes staff has received feedback from developers that if this Green Building ordinance is approved now, they do not want the Commission to "add on" further requirements. He indicated that this would be a good opportunity to mandate PV-ready so applicants better understand up front what is exactly required of them and are not taken by surprise.

Commissioner Blank recalled that staff has yet to return to the Commission with information on the cost differences between requiring a building to be PV-ready while under construction versus adding it later on after the building has been constructed.

Commissioner Narum stated that she believes this was in connection with the Staples Ranch project and the Auto Mall.

Mr. Dolan replied that said he believes that answer has been provided to the City Council. He added that he does not disagree with the Commission's conclusions but would simply like to report the feedback received from developers. He added that while this is something that appears to be relatively easy, some applicants flat out do not want to be mandated to do PV-ready and would prefer to address their requirements in a different way.

Commissioner Pentin referred to the statement regarding weather-detecting devices being better than soil ones for irrigation purposes mentioned in page 2 of the "James Paxton Meeting Notes." He inquired if this was covered under CALGreen and if any consideration has been given to this.

Mrs. Rondash replied that staff considered what would be more appropriate in certain situations, the costs associated with moisture sensing, and irrigation sensors versus weather sensors, and it came down to a project-by-project choice. She noted that some projects do well with soil sensors and some do not. She added that the City's landscape architect has stated that larger projects will benefit from a weather system while smaller or internal projects like a courtyard would do better with a soil-sensing system. She indicated that staff looked into this based on Mr. Paxson's concerns, but are not proposing any reduction in the choice; however, one or the other of the choices would be mandatory.

Commissioner Pentin stated that the Downtown Vitality Committee Meeting Notes, dated September 7, 2010 expresses concern about the impacts of Proposition 23, if passed in November, potentially repealing the Code. He indicated that he has not studied Proposition 23 and inquired how this might impact the City.

Ms. Stern replied that Proposition 23 has the potential to repeal AB 32, which is the global warming act. She added that this was the speculation of the speaker at that meeting but that staff does not know whether or not it would have any impact on CALGreen.

Chair Olson stated that the staff report indicates that staff has evaluated and compared Pleasanton's existing green building requirements with CALGreen basic Tier 1 and Tier 2, but he does not see the results of that comparison. He indicated that he understands Exhibit D; the listing of all the electives, the Tier 1 residential required measures, the non-residential required measures, and the long list of required measures. He inquired how staff determined that Tier 1 is closest to the City's present requirements. He noted that one concern out there for developers trying to build a

project is how much change is truly here versus what the City currently has on its books. He indicated that he feels this should be addressed before it goes to the City Council.

Mr. Dolan explained that there are two different systems, and one is the point system. He stated that staff took the measures either required or elected and scored them in the point system to see how they would score and how close they would get to the required points necessary. He noted that following this exercise, staff determined that Tier 1 is needed to get to the points the City already requires. He indicated that the easiest way would be to adopt the basic requirements, but based on staff's evaluation, this would clearly be a step backwards and a significant relaxation of the City's current building ordinance.

Commissioner Blank presented an example of what the cost requirements for a 3,000-square-foot residential single-family home would be, indicating that a developer would want to know the delta between the City's existing LEED points and CALGreen plus Tier 1.

Mr. Dolan replied that the delta between CALGreen and the City's is zero, as the City is trying to make them equivalent.

Commissioner Blank presented a comparison between building a structure under the City's existing LEED requirements and now the same building can be built but must comply with the existing LEED points in the City plus CALGreen and Tier 1. He inquired what the cost difference would be between adding CALGreen and Tier 1 versus adhering to only the LEED requirements.

Commissioner Narum stated that she asked this question at the Special Commission meeting because she was concerned that a developer would get 64 points for CALGreen Tier 1 versus 50 points with LEED, which is about a 30-percent increase in points. She indicated that staff's reply was that there are many things that can be done which do not cost a lot. She noted that what Commissioner Blank's question raises is whether there are incremental costs between what the City currently requires at 50 points versus the CALGreen Tier 1 level at 64 points.

Commissioner Blank stated that one way to address this question is to go back and look at recent residential projects and discuss this with developers to get an idea of whether there are added costs.

Mr. Dolan stated that staff does not believe there is a significant cost difference. He indicated that there are many alternatives one could use to meet requirements. He added that costing out every possibility is difficult; however, staff can look at providing additional numerical information. He reiterated that this has been an exercise to transition into a different system with no increased burden, and that the things that need to be done to be green have not changed; it is simply how a value is assigned.

Commissioner O'Connor inquired whether staff felt the City could go from a 50 point requirement up to a 64 point with no additional cost.

Mrs. Rondash replied that there are current projects are already exceeding the 50-point requirement on an 85-percent ratio.

Commissioner O'Connor noted that this is not required and cited the actual required increase as 28 percent.

Mr. Corbett stated that in all systems, whether LEED, Build It Green, or CALGreen Tier 1, the requirement is for energy efficiency. He indicated that the idea is to exceed the minimum standards set by the State by 15 percent which is equal across all platforms, through individual measures and different electives that in CALGreen are comparable or close to comparable. He noted that there are some that are specific to a system and do not match across systems, but there should be minimal to no difference in cost in terms of end package.

Mr. Corbett noted that most projects in the City come in at around 60 points, but there are some that come in at as high as 100. He indicated that some measures are very easy and inexpensive and some are very expensive. He added that staff is comfortable in saying that both systems are roughly equivalent.

THE PUBLIC HEARING WAS OPENED.

Peter MacDonald stated that he has met with Mr. Corbett, Mrs. Rondash, and Ms. Stern and reviewed the proposal and his concerns. He noted that with some clarifications, he is convinced that what Mr. Dolan said is correct that staff is trying to change systems without increasing the burden. He indicated that he supports staff's recommendation with the caveat that the City adhere to CALGreen Tier 1. He suggested calling it out specifically when there is discussion to vary the standards and provide incentive credits when varying them. He added that he felt green building needs to be de-politicized and suggested that it be removed from the conditions of approval and additional requirements and be integrated into the Building Code. He read into the record an email from the Chamber of Commerce President relating to the need for consistency, clarity, and incentive-based and voluntary applicant policies. He pointed out that California is among the most efficient energy use states which are attributable to having the most energy-efficient building codes. He recommended allowing the developer to decide which measures to use and asked the City to also support and participate with green building concepts.

Michael O'Callaghan stated that he is a 35-year veteran builder and concurred with Mr. MacDonald's comments. He indicated that he felt the single largest cost is the cost of dealing with bureaucracy and asked the City to adhere to the building code in dealing with builders.

Pam Hardy, Ponderosa Homes, also concurred with Mr. MacDonald's comments. She stated that she sat on the BuildItGreen Building Council and believes Pleasanton is forward-thinking in its work. She conveyed her appreciation with staff on their analysis and outreach. She indicated that Ponderosa Homes supports one comprehensive checklist and Tier 1 components, and does not want jurisdictional creep of added items such as PV which is an option in the checklist and costs about \$400 per home. She indicated that she did not want to quibble with numbers, stating that meeting all baseline and Tier 1 requirements adds about \$30,000 to \$40,000 per home, noting that there are direct costs as well as indirect costs that have to do with site preparation, individual inspection, third party reviewers, excavation, and design costs. She agreed with staff that they are hard to quantify but noted that they are not insignificant. She asked that the City adhere to Tier 1 requirements and to not allow individual, case-by-case conditions which results in unpredictability to builders.

Chair Olson asked Ms. Hardy if the \$30,000 to \$40,000 in added costs runs inversely or directly relational to the square footage increase.

Ms. Hardy replied that these numbers are based on the average square footage costs and actual costs of two of their housing projects. She indicated that she was not sure what the average square footage breakdowns are and added that there is no scale of economy on homes. She noted that it was not just dollars-per-square-foot but rather the existence of many other variables that must be considered, most notably a lot of site work. She provided as an example, the fly ash requirement and its unintended consequences. She stated that their structural engineers will not let them do 20-percent fly ash, which means that they will have to go to a thickened slab for the driveway so they can add the 20-percent fly ash, which then increases excavation costs by a couple of inches and more concrete.

Commissioner O'Connor inquired whether the \$30,000 to \$40,000 would apply either to a 2,000- square- foot home or a 5,000- square- foot home.

Ms. Hardy replied that homes in the Village range from 1,900 square feet to 2,900 square feet. She reiterated that there are flat costs independent of construction costs which do not have to do with square footage.

THE PUBLIC HEARING WAS CLOSED.

With respect to the addition of PV-ready, Commissioner Pearce expressed concern about valuing it over some of the other green requirements. She indicated that she is comfortable keeping it as an elective rather than making it mandatory.

Chair Olson stated that he concurred with not making PV-ready mandatory and that there should be flexibility.

Commissioner Narum stated that the only reason she thinks it needs to be considered is that there are some things that need to be incorporated during the building construction

stage. She noted that Condition No. 26 for the earlier project identifies roof trusses that handle the additional load per square foot; she pointed out that it would be tough to return and retrofit if someone decided later on that they wanted to do that. She indicated that the only reason she thinks this should be a consideration is that it would be a lot easier to do it up front as part of the construction.

Commissioner Blank noted that one of the electives is to install a solar photovoltaic system, and another is to install solar water heating system that complies with solar rating and certification corporation. He noted that the other two electives are photovoltaic: "Based on the roof surface and penetrations through the roof surface are provided for future solar installations," which he said the City has never required; and "A minimum one-inch conduit is provided from the electrical surface equipment for the future installation of photovoltaic system," which sounds more like what the City has required. He pointed out that three of the four electives are all about photovoltaic and assumed that the PV-ready system would be the most expensive, followed by the solar water heater. He indicated that the builder would have to select one of two options: penetrate the roof or install pull strings.

Commissioner Pentin inquired whether one must choose renewable energy.

Mr. Corbett replied that one of the five categories is energy efficiency, and there are several sub-categories. He added that builders would be able to choose four electives from the list under A-4.2.

Commissioner O'Connor stated that someone building a custom home would have the ability to choose what they want, but developers will pick what they think will sell or what is cost-effective. He indicated that nothing much is gained when pull strings are put on 100 homes and only two people install the system. He noted, however, that things change, prices come down, things get better, and homeowners may feel they are better off waiting given the payback period.

Commissioner O'Connor noted that there are so many variables to consider and did not think the Commission should dictate what the developers should or should not do. He indicated that he understands the position of developers and others and thinks that the list of mandates and electives should remain; additionally, anything mandated should be made clear up front.

Commissioner Blank moved to find that the proposed amendments to the Municipal Code are statutorily exempt from CEQA and to recommend approval of Case PRZ-55 as shown in Exhibit A, with the direction that prior to presentation to the City Council, staff provide information on cost differences between baseline information, the City's current green points requirements, and what is being proposed.

Commissioner Pentin seconded the motion.

Commissioner Pearce inquired if staff would be able to determine the baseline building information.

Mr. Dolan replied that there are many scenarios to consider but that staff can talk to Ponderosa Homes and provide additional cost information at a later date.

Commissioner Narum stated that she would not support the motion because she believes PV-ready should be made mandatory. She pointed out that the Commission has consistently added this as a condition of approval and feels that it is now backing away from it. She stated that she believed it would be a lot easier to install it during the construction period rather than to return later and retrofit. She indicated that it appears to be one inconsistency, noting that this was included as a condition for a project considered earlier on the agenda.

Commissioner Blank stated that he recalled one project where it was critical to get it approved and moved onto City Council quickly and the builder was not required to install PV-ready. He inquired whether or not there were other projects and what the approximate cost for pull strings and conduit was.

Mr. Dolan replied that he could not recall any project in the last couple of years and was not sure about the cost for pull strings and conduit.

ROLL CALL VOTE:

AYES: Commissioners Olson, Pearce, and Pentin.
NOES: Commissioners Blank and Narum.
ABSTAIN: None.
RECUSED: None.
ABSENT: None.

Resolution No. PC-2010-33 recommending approval of Case PRZ-55 was entered and adopted as motioned.

Chair Olson stated that he thinks PV-ready is a moving target technologically, as there are systems now that do not require extra strength in the roof in order to support panels.

Mr. Corbett stated that PV panel arrays are typically 3-3.5 lbs. per square foot and that a typical layer of roofing can be up to 60 lbs., with two overlays on top of a roof. He noted that unless panels are elevated with a wind load rating, there is typically no extra engineering required; however, once installed, they cannot be walked on, and therefore, structurally, it has been a non-issue.

7. MATTERS INITIATED BY COMMISSION MEMBERS

PV-Ready Condition vis-à-vis the Proposed Green Building Ordinance

Commissioner Blank stated that Commissioner Narum had brought up a good point. He noted that if he were a builder or developer and had a pending PUD that had PV-ready as a condition of approval, and this new Green Building Ordinance has now been passed, he would be very upset and would want the condition removed from his project. He requested staff to review this scenario.

Chair Olson concurred and indicated this was a good point.

Commissioner Blank recalled a situation where a developer had estimated it would cost over \$100,000 to put automatic sprinklers in a \$2 million downtown building, and the Fire Chief explained at the time that it would cost only \$10,000. He noted that this is the reason he would like additional cost information because he is skeptical about cost estimates received from those with a vested interest in the process.

Mr. Dolan stated that the only contact staff has had in this regard is the reverse, where the developers' concern is having to go back and redesign their approved projects, not so much because of the additional cost involved as of the "hassle factor" of having to go through the entire process once again.

8. MATTERS FOR COMMISSION'S REVIEW/ACTION

a. Future Planning Calendar

No discussion was held or action taken.

b. Actions of the City Council

No discussion was held or action taken.

c. Actions of the Zoning Administrator

No discussion was held or action taken.

9. COMMUNICATIONS

No discussion was held or action taken.

10. REFERRALS

No discussion was held or action taken.

11. MATTERS FOR COMMISSION'S INFORMATION

No discussion was held or action taken.

12. ADJOURNMENT

Chair Olson adjourned the Planning Commission meeting at 8:38 p.m.

Respectfully,

JANICE STERN
Secretary