PLANNING COMMISSION MEETING MINUTES

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

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Wednesday, April 24, 2013

CALL TO ORDER

The Planning Commission Meeting of April 24, 2013, was called to order at 7:00 p.m. by Chair Phil Blank.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Olson.

1. ROLL CALL

Staff Members Present: Brian Dolan, Director of Community Development; Janice Stern, Planning Manager; Julie Harryman, Assistant City Attorney; Steve Otto, Senior Planner; Natalie Amos, Associate Planner; Marion Pavan, Associate Planner; Jenny Soo, Associate Planner; Kaushik Bhatt, Associate Civil Engineer; Al Baez, Engineering Technician III; and Maria L. Hoey, Recording Secretary

Commissioners Present: Commissioners Phil Blank, Kathy Narum, Greg O'Connor, Arne Olson, and Mark Posson

Commissioners Absent: Commissioner Jennifer Pearce

2. APPROVAL OF MINUTES

a. March 27, 2013

Commissioner Narum moved to approve the Minutes of March 13, 2012 as submitted.
Commissioner O'Connor seconded the motion.

ROLL CALL VOTE:

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

The Minutes of the March 27, 2013 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

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

4. REVISIONS AND OMISSIONS TO THE AGENDA

Janice Stern advised that as Item 6.b., Renewable Energy and Water Supply Conservation for New Development, was initiated by a Commissioner, it will be considered under 7. MATTERS INITIATED BY COMMISSIONER MEMBERS as Item 7.a. She also noted there are a couple of staff memos, which have been provided to the Commission, regarding two Consent Calendar items, Item 5.a., P13-0013, Lakshmi Nachiappan, and Item 5.c., P13-0057, Gymboree Play & Music, which include some amended conditions of approval for those items.

Chair Blank inquired if these had been agreed upon by the applicants.

Ms. Stern said yes.

Chair Blank commended staff, the applicants, and all those involved for their outstanding job and the significant amount of time they spent working out these issues.

5. CONSENT CALENDAR

a. P13-0013, Lakshmi Nachiappan
Application for Conditional Use Permit to operate a heritage school for children in Grades K-5 at 5627 Gibraltar Drive, Suite 200. Zoning for the property is PUD-I/C-O (Planned Unit Development – Industrial/ Commercial-Office) District.

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b. <u>P13-0332, Matt Billings, Main Street Brewery</u>
Application to modify the approved Conditional Use Permit for Pleasanton Main Street Brewery, located at 830 Main Street, to allow it to expand into the adjoining tenant space formerly occupied by the El Jarrito Restaurant located at 828 Main Street. Zoning for the property is the C-C (Central Commercial), Downtown Revitalization, Core Overlay District.

c. <u>P13-0057, Gymboree Play & Music</u>
Application for a Conditional Use Permit to relocate the existing Gymboree Play & Music in the Oak Hills Shopping Center from 5460 Sunol Boulevard Suite 2 to a new tenant space, 5480 Sunol Boulevard, Suite 2, within the same shopping center. Zoning for the property is C-N (Neighborhood Commercial) District.

Commissioner Narum moved to make the Conditional Use findings for each of the Consent Calendar items as listed in their respective staff reports and to approve Case P13-0013, Case P13-0332, and Case P13-0057, subject to the Conditions of Approval listed in Exhibit B of the respective staff reports, including the modifications included in the staff memo, dated April 24, 2013, for Case P13-0013 and Case P13-0057.
Commissioner Olson seconded the motion.

ROLL CALL VOTE:

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

Resolutions Nos. PC-2013-17 approving Case P13-0013, PC-2013-18 approving Case P13-0332, and PC-2013-19 approving P13-0057 were entered and adopted as motioned.

6. <u>PUBLIC HEARINGS AND OTHER MATTERS</u>

a. <u>PUD-94, Lynn Jansen, Roselyn Estates II</u>
Application for Planned Unit Development (PUD) Development Plan approval for a seven-lot single-family residential development located on an approximately 3.7-acre property generally located north of the present terminus of Calico Lane and east of the present terminus of Lynn Drive. Zoning for the property is PUD-MDR (Planned Unit Development - Medium Density Residential) District.

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Jenny Soo presented the staff report and described the background, scope, and key elements of the application.

THE PUBLIC HEARING WAS OPENED.

Lynn Jansen, Applicant, thanked the Commissioners for their time and staff for their effort. He indicated that they have been working on this Phase II of Roselyn Estates for almost two years and that while the project plan has not really changed much from when it was originally proposed, it has been tweaked and perfected and has gone through a very thorough analysis by staff.

Mr. Jansen stated that this project is essentially a second phase of the very successful first phase of 12 homes: 11 new homes, with the 12th being the relocated original house on the site. He noted that as shown in the many letters of support received regarding the project, the neighborhood is very happy with the homes, the builder, and the developer, and he is looking forward to advocating that next phase to complete the neighborhood.

Mr. Jansen stated that these seven homes will become part of the Roselyn Estates Homeowners Association (HOA) which is integral to some things with respect to the creek side ownership and maintenance. He noted that the Roselyn Estates HOA has unanimously voted for this, as confirmed in its letter included in the project packet.

Mr. Jansen stated that the house plans for this project are essentially those of the most successful ones from the prior subdivision, with some adjustments and improvements. He noted that these homes have been very well received, and they will stay with all the same exteriors, colors and materials, and widths and lot sizes.

Chair Blank stated that this is a fun project for him because he has seen it and has heard discussions about the creek. He inquired what the new houses would sell for.

Mr. Jansen replied that the project has changed since the homes in the first phase came off the line, the last single-story home of which sold for about $1.1 million, and the last two-story home sold for about $100,000 or so more than that. He noted that the market has gone up a little since then.

Mike Derbish stated that he lives in the area that that this whole development is kind of his front yard. He indicated that they have a problem on Cindy Way where people drive down Rose Avenue without looking in either direction or following the signs, go all the way down to the end of Rose Lane, down through Cindy Way which terminates in a dead end on either side; then turn around and come back up. He noted that a number of people who live down there complain about the cars coming back and forth.

Mr. Derbish stated that he likes this new plan because it solves this problem. He indicated that there will always be people who will not read signs and will come down the street, and this project allows an outlet where these drivers will not have to turn around and come back down the street. He added that it also gives a better connectivity to the

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entire neighborhood and gives the residents a walking route to go around for exercising. He stated that all of the people he has talked to like this design and this idea. He added that the lot there has been neglected for years, with junk cars, trailers, and trucks on it right now, and this development will get this all cleaned up. He stated that he thinks the people who live on this end with a two-story house would love to see the area cleaned up.

Mr. Derbish stated that the HOA is a very small one, so any addition to it will be beneficial to all the homeowners because the HOA takes care of the lawn maintenance and everything else. He noted that he just loves the design of the houses with their huge front and rear porches, really cute houses, really great materials, little details like crown molding under the gutters, and things like HardieBoard© sidings that do not need a lot of maintenance.

THE PUBLIC HEARING WAS CLOSED.

Commissioner Narum commented that she happened to be in the neighborhood over the weekend, and she has always been very impressed with this development, tucked back in there and the look and feel of it. She noted that it looks like a real neighborhood and that she is partly jealous of the big front porches because she used to have one in the Midwest.

Commissioner Narum moved to find that the proposed PUD Development Plan is consistent with the Negative Declaration previously prepared for the rezoning of the subject site, PRZ-59, and that none of the conditions in CEQA guidelines Section 15162 calling for preparation of a supplemental Negative Declaration have occurred; and that the proposed PUD Development Plan is consistent with the General Plan and the purposes of the PUD Ordinance; to make the appropriate PUD Development Plan findings as stated in the staff report; and to recommend approval to the City Council of Case PUD-94 subject to the Conditions of Approval listed in Exhibit A of the staff report, with the modification of Condition No. 33 as stated in the staff memo, dated April 24, 2013. Commissioner O'Connor seconded the motion.

Commissioner Olson noted that it is great and really refreshing to see a project where the neighborhood comes in and says it is a terrific project and we love it.

ROLL CALL VOTE:

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

Resolution No. PC-2013-20 recommending approval to the City Council of Case PUD-94 was entered and adopted as motioned.

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b. Renewable Energy and Water Supply Conservation for New Development

This item was considered under 7. MATTERS INITIATED BY COMMISSION MEMBERS, as Item 7.a.

7. MATTERS INITIATED BY COMMISSION MEMBERS

a. Renewable Energy and Water Supply Conservation for New Development

Brian Dolan stated that this item was brought forward by Commissioner Posson. He indicated that he thinks all the Commissioners have had a chance to look at Commissioner Posson's memo describing the concept and would like Commissioner Posson to speak on behalf of his own item.

Commissioner Posson stated that the Commissioners will recall that when they were talking about the Pleasanton Partners LLC development, there was discussion about the application of renewable energy to that project, and Commissioner Pearce mentioned that it may be worthwhile for the Commission to have a policy discussion on how it wants to deal with renewable energy for that application and projects that come before this Commission. He indicated that in view of that, he outlined his thoughts on some areas that he thinks could be improved, primarily in the area of energy and application of renewable energy, as well as drinking water conservation, because both present challenges to the City.

Commissioner Posson stated that, as outlined in his memo, AB 32 puts the City on a fossil fuel budget through the control and actual requiring reductions of greenhouse gases. He noted that one of the solutions that is in the General Plan as well as in the California Public Utility Commission strategy for meeting those goals is application of renewable energies on new projects, whether they be residential, commercial, or industrial. He further noted that looking at his review of the current application, he thinks the City is a little weak in the implementation and in a clear description of where and how these requirements are applied for renewable energy.

Commissioner Posson stated that he is also suggesting that the Commission look at potable water supply as well because the City is on a water budget. He added that the Commission may be familiar with the 20-percent reduction by 2020, which will create some challenges for reductions on a per capita basis. He indicated that an example is the project the Commission recently recommended approval where it added the requirement for sub-meters for each of the residential units. He noted that without that, there would not have been an incentive for the renters to reduce their water usage because there would have been a general rate. He added that he believes by adding those types of conditions, the Commission can improve the way projects coming before this Commission are approved for development in the City.

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Commissioner Posson stated that in his memo, he outlined some ideas on how the Commission may want to partner with the Energy and Environment Committee. He noted that these are being offered just to get the discussion going, and he thinks there may be some additional items that Commissioners may want to have staff do some research on prior to the Commission's discussion. He requested that the Commission set up a policy discussion on those two items.

Chair Blank noted that this is an area Commissioner Posson has knowledge of. He indicated that he knows there are energy star appliances for electricity and gas and inquired if there any energy star appliances for water.

Commissioner Posson said no, adding that energy star is strictly and primarily applicable to electricity.

Chair Blank commented that the thought occurred to him that the sub-meter issue really does not conserve any water; all it does is inflict the pain of water consumption on the residents, and if they are willing to pay for it, they can use as much water as they want.

Commissioner Posson replied that it is true, but they are paying for their water use.

Chair Blank stated that he is not suggesting that it is a bad idea but that he is just thinking out loud. He noted, for example, that if he is consuming too much electricity, he can go and purchase a high-efficiency electrical appliance or install solar panels on the roof; but if he is consuming too much water and he already has the low-flow toilets and shower heads by regulation, he does not know how he can get water efficiency. He noted that washing machines are energy efficient and assumed that some of the newer ones are supposed to be water-efficient as well.

Commissioner Narum stated that she thinks Commissioner Posson has a good point that the best way that people can conserve is to make them conserve.

Chair Blank stated that he is not debating that it is not a good idea; he just wants to know how he can consume less water so he can conserve water.

Commissioner Posson replied that putting the accountability for that water usage on the people is going to change their behavior because when they see what their actual usage is, they will say that maybe they do not need to take two showers a day, or maybe they can reduce their showers to eight minutes rather than 15 minutes, or they can do full loads of dishes or full loads of laundry.

Commissioner Narum asked staff how much of this would really be under the purview of the Planning Commission versus under the purview of the Energy Committee.

Mr. Dolan replied that a lot of this is implementation of the Climate Action Plan and that there were certain implementation measures that were identified but required additional work, in some cases, the creation of an ordinance. He added that in many cases, this

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implementation has been assigned to the Planning Division as opposed to the Operations Services Department, which staff energy and environment. He indicated that there is an overlap and requires coordination between the two. He noted that some of this is definitely within the purview of the Planning Commission and that Planning has actually hired somebody to work on some of those.

Mr. Dolan reminded the Commission that what is on the table tonight is whether the Commission wishes to agendize this item for a detailed discussion as opposed to an actual detailed discussion tonight.

Chair Blank asked if staff had any pros and cons about agendizing the item for further discussion.

Mr. Dolan replied that if the Commission decides to move forward, there are things staff would want to talk about, but staff has no problem talking about them.

Chair Blank inquired if it represents a significant workload for staff. He stated that part of the discussion he had with Commissioner Posson before the meeting was that the Planning Commission did set up a list of priorities with the City Council for this year, and that maybe the Commission may decide to do some work on the background during the year so it can be better prepared for next year's priorities list.

Commissioner Narum stated that that is where she was headed.

Commissioner O'Connor noted that it is already almost halfway through the year.

Commissioner Olson stated that if the Commission decides that it wants to agendize this at the Planning Commission level, it would not be putting any undue burden on the City Council. He added that the Commission could have that discussion and generate some ideas that it could then pass up the line. He indicated that if the Commission is going to recognize these challenges, the Commission needs to agendize it, have some serious discussion, and come to some conclusions about what it wants to see in projects coming forward.

Chair Blank stated that he thinks it would be a good thing to agendize it because he has some questions. He asked staff if it is within the Commission's purview to get rid of the LEED program if it so chooses.

Mr. Dolan said no. He added that the Commission can make the recommendation, but ultimately the Council would make the decision because it is embedded in an ordinance.

Chair Blank stated that he wanted to make sure that this would not be a significant workload from staff's perspective.

Mr. Dolan replied that preparing for the discussion would not be.

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Commissioner Narum moved to agendize the item.
Commissioner Posson seconded the motion.

Commissioner Olson stated that he thinks Commissioner Posson's review at the beginning of the discussion is a good preamble to what the Commission wants to try to do with this.

Chair Blank agreed.

Commissioner Narum withdrew her motion.

Commissioner Posson moved that the Planning Commission agendize a discussion on applicability of renewable energy and water supply conservation for projects that come before the Planning Commission.
Commissioner Olson seconded the motion.

ROLL CALL VOTE:

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

Chair Blank stated for the record that every time Commissioner Posson brings matters up, he is learning some really good things that he did not know before. He indicated that he was initially skeptical, but after hearing what Commissioner Posson said, he realized that it is a really good idea. He expressed appreciation to Commissioner Posson for feeding this information to the Commission because it is clearly an area where the Commission, or at least he, needs to become better educated.

Commissioner Posson thanked Chair Blank.

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

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.

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d. Matters for Commission's Information

Bicycle, Pedestrian, and Trails Committee

Commissioner Olson stated that the Bicycle, Pedestrian, and Trails Committee had a meeting on Monday, and the primary discussion involved a possible second bridge over the Arroyo de la Laguna or some other solution. He indicated that the Committee actually passed a motion to ask the City to consider some form of bridging that would not handle automobiles but would handle bicycles and pedestrians.

Chair Blank inquired what something like that would cost.

Commissioner Olson replied that the Committee does not know, but the alternative is to wait for a second bridge and that staff said it is a good ten years away.

Chair Blank noted that if staff said that, then it is correct.

Commissioner O'Connor stated that Castlewood Country Club got a price to do a foot bridge from the second or third hole going over that same body of water. He indicated that he thinks it was done within the last two years, and getting some type of estimate from the Club might be a start.

Mr. Dolan stated that ten years is what staff says when it has no idea. He added that in the short term, it would be a huge challenge as staff is really kind of pulling back on some projects and is not in a position of adding things to the Capital Improvement Program (CIP) given the budget coming forward.

Commissioner Olson stated that there is a sidewalk on the south side of that bridge, and the only way to really go across it on a bicycle is to get out there in the lane and go. He indicated that one of the suggestions made was to put up some signage that would say "Please give right-of-way to bicycles as you cross the bridge" or something on that order.

9. ADJOURNMENT

Chair Blank adjourned the Planning Commission meeting 7:40 p.m.

Respectfully,

JANICE STERN
Secretary

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