

**Planning Commission
Staff Report**

September 11, 2013
Item 6.a.

SUBJECT: Work Session for P13-2078

APPLICANTS: SummerHill Apartment Communities

PROPERTY OWNER: Las Positas Property, LLC

PURPOSE: Work Session to review and receive comments on a Preliminary Review application to demolish the existing office building and construct 177 apartment units and related site improvements on a 5.9-acre site

GENERAL PLAN: Mixed Use/Business Park

ZONING: Planned Unit Development – Mixed Use (PUD-MU)

LOCATION: 5850 West Las Positas Boulevard

EXHIBITS:

- A. Planning Commission Work Session Discussion Points
- B. Preliminary Development Plans and Applicant’s Project Summary
- C. Ordinance No. 2030, Rezoning the Subject Site
- D. Public Comment
- E. Location Map and Noticing Map

I. BACKGROUND

In January 2012, the City Council approved rezoning of nine sites throughout the City for high-density multifamily development in order to meet the City’s share of the regional housing needs (Ordinance No. 2030). One of the approved sites is the CM Capital Properties site located at 5850 and 5758 West Las Positas Boulevard. The CM Capital Properties site consists of two parcels: a 5.9-acre parcel located at 5850 West Las Positas Boulevard and a 6.7-acre parcel located at 5758 West Las Positas Boulevard. These two parcels are not required to be developed together.

SummerHill Apartment Communities have submitted a Preliminary Review application for the development of a multifamily housing project on the 5.9-acre site located at 5850 West Las Positas Boulevard.

The purpose of the work session is to receive comments from the Commission and public regarding the project and discuss how the project would meet, or require exceptions from, the *Housing Site Development Standards and Design Guidelines* (hereafter referred to as *Design Guidelines*), adopted by City Council on August 21, 2012. The site is identified as Site #9 in the *Design Guidelines*, and has a density requirement of 30 units per acre, which results in 378 units on the entire 12.6-acre site. The proposed project is to construct 177 residential units on an approximately 5.9-acre portion of the site, meeting the density requirement of 30 dwelling units per acre. No action on the project will be taken at the work session. If an affordable housing agreement is part of the project, the agreement will be scheduled for a recommendation by the Housing Commission. The development of the project will require Planned Unit Development (PUD) Development Plan approval, which is subject to review and approval by the City Council, following review and recommendation by the Planning Commission.

II. SITE DESCRIPTION AND SURROUNDING AREA

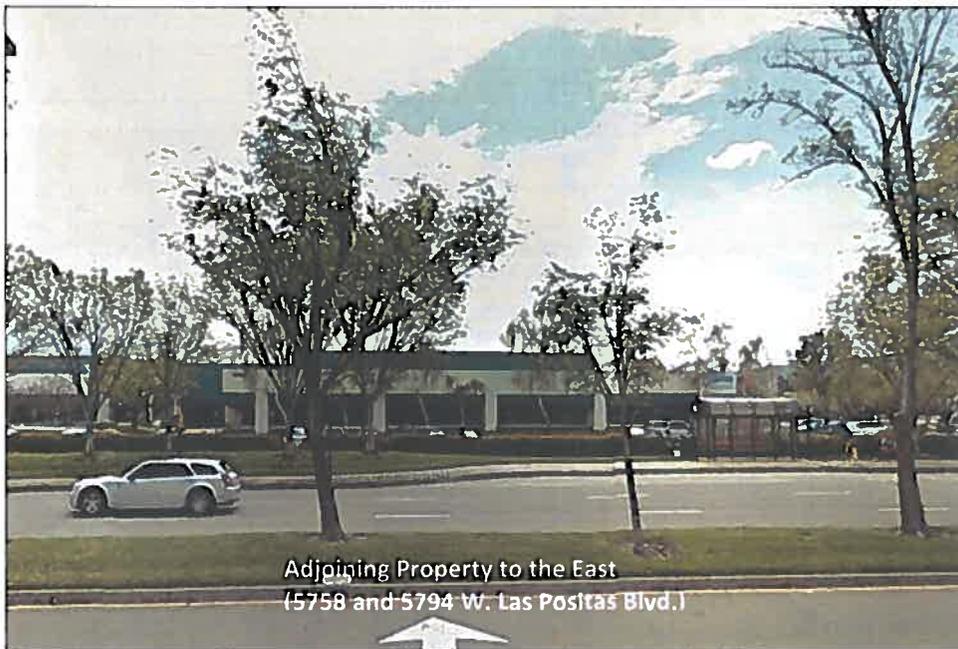
The subject site is located on the south side of West Las Positas Boulevard, across from Thomas Hart Middle School, within the Hacienda Business Park. The subject 5.9-acre site and the adjoining 6.7 acre site to the east are collectively referred to as the 12.6-acre Site #9 of the Design Guidelines. Please see aerial map below.



Project Location Map

The project site fronts on West Las Positas Boulevard and backs up to Arroyo Mocho (south). The site was initially developed in 1984 for AT&T and later was clinical laboratories for SmithKline Beecham. The building is a one-story building, approximately 88,512 square feet in floor area. It is currently vacant.

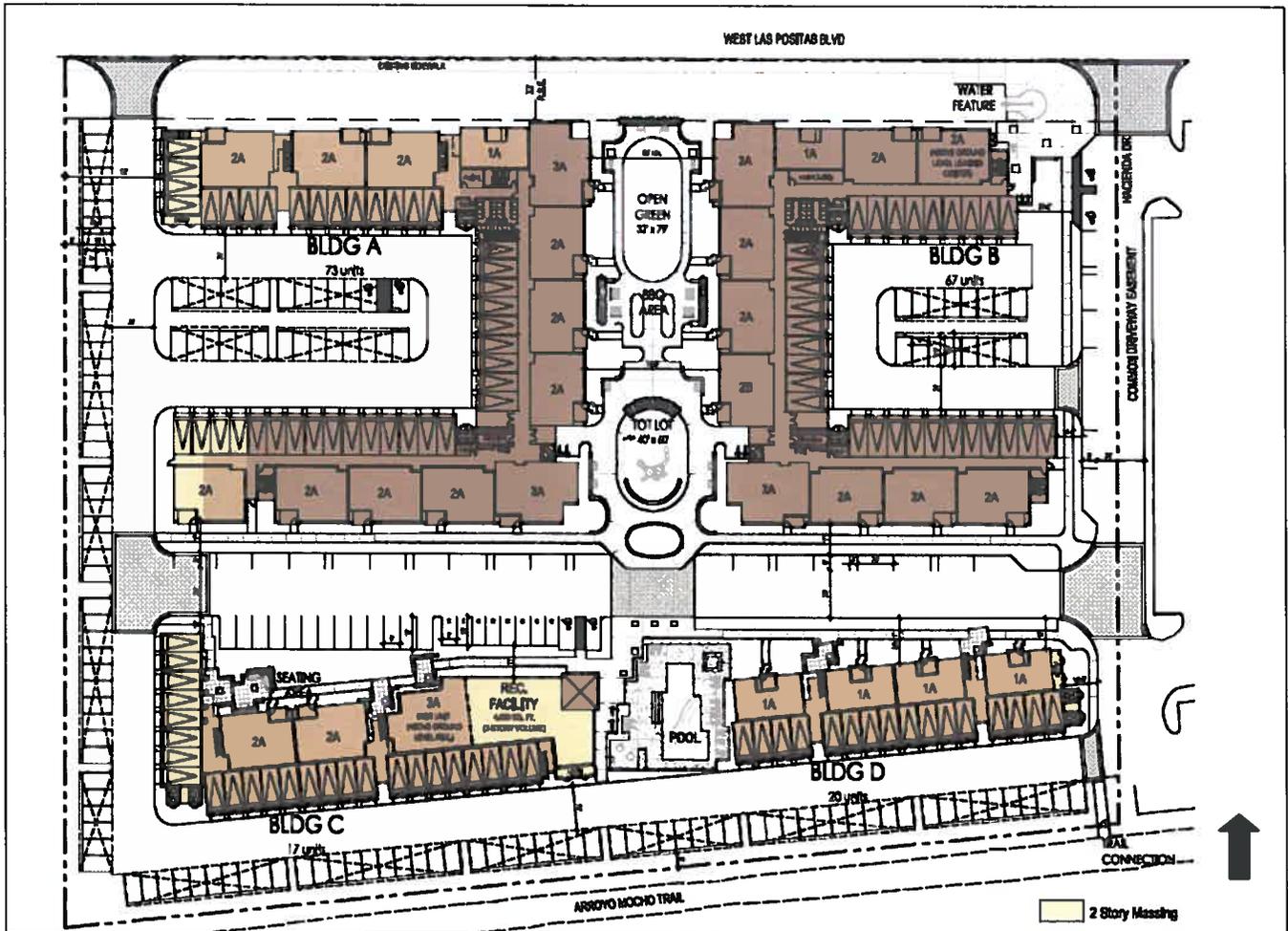
The site is generally flat. A bus stop within a shelter served by Livermore Amador Valley Transit Authority (LAVTA) is located in front of the building to the east, and also across West Las Positas Boulevard at the middle school.



Adjacent properties include one-story office buildings to the east and west, Thomas Hart Middle School to the north, and Arroyo Mocho lies to the south. Further beyond the arroyo to the south are single-family residential developments.

III. PROJECT DESCRIPTION

The proposed development is summarized below:



Proposed Site Plan

Site Layout

- The proposed development would utilize the two existing entrances/exits off West Las Positas Boulevard. One entrance/exit is located near the western edge of the site and the other one is located near the eastern edge of the site. The project's main entrance would be from the eastern edge of the site at the existing signalized intersection at West Las Positas Boulevard and Hacienda Drive. The main internal street would be located between Building B and the eastern property line. It would wrap around Building B then continue west. The proposed Buildings A and B would be located on the north side of the main internal street and Buildings C and D would be located on the south side. Secondary internal streets are located along the site perimeter and between the buildings and carports.
- An open space area and tot lot would be located between Buildings A and B; a pool/spa would be located between Buildings C and D.

- Pedestrian paths within the complex are proposed between residential buildings, the open space area, and recreation uses.

Buildings

- The project would include four residential buildings housing a total of 177 residential units. Buildings A and B would be U shaped buildings located on the northern portion of the site fronting West Las Positas Boulevard. Buildings C and D would be rectangular shaped buildings located in the southern portion of the parcel having a view to Arroyo Mocho. The following table provides a summary of the proposed residences and building heights.

Building	Residential Units	Stories
A	73	2-4
B	67	4
C	17	2-4
D	20	3
Total	177	--

- The proposed elevations present a Spanish influenced architectural style. The materials that are proposed include stucco exterior finish, stone veneer, wood-like trim for the windows, tile roof, wrought iron patio and balcony railings, and awnings.



Conceptual Building Elevations on West Las Positas Boulevard



Conceptual Elevation of Buildings A & B

Floor Plans

- A combination of one- to three-bedroom units are proposed. The proposed project includes:
 - 88 one-bedroom units, ranging from 718 square feet to 785 square feet;
 - 72 two-bedroom units, ranging from 1,054 square feet to 1,069 square feet; and
 - 17 three-bedroom units approximately 1,298 square feet.

All residential units would include either a private patio (for ground-floor units) or a deck (for upper floor units) ranging from 56 square feet to 143 square feet.

Parking

- The proposed development would provide a total of 301 parking spaces in private garage spaces, covered parking spaces (carports), and surface parking spaces. The majority of parking spaces are standard-size parking stalls; nine of the parking stalls are compact-sized parking stalls.

Pleasanton Municipal Code (PMC) Section 18.88.030 requires a minimum of 2 spaces for each of the first 4 units and 1.5 spaces for each additional unit for apartments with 2 bedrooms or less, and a minimum of two spaces per unit for apartments with three or more bedrooms. At least one of the required spaces per unit is required to be located in a garage or carport. One visitor space is required for each 7 units. A total of 156 units have 2 or fewer bedrooms and thus the parking requirement for these units is 242 spaces. A total of 17 units are 3-bedroom units and thus 34 parking spaces are required, yielding a total parking requirement of 276 parking spaces (252 of these spaces are in a carport or garage). Since 177 units are proposed, 25 visitor spaces are required and 25 are proposed. The project meets the parking requirements of the PMC for the total number of required spaces,

the number of required covered spaces, and the number of guest parking spaces. Please refer to the follow table for parking requirements.

	Required	Proposed
Parking for Residents	276 spaces	276 spaces
Parking for Guests	25 spaces	25 spaces
Total	301 spaces	301 spaces

Open Space

- The Design Guidelines require private open space be provided at each residential unit as well as a common open space be provided for the entire complex. As proposed, private open space is provided by patios and balconies, and group open space is distributed throughout the site. A community gathering area is proposed in the center of the site. The open space area includes picnic tables, outdoor grill, seat-walls, and shade trellises. A tot lot with play structures, a lap pool and a spa are also proposed. In addition to open space area, a club room with a gourmet kitchen and a fully equipped fitness center would be located in Building C with easy access to the pool/spa area.

Landscaping

- A variety of species of trees, shrubs, and groundcover are proposed throughout the residential complex. The preliminary landscape plan provides general information on the plantings for the open space areas and the development in general. The proposed project will result in the removal of several ornamental trees that are currently planted in the existing parking lot area and landscaped areas on the site.

Bus Shelter

- There are two existing Livermore Amador Valley Transit Authority (LAVTA) bus stops near the project site – one is located to the east of the project site, and the other one is located across W. Las Positas Boulevard at the middle school. No additional stops are requested by LAVTA for this project.

Trail Access

- There is an existing trail along the south side of the arroyo; no trail currently is located on the north side of the arroyo except for a short segment between Hopyard Road and the Chabot Canal. Traffic Engineering Division recommends an access to the arroyo providing access to a future trail. The applicant will be working with Zone 7 to provide an access gate to the future trail along the north side of Arroyo Mocho.

IV. CONSIDERATIONS FOR THE WORK SESSION

Staff is presenting the Commission with the preliminary plans for consideration and comments. This work session will allow the Planning Commission to provide direction to the applicant and staff regarding any issues it wishes to be addressed prior to the project formally returning to the Planning Commission for a recommendation to the City Council. The areas noted below are where staff would find the Commission's input most helpful. A list of these discussion

topics and specific questions regarding the proposal is attached to this report as Exhibit A for the Planning Commission's consideration and discussion.

Housing Site Development Standards and Design Guidelines

The following comments were provided to the applicant regarding consistency with the Standards. The applicant has indicated the items will be met or a request for exceptions to the Standards will be made. For the Commission's reference, the page and section number for each item in *italics* is also included.

Plans will be Modified by Applicant to Comply

1. Provide building entries for Buildings A and B that face West Las Positas Boulevard.

Development Standard C.1.b, page 37.

2. Enhance the building entries so that they become a prominent feature of the front façade and identify access to individual units.

Development Standard C.1.c, page 37.

3. Provide both landscape screening and fencing between the subject development and the adjacent commercial development to the west.

Development Standards, page 55.

4. Provide low walls and landscaping to screen parking at the northwest corner of the site.

Development Standard A., page 24.

Exceptions Requested by the Applicant

1. The carports would be located eight feet from the western property line. The applicant could remove carport parking along the western property line and still conform to the requirement of providing one covered parking space per residential unit. The applicant prefers to keep the carports. Staff suggested that the applicant discuss the proposed carport location with the adjacent property owners to the west to determine if they would object and/or request alternative mitigation.

Special Design Standards and Guidelines, page 55: No structure (not including light fixtures) shall be located within 50 feet of the western property line.

2. The existing western entrance would serve as one of the two entrances to the proposed development. It should, like the eastern entrance, be designed as an internal street. Sheet A1.2 shows it is designed as an alley.

Development Standards, page 13, requires a distinct hierarchy of circulation including public streets, internal streets, alleys, etc. Section A1.b states that alleys should not be used for primary circulation.

Discussion Point

- A. *Would the Planning Commission support the exceptions noted above if the project were to move forward as proposed?*

Site Plan. As proposed, the buildings meet the setback requirements. The site plan shows a feathering of densities with the lowest densities by the Arroyo Mocho and adjacent one-story commercial development and that stories above the second story on the west elevation are stepped back. The project's main entrance would be from the eastern edge of the site at the existing signalized intersection at West Las Positas Boulevard and Hacienda Drive. The applicant will provide building entries for Buildings A and B that face West Las Positas Boulevard to meet the Design Guidelines requirements. Staff believes that a pedestrian connection needs to be provided between West Las Positas Boulevard to the proposed open space area.

Discussion Point

- B. *Are the on-site circulation, parking layout, feathering of densities, stepping back stories above the second story, and positioning of the buildings acceptable?*
- C. *Should a pedestrian access be provided directly from West Las Positas Boulevard to the proposed open space area?*
- D. *Are the proposed on-site recreation facilities and amenities acceptable?*

Building Design. Given the high visibility of the site directly on a major thoroughfare, staff feels that the buildings will need to be designed with a high quality visual image. Staff believes that the proposed buildings are generally well designed. Staff has made the following suggestions to the applicant:

- Provide additional details such as exposed rafter tails, window planter boxes, wrought-iron detailing, etc.
- Modify and enhance the individual unit entries on the ground level so that they would be a prominent feature of the building.
- "Punched in" the windows from the exterior building wall.
- Provide an enhanced stucco finish such as Santa Barbara finish (Santa Barbara finish is a smooth, stucco finish with minor relief textures and a subtle, variegated color.)

Discussion Point

- E. *Are the residential building designs, colors and materials, and heights acceptable?*

V. PUBLIC COMMENT

Notice of the Planning Commission's public work session on this item was sent to property owners within 1,000 feet of the subject property. A map showing the noticing area is attached to this report. The public notice was also published in *The Valley Times*.

Mr. Don Brennen, 3291 Curtis Circle, emailed staff expressing opposition and concerns regarding the proposed development (see Exhibit D). Mr. Brennen stated that he is very concerned about the impacts relating to noise, traffic, crime, and other components of our city infrastructure.

Staff has also received an email from a resident; expressing concerns regarding the proposed development (see Exhibit D). This resident wishes to remain anonymous.

VI. ENVIRONMENTAL ASSESSMENT

Since the Planning Commission will take no formal action on the project at the work session, no environmental document accompanies this work session report. Environmental documentation will be provided in conjunction with the Planning Commission's formal review of the PUD application.

VII. STAFF RECOMMENDATION

Staff recommends that the Planning Commission review the attached material, take public testimony, and make suggestions/comments to the applicant and staff regarding the development of the site.

Staff Planner: Jenny Soo, Associate Planner, 925.931.5615 / jsoo@cityofpleasantonca.gov

P13-2078, Summerhill Apartment Communities

Work Session to review and receive comments on a Preliminary Review application to demolish the existing office building and construct 177 apartment units and related site improvements on a 5.9-acre site located at 5850 West Las Positas Boulevard in Hacienda Business Park. Zoning for the property is PUD-MU (Planned Unit Development – Mixed Use) District.

Jenny Soo presented the staff report and described the scope, layout, and key elements of the proposal. She noted that staff has received emails from Chamberlin Associates, the adjacent property owner to the west, expressing concern about the first exception requested to locate the carports eight feet rather than 50 feet from the western property line; and from the commercial tenants of the property expressing concern about residents throwing trash onto the commercial site during move-out time, and overflow parking in the sense that even if the project meets the parking requirements, there could be extra vehicles for each unit. She added that the commercial tenants questioned how management would handle both concerns and proposed that a fencing and landscaping barrier be installed to separate the development from the adjacent commercial property.

Ms. Soo stated that staff also received a considerable number of email and phone calls from the neighbors on the south side, the Parkside community, expressing concerns about density and its link to crime; low-income housing and the income level of the tenants; construction hours and the management of the construction; noise, dust, and traffic; impact on existing services and schools; and impact on the environment and wildlife. She added that some proposed that the project be moved closer to the BART station and that the residential project be replaced with commercial buildings as the City is losing commercial building stock.

Ms. Soo stated that the developer held an Open House meeting on Wednesday, September 4th, which a few neighbors attended, including four couples from the Parkside neighborhood and two residents from another development. She noted that no specific questions, concerns, or objections were raised and that most of the inquiries were about the building height, density, construction time, the type of project and the need for it, and schools.

Commissioner Olson asked where the four-story buildings would be located.

Ms. Soo displayed that site plan, pointing to the sections colored the darkest as the four-story buildings.

Commissioner Olson inquired if the buildings across the open space are also four stories.

Ms. Soo said yes. She indicated that Sheet A1.2 of Exhibit B includes a color chart that shows the number of stories of the different buildings.

Commissioner Olson inquired if there were any four-story buildings along the Arroyo.

Ms. Soo said no.

Commissioner Ritter inquired how many outreach sessions the applicant had with the community.

Ms. Soo replied that there was one Open House meeting held on the previous Wednesday.

Ms. Stern added that as part of the Housing Element Update process and the rezoning of the sites, staff held several meetings related to this project.

Commissioner Ritter inquired if there is a trail from West Las Positas Boulevard to the Arroyo where a cut-through on this property is being proposed.

Ms. Soo replied that there is an existing trail along the south side of the Arroyo and a little segment between Hopyard Road and the Chabot Canal on the north side of the Arroyo.

Ms. Stern stated that there is a gravel area along that area that is used as a service road, and the applicant would need to work with Zone 7 to get permission to extend that. She added that the existing trail along the south side of the Arroyo runs all the way to Hopyard Road.

With respect to the required setback for the carports, Commissioner O'Connor inquired what a 50-foot setback would do to this development. He noted that there are quite a few parking spaces along the west side and inquired if there is another place on the site to locate those parking spaces.

Ms. Soo replied that the applicant would have to change the carport to uncovered surface parking spaces with no structure.

Commissioner O'Connor inquired if all the parking spaces would be accommodated with the 50-foot setback if the spaces were uncovered.

Ms. Soo said yes. She added that it is the covered parking structure that would encroach within the 50-foot setback.

Commissioner O'Connor inquired if staff has had any preliminary discussions with the applicant about trying to take some of the lower units in the front on West Las Positas Boulevard and changing those to put lower structures on the back. He noted that there is a mix of unit heights up front and that Buildings A and B are not all four-story.

Ms. Stern replied that was correct; Building A has some three stories.

Commissioner O'Connor stated that if the developer took five units and made Building A all four-story, the developer could take those five units from the rear building which has seven units above two-stories tall.

Ms. Stern explained that there is a restriction related to the neighbor on the west side where the Design Guidelines talks about stepping back some of the stories on that side. She added that it is potentially possible to relocate some of those three stories to get more two stories in the back.

Brian Dolan stated that staff will look into that to address Commissioner O'Connor's concern to try and help the neighbors in the rear. He noted that staff has two concerns: (1) the reference made by Ms. Stern regarding the commercial neighbor next door, who was very pro-active during the rezoning and attended a lot of meetings and made sure that the restrictions be built into the standards for the specific site. (2) This is a more general concern that if the front is loaded with four stories, that has a certain presentation to the street that would be of concern if the entire frontage was four stories. He reiterated that staff will definitely look at this and see if there is a better balance.

Commissioner Allen inquired if there is a possibility of doing any underground-type parking to reduce the height of the buildings. She indicated that she is not sure if there are any creative things that have been done in other developments that might be possible here.

Ms. Stern replied that underground parking is usually an economic question in terms of being able to make that pencil out. She added that so far, there is no development that has gone into Pleasanton that has been able to achieve that.

THE PUBLIC HEARING WAS OPENED.

Kevin Ebrahimi, Vice-President of Development, Summerhill Apartment Communities, and Applicant, stated that Summerhill Apartment Communities is a privately-owned company headquartered out of San Ramon, under the Summerhill Housing Group that has been building apartments and for-sale housing in the Bay Area since 1976. He indicated that Summerhill is somewhat familiar with Pleasanton and its requirements, having built two for-sale communities in Pleasanton in the past ten years, the first being Nolan Farms off of Rose Avenue in 2001, and Sycamore Heights off of Sycamore Creek Way in 2005. He thanked staff, particularly Ms. Stern and Ms. Soo, who have been very helpful in coordinating and helping them put the application together to meet all the guidelines and to understand what the community is looking for.

Mr. Ebrahimi stated that staff has covered the project well in its presentation and that he just wanted to outline some of the reasoning why the site was developed in the way it is being presented to the Commission tonight. He indicated that the proposed community fronts West Las Positas Boulevard, with existing commercial buildings to the east and west, and existing residential communities to the south. He noted that due to the location of the Arroyo, the site layout allows only a minimum distance of 244 feet from

the residential neighboring fence line on the south side of the Arroyo to the proposed buildings, although the distance actually goes much farther from some houses on the south side.

Mr. Ebrahimi then presented a slide showing the current view of the proposed apartment community taken from the closest neighbor in the existing residential development on the south side, with the proposed landscaping shown at a five-year maturity. He indicated that in reviewing the Design Guidelines and meeting with staff and the neighbors, they developed the site layout by adhering to the required setbacks and stepping the buildings for better interface with the surrounding uses. He noted that Buildings C and D were designed with two- and three-story elements, with all three-story components in Building D and the recreation building on Building C's two-story stepping up to a three-story on the three units to its left. He explained that the reason they did that was to try and reduce the height of the buildings on the south side, based on their meeting with staff and the neighborhood. He stated that they were asked to lower the units on the south side at one point so they could take it away from West Las Positas Boulevard, but the ultimate direction that they received was to step the site and have more two and three stories on the south side, which is what they have done, and then step it up to four stories. He noted that the center of the community is all four stories, including the four-story element turns on Buildings A and B going up the paseo area, which are all internal; and to try and do three stories with four-story elements as it gets to West Las Positas Boulevard. He noted that it was kind of a mixed decision as nobody wanted to see it be all four stories; however, as they ultimately had to have the 177 units minimum/maximum required for this site, they had to see what the best positioning was, and this is what they came up with.

Mr. Ebrahimi stated that while the Design Guidelines required a minimum of 177 covered parking spaces, they have provided 75 additional carports. He stated that they believe both carports on the west side of the community will be well designed, will provide an added visual screen as opposed to looking at a row of cars, and will provide added value to the community. He indicated that he has been in contact with Doug Giffin of Chamberlin Associates, the owner of the commercial building to the west. He noted that Mr. Giffin wants to look at the ultimate design of the carports to determine if that is something Chamberlin can find acceptable, and he stated that they will continue working with Mr. Giffin towards that end. He added that there will be a row of six-foot tall shrubs installed on the west side behind the carports, in addition to the fencing to be located along that property line. He indicated that they will be providing more detail on this as the project moves forward.

Mr. Ebrahimi then showed a slide of the main entrance to the project being served at the intersection of West Las Positas Boulevard and Hacienda Drive. He pointed out Building B where the plaza with a fountain is located, as well as the leasing office located right behind the fountain area. He indicated that in addition to the main entrance, they have also provided an access route from West Las Positas Boulevard into the project at the westerly end. He indicated that they had originally proposed this as an emergency vehicle access (EVA), but staff had asked that this roadway be

opened up and a sidewalk connection be provided all the way along West Las Positas Boulevard. He stated that they have looked into this and can accommodate the sidewalk for connectivity.

Mr. Ebrahimi stated that what is really difficult is trying to provide parallel parking. He indicated that with a very constrained site at 5.9 acres and the requirement to have 177 units, there is just no way of putting parallel parking without losing the required parking for the site. He noted that for marketing reasons, they are comfortable with having the intersection of West Las Positas Boulevard and Hacienda Drive as the main entry; however, staff has indicated that the Design Guidelines require a secondary access that also needs to serve the community.

Mr. Ebrahimi stated that their goal is to keep all the existing trees along West Las Positas Boulevard. He noted that the existing grown, mature trees will be retained and would provide screening. He then presented a slide showing a perspective of how much of the buildings will actually be visible from the street with the trees in place.

Lastly, Mr. Ebrahimi stated that, as Ms. Soo pointed out, they held an outreach meeting with the community this past week, and five people showed up to that meeting. He noted that they were primarily interested in architecture, construction timing, and when the project would move forward. He indicated that they are committed to working with the neighbors and are looking forward to future dialogue with all the residents who have put in their comments. He added that he thinks there is a lot that they can do with respect to landscaping, noting that all the way along the back property line, they will be adding trees that would grow up to 35 feet tall and will continuously provide more screening for the project.

Commissioner O'Connor asked Mr. Ebrahimi if he knows the species of the trees that would be planted in that area.

Mr. Ebrahimi deferred to the project's Landscape Architect to respond to that question.

Zachy Abed, Project Landscape Architect from Van Dorn Abed Landscape Architects, Inc., stated that along the Arroyo on the south side of the property are some mature *prunus*, purple leaf plum trees that are spaced apart about fifteen feet on center. He noted that a couple of them have died out, but they will replace those as well as plant trees in between the existing trees, either *prunus caroliniana*, a low water-use species hedge that can grow up to six or eight feet tall and provide good evergreen screening along that edge, or the *ligustrum*, a pretty and hearty evergreen privet that would provide adequate screening. He added that this would also be done on the other sides of the property.

Commissioner O'Connor inquired if the existing trees are evergreen or deciduous and how tall they will get.

Mr. Abed replied that the purple leaf plum tree is deciduous. He indicated that they are mature right now with about 15- to 25-foot canopies. He noted that what they have about 15 to 20 trees along that edge that are about 15 feet on center and have about a 12- to 15-foot canopy. He added that some of them are in average shape, and about 90 percent are pretty good. He reiterated that they plan to plant trees of the same species in between the existing trees and then infill with ground plants to provide screening for the residents across the way.

Commissioner O'Connor inquired if this would be looking directly across the four-story or three-story building.

Mr. Abed said yes and noted that the view will taper up. He added that they also have fingers in the parking, and they will have large evergreen canopy trees in those fingers.

O'Connor noted that if the trees are all deciduous, then six months out of the year, they would have no leaves.

Mr. Abed replied that that is absolutely correct as the current plum trees are deciduous. He noted that there will be a screen there, but it will not be fifteen feet tall in the wintertime.

Commissioner O'Connor suggested that if they have to replace some of the existing trees that are not in good shape, they plant evergreen trees rather than using the same deciduous trees.

Mr. Ebrahimi replied that they are would do that. He then referred the Commission to Sheet L1.0 of Exhibit B, which shows a row of six- to eight-foot tall shrubs at the bottom all the way to the fence line; infill trees right at the fence line all the way along the property line; and additional trees where the parking lot is located. He noted that there are seven trees at the end of the parking bay, and they can plant an additional line of trees about 15 feet in front of the trees that are on the property line.

Mr. Abed stated that Summerhill's original intent is to preserve as many trees as possible on-site. He noted, however, that if staff prefers to see evergreen trees along that edge, planting new evergreen trees would be definitely more advantageous as far as screening then dealing with and preserving the existing trees. He indicated that none of the existing trees are heritage trees so they are rather insignificant; they are in average to good shape and definitely could be replaced.

Commissioner O'Connor clarified that he is not advocating taking the trees out but only that if they are not in good shape or have died out, they be replaced with evergreen trees rather than the same deciduous trees.

Mr. Abed agreed.

Mr. Ebrahimi stated that what they can do is plant evergreen trees in the second layer of trees they are putting in to provide screening.

Commissioner Posson referred to the slide showing proposed heights versus existing heights and inquired what the relative heights are of the existing buildings and those proposed.

Mr. Ebrahimi replied that he believes the existing building is 22 feet high and the proposed buildings are from 24 to 53 feet high, 53 feet being the four-story in the center of the community and West Las Positas Boulevard.

Commissioner Posson commented that the difference would be from two feet to 28 feet.

Mr. Ebrahimi replied that was correct.

Commissioner Posson asked Mr. Ebrahimi what their plan was for community outreach and for having continued dialogue with the residents.

Mr. Ebrahimi stated that he received a lot of email from the residents since their neighborhood meeting, as well as those received by staff which Ms. Soo forwarded to him. He indicated that he will be contacting all of them to see if they want to meet with them for additional input, such as the type and location of trees to be installed. He added that they would be more than willing to listen to other suggestions the neighbors may have and would be more than happy to incorporate those suggestions into their project if feasible. He noted that they will have other community meetings as they move forward into the project.

Robert Natsch stated that he lives in a two-story house behind the Arroyo and that they have an unobstructed view from their master bedroom of the Arroyo and the building behind them. He noted that the proposed Summerhill complex will be directly across their house and would be less than 100 yards away. He expressed numerous concerns about what might occur with the new development, not only about traffic and noise that they have heard from a lot of people, but also about trees, specifically the two existing 150-foot tall eucalyptus trees right at the corner that is a roosting area for raptors like hawks and falcons. He added that the other morning they saw from their bedroom window, a family of fox who live in the Arroyo, chasing one another on the parking lot of the existing building. He stated that the Arroyo is partially a wild area and they would like to do as much as they can to keep it that way.

Mr. Natsch expressed concern about the view, as presented on a slide, of the existing building versus what it will look like with a four-story building there. He noted that they were virtually the same size on the rendering but that he seriously doubts they will be the same size in reality when that building is constructed. He indicated that he is not trying to hold back public housing as he knows that is important, but he would like to limit how it is going to affect his property, his neighbors, and the wild nature of the Arroyo. He suggested that they seriously consider limiting the size of the apartments in

the back to one story all the way across as anything above that would certainly change what they see. With respect to the existing trees, he stated that the purple plum trees there look pretty scrawny and do not get very high. He noted that he would like to see the eucalyptus trees saved, not only because they offer somewhat of a screen, but also because they are a habitat for some of the wildlife that is back there. He also expressed concern about the number of cars and traffic involved right behind his master bedroom, noting that in the summertime with the windows open, they can hear the cars driving in and a door slam, they can see the headlights shining up into their windows as the security guard drives through the parking lot. He questioned what would it be like if that is multiplied by several hundred. He stated that he is not looking forward to this development at all as far as how it will affect his quality of life.

Joan Natsch stated that just two or three years ago, they went to the Planning Commission and got permits to put in a sizable renovation, an addition to their property, and can't believe that the City is doing this to them now. She indicated that they are original residents of Parkside and bought their property before the Sports Park was even completed. She noted that they had no idea what the impact the Sports Park would have on their way of life: their kids have enjoyed it, and they have enjoyed the other parks and the wildlife right behind them. She stated that the City has changed that somewhat a few years ago when it made that an open thoroughfare, and now they have strangers right behind their fence. She indicated that not only do they have parking problems in front from tournaments and soccer games, they also have strangers right behind their fence. She added that if the Arroyo behind them is opened up to several hundred people, the people will be right behind their fence as well. She noted that they have neighbors and relatives who have had things stolen out of their yard, and the drag marks go down to the Arroyo. She expressed concern that the crime in their area will increase because of that.

Ms. Natsch stated that the trees shown on the slide did not provide any kind of screening for the residents of Parkside. She indicated that they do not they do not care about an eight- to ten-foot hedge; they want tall trees. She added that the ones on the slide were sparse; they want a screen, one every five to ten feet, as they need to preserve their quality of life. She indicated that they have been really proud of the City's Planning Department with the way they have parks in every subdivision, and they would like to preserve that.

Ingrid Wetmore stated that she has lived in this neighborhood for 28 years and has enjoyed living there. She indicated that if she had to purchase her home again knowing what was going to happen to her in her backyard, she would not purchase it anymore. She stated that she realizes the need for low-cost housing but questioned why it has to be so many apartments right in her backyard. She noted that this will affect the value of her home. She stated that she was really proud of the Pleasanton Planning Department and how Pleasanton was laid out as a charming city. She noted how most of the buildings on West Las Positas Boulevard are now one or two stories, and there is not a single four-story building there. She indicated that she thinks this project will definitely

change the character of their neighborhood and will make it look much more like Dublin than Pleasanton.

Ms. Wetmore stated that her main concern is the height of the apartments. She indicated her strong objection to four-story buildings there and thinks they should not be more than two stories as they presently have only one or two story buildings there. She stated that she is not too happy with the development and wishes it would not happen, but she realizes it is probably going to happen and that there will be more down that road on West Las Positas Boulevard because there are several other buildings that the Commission has already recently considered.

Karen Ellgas stated that she took some pictures of the area and would like to share it to bring a little more focus on the project. She indicated that she objects to the number of low-density, reduced-rate, low-income residential units that are being proposed, not just for this particular property but also along the entire West Las Positas Boulevard in the near future. She indicated that she understands that the State requires Pleasanton to rezone some properties and wants to put in on record that she was at all those meetings. She noted that many of her neighbors were also at all those meetings, and being Pleasanton residents, they all support Pleasanton and want to make it as easy or as painless as possible for the City to appease the State. She added that she understands from Ms. Stern and Ms. Soo that these properties have to have 30 units per acre, regardless of whether or not they are zoned for low-income residential. She stated, however, that they do not have to be low-income, and that the City probably has to give a developer a reason if it does not approve its application.

Ms. Ellgas noted that the 177 units include 88 one-bedroom, 72 two-bedroom, and 17 three-bedroom units, but she thinks a unit is a unit, and it does not matter if they are one-, two-, or three-bedroom units. She stated that it might not be that great for the developer but she believes that there is no need for three bedrooms and that they probably need to all be one bedrooms or two bedrooms. She indicated that she did some rough calculations, and eliminating the three bedrooms would save 13,000 square feet in the overall development, which might help get some of the units down from three and four stories to two stories. She noted on page 5 of the staff report that Building C would be two to four stories, but she is hearing that they are three stories. She added that because of the fast rate on that one street, which was originally a business park, she is reminded of what Dublin has done on its street near BART where there is a massive high-density housing. She stated that with respect to traffic circulation, she understands that it complies with the park as a whole, but questioned if this is the right thing to do. She indicated that she has been educated that a traffic flow could theoretically be all put on one street, and this one street passes a middle school. She noted that when the middle school was proposed, her way of life was changed. She further noted that she was sitting in her backyard and heard her son's name announced to go to the office. She indicated that she went over to the school and asked them to turn down their speakers so it does not project to her backyard. She noted, however, that this is different, and now they have businesses there, Monday through Friday, from 8:00 a.m. to 5:00 p.m., and residential which is 24/7. She added that they have the

sports park in their front yard, which is just wonderful and they love it, but the business park and the trail have changed the dynamics of their neighborhood. She strongly encouraged, if the project goes through, that they be kept down to two stories. She added that she is hoping the berm is part of it and that she is not happy with staff's suggestion to put another intersection there.

Chair Pearce informed Ms. Ellgas that there is no more time to go through all the pictures but that if there is a way to give them to staff, she would request staff to forward them to the Commissioners.

John Lange thanked the Commission for hearing from all the residents who live along the Arroyo. He stated that he is an original owner in Parkside, having bought their house in 1980 and living there ever since. He indicated that the Parkside development had been a real draw to them and that they originally bought that house because of the park on one side and the business park on the other. He noted that the business park is quiet and is a good neighbor, and usually when they are home, no one is there. He added that the problem he now sees is putting all that high-density housing in there, four-story buildings probably the equivalent of two tennis courts away from their home. He indicated that he does not know of anywhere else in Pleasanton that people would put up with having an apartment complex that close to a residential area. He stated that this has never happened and does not happen in Pleasanton, where apartment complexes are usually built away from residential areas. He indicated that if there were any way possible to move that facility into the business park, it would be a boon to all the residents. He noted that the problem he sees is that it is being treated as a business park redevelopment, but it really is partially in a neighborhood that backs their homes; it is really close to them and will affect them quite a bit. He indicated that he agrees with a lot of the speakers who spoke before him, noting that the Arroyo is very nice because there is a nice trail there and they do see a lot of wild animals and birds that are there all the time. He stated that he would appreciate anything the Commission can do to change the proposal.

Jane Bowen stated that, like many of the residents, she is also an original owner, moving into the area in 1985. She indicated that she also back up to the Arroyo and is also bearing the brunt of the impact of what is being proposed here. She noted that as they have lived here, they knew the sports park was there, which has had a lot of impact on the residents in the neighborhood, as they get a lot of cars parking on their streets on the weekend and even during the week with the practices, and the lots of traffic and noise that come with that. She stated that as has been mentioned earlier by another resident, the trail behind them was opened not that long ago and has brought a lot of noise and who knows what. She noted that they find alcohol bottles behind their fence; they hear joggers back there at 1:00 in the morning, people walking and talking. She stated that another resident mentioned things being stolen out of their yards, and indicated that they did have someone jump their back fence and run through their yard one night, followed by the police, so there is already quite an impact on them and this neighborhood by what is happening in the Arroyo behind their houses with that trail being opened.

Ms. Bowen stated that when they purchased their homes, they were told that the trail would never be opened up to the public, that it was a Zone 7 service road, and that there was water in the canal which seemed obvious was a hazard to children. She added that then the whole trail thing came up, and suddenly that was not a consideration any more. She noted that the middle school and the business park have also had their impact on the residents. She stated that she also went over to the middle school and talked to the principal about the loud speaker. She then read a quote from the Hart Middle School website: *"Rush hour traffic in the city has nothing on the traffic around Hart before and after school. Wow, what a mess! But if we all follow the rules and treat each other nicely, we can make the situation much more bearable."* She stated that she often drives down those streets, and there is a lot of traffic there with carpools all lined up down West Las Positas Boulevard to pick up children, driving in and out, everybody in a hurry to get their child dropped off and get off to work. She noted that the school itself is acknowledging that. She added that there are just over a thousand students at that school, and with the faculty, administration, and parent volunteers, the number of people on that campus every day would probably be well over 1200.

Looking at the site plan, Ms. Bowen suggested that the proposed pool be moved farther forward and not close to the fence at the back of the project as that is a noise producer. She stated that she agrees with the suggestions of having lower-story buildings at the back if the project were to go forward and that she disagrees with the exception for setbacks, which are designed from experience to mitigate noise and congestion as well as for aesthetic reasons. She added that, as was mentioned earlier, there is already low-income housing on West Las Positas Boulevard, and it seems that a concentration of this type of housing is being put in this one area. She noted that there are already some down the street and that this lot and the lot adjacent to it have been rezoned. She expressed concerned that there may be an idea of putting two of these types of buildings right next to each other. She pointed out that as was already mentioned, they are a residential neighborhood right behind this project, and a better consideration would be a kind of unique scenario where these projects could be put farther into the business park or one of the other areas that had already been rezoned for this type of a project in the City. She thanked Commission O'Connor for his suggestion of putting the lower stories in the back. She indicated that a six- to eight-foot tall hedge is not very tall, especially compared to the height of the buildings, and that bigger trees such as redwood trees would be a better idea. She added that they do appreciate the wildlife that is back there, the raptors, foxes, and coyotes; the geese, ducks, and red-winged black birds.

Anthony Ghio stated that if anyone asks residents in the Parkside neighborhood if they want this, the answer would be "no." He stated that he bought his house in 2006, and if this proposed project had been there then, he would not have bought his house. He noted that he does not think those pictures of what the view is from the neighborhood looking at those buildings is accurate, as those buildings are much closer. He added that the noise carries and recalled how a few years back, there was an accident on

West Las Positas Boulevard and the power went out; then the generator for a storage building that stores data turned on, and he felt the vibration from that generator coming off of his son's window. He stated that he complained to the City about it and can only imagine what this is going to be like with noise traveling down from those upper levels.

Mr. Ghio stated that he thinks there should be strict guidelines on the number of people living per unit because otherwise, there could be three families living in one unit. He indicated that if his property value goes down, he will go to people in the same situation and they will testify that their property values went down. He noted that Parkside used to be much more expensive than the surrounding neighborhoods, and now it has come down this much. He added that if there is a class action lawsuit, the City is going to pay and this proposal affects Parkside mostly, but it also affects all of Pleasanton, all of the parents who have students at Hart Middle School and Donlon Elementary, which has the most students of any elementary school.

Mr. Ghio stated that he was in Hayward yesterday to serve for jury duty, and as he walked from BART over to the courthouse, he hit this kind of a complex that looks very nice from the outside but smelt of marijuana as soon as he got within its range. He stated that he used to work in San Francisco and now works in Oakland, and anywhere there is high-density population like that, there will be a lot of marijuana smoking. He noted that one does not smell that in Pleasanton right now and questioned if anyone has asked the police what they think of this proposal and if they think this is going to be a good thing. He added that he thinks it would be really interesting if someone went door to door or found some way to go to people in the Parkside neighborhood, and asked them what they think. He stated that he does not see how this is good for Pleasanton or for anybody, with the height of these buildings being two and a half times taller than the existing building. He noted that when he goes to Lake Tahoe and watches the fireworks from the pier, there is a guy in a condo that must be twice as far as this proposed complex is from his house who cranks up the music before the fireworks start, and everybody on the pier can barely hear the fireworks because of that. He indicated that he cannot even imagine what this is going to be like with 177 people living in the complex.

Mr. Ghio stated that he is in law enforcement; he deals with the sheriff's office and works a lot of identity theft cases and things like that. He indicated that he knows a lot about low-income housing, and one time, they did a search warrant out in Brentwood on a house where two individuals were living; neither one had a job and they supported themselves off of welfare and identity theft and things like that. He stated that there is good that can come with low-income housing, there are a lot of good people out there who want to rise above their current environment, but there is also an element that comes with that. He noted that Dublin is a perfect example of what you get with that. He stated that he thinks this proposal could be placed in a much better place than where it is because there is a whole neighborhood that, if asked, probably would not have bought their houses if they knew that was going to be there.

James Paxson, General Manager of Hacienda Business Park, stated that he appreciated the opportunity to work with the applicant and his design team, the same team that worked on the St. Anton project right up the street. He indicated that he believes that for at least the preliminary design, they have done a good job of trying to address the many issues that were brought up tonight and other things that are part of the Design Guidelines that have to be realized with any site plan. He stated that Hacienda has not had a chance to formally review the project and that they are waiting to hear the comments that were brought forth this evening and the direction that the Commission provides, and they will then go back and do their full review.

Mr. Paxson stated that based on the receptivity that they have had, some of the initial issues that have been raised, they feel that the applicants have made a very good start. He indicated that they are very sensitive to one primary issue with all of this, and from what the Commission has heard this evening, it is the issue of adjacency and how a project like this fits in with the existing neighborhood and within the existing commercial/office context in the Park. He noted that simultaneously meeting all the different guidelines on this project is a very challenging thing to do, especially on a site of this size, and he thinks the applicants have done a good job in starting to address those things. He added that they would be very open to changes in direction in terms of where the density is feathered or how the buildings are arranged. He further added that they could certainly work on accommodating any desire to move more of the density up front to West Las Positas Boulevard.

With respect to the issue of the carports, Mr. Paxson stated that this is something they will want to work with the adjacent property owner, and if the property owner is in agreement to that, they certainly would have no objection to doing something along that edge there. He indicated that they would also want to take a look at some of the other things that were brought up with regard to the circulation and traffic flow, especially with regard to the driveway along the west side of the project. He added that they also had some issues they wanted to make sure were addressed with regard to traffic circulation as well as pedestrian circulation on the site. He reiterated that he feels very confident that with the design expertise and with the work that has been done so far, these design issues can be addressed.

Mr. Paxson stated that one thing he really wanted to emphasize is that Hacienda's Design Guidelines actually changed with regard to the landscaping that gets installed along flood control channels, including the Arroyo back there. He indicated that he thinks everybody will be very relieved to hear that Hacienda has a much more robust program back there for both trees and shrubs. He added that between the desire for screening and the types of evergreen trees that they have in the palette, they will be able to establish a very nice screen, especially with some of the quick-growing shrubs that they are suggesting, such as the "*prunus*" and the "*ligustrum*."

Mr. Paxson stated that will help with some of the visual issues that were raised, he hopes that at some point, either staff or the applicant addresses the issue of affordability. He indicated that he thinks there is a misnomer that these units are going

to be entirely for low-income, as these are primarily and predominantly for market-rate and very high-end units, with a portion for affordable housing. He noted that this is true for all the housing projects that have been brought into the Park recently. He stated that he recognizes the concerns about this issue but also wants to make sure there is a full discussion about what types of units are being built and what they are going to be able to accommodate.

Kevin Ebrahimi stated that to clarify some of the things that have come up and following Mr. Paxson's statements, this apartment community is a Type A community, which is a very high-end community design. He noted that everything is going to be market-rate with monthly rents anticipated to be anywhere from \$2,000 to \$3,000, depending on the type of unit. He added that the people who will be living in this residence will not be low-income.

With regard to another point that was talked about, Mr. Ebrahimi stated that there will be a continuous line of six to eight feet tall shrubs all the way along the property line, with an additional planting of evergreen trees along the same location. He pointed out that the trees that will be planted there will be 14 to 16 feet tall at maximum height at their five-year growth, and once fully mature, will grow up to 35 feet tall.

Mr. Ebrahimi stated that all the buildings at the back will be two story to three story. He noted that the pamphlet that was distributed stated that one of the buildings could be a four story, and that would be a tower element on the community building; however, that tower element will be a three-story, so nothing will be over three-story in that area.

Mr. Ebrahimi stated that there is a map on the Hacienda Business Park website that shows the community, and he pulled out one that said a little bit about the height of the buildings along the Arroyo. He noted that that there is a varying height of commercial buildings in the area, some in the same range as the proposed buildings at 22 feet to 26 feet tall, and others that are much taller. He pointed out that that the building right next the project to the left on West Las Positas Boulevard, the Arroyo Center, is up to 40 feet in height, which is also the height seen in the back and backing up to the arroyo; the two buildings to the west of the project site, Simpson Manufacturing, are also up to 40 feet tall, and an existing commercial building across the street, Hacienda West, is up to 50 feet tall.

Commissioner Olson inquired what the distance is from the back of the existing building on the site to the edge of the Arroyo, and what the distance will be with the new building, and if it will be reduced, by how much.

Ms. Stern stated that staff looked into that and indicated that the current building is 60 feet back from the rear property line, and the closest proposed building would be between 54 and 55 feet, approximately five feet closer to the rear property line.

Commissioner Allen asked what the height of the three-story building on the backside would be, compared to a thirty-five foot tall tree.

Mr. Ebrahimi replied that it would be approximately 38 feet high at three stories. He added that the two-story component would be 24 feet high.

Commissioner Ritter inquired if the buildings along the Arroyo Mocho would have balconies that face out on the Arroyo or back towards the poolside.

Mr. Ebrahimi replied that they have not gotten to the actual design component and that they have not even designed that building yet.

Commissioner Ritter suggested that might be something to consider when they get there.

Commissioner Posson noted that they have talked a lot about the design standards for the external portions of the building and inquired how they would approach the inside for the tenants as it relates to energy efficiency and energy self-sufficiency for the project.

Mr. Ebrahimi replied that they have an internal task force that looks at what features can be incorporated into each community they build. He indicated that the task force starts its work once a site layout is designated. He added that hopefully, with the comments that they have receive from the Commission tonight, they will know the site plan that is going to work for this site, after which they will engage with that task force. He indicated that they can come back to the Commission with all the recommendations of the things they can provide for this community.

Commissioner Posson inquired if they have a sense of a kind of general philosophy as to how they approach energy efficiency.

Mr. Ebrahimi replied that as a rule for when it comes to the Build it Green requirements, they try to far exceed the requirements of the jurisdiction they are in. He noted that they are typically over 100 points and that a lot of jurisdictions they have worked in are about 50 to 75 points, with the highest being at 80 points. He indicated that they have gone over the maximum required in almost all the communities they have done, and the individual aspects of it really depend on the design of the project that they wind up with. He added that based on that, they look to see which features they can incorporate into the community. He indicated that they are really excited to look at that and will bring that before the Commission at their next hearing.

THE PUBLIC HEARING WAS CLOSED.

Chair Pearce reminded the public that this is a Work Session and that no decision would be made. She then advised that the Commission would now go through the Work Session Discussion Points.

Commissioner O'Connor stated that he had a question of staff before the Commission starts the Discussion Points. He noted that there were a lot of comments tonight about this affordability that nobody wants in their backyard. He indicated that Mr. Paxson started to explain it, and he thinks it would be helpful if staff could either re-explain or he could walk through his understanding and staff could correct him. He stated that with the lawsuit and asked what it meant, what the City had to rezone, and what that means. He asked what affordability means if the City has to build affordable, and if it will actually be low-cost housing.

Chair Pearce added that she would like staff to also address why there is a mix of apartments and why they cannot all be one-bedroom apartments.

Mr. Dolan stated that the City did get in trouble with the State for not providing the City's fair share of the regional need for affordable housing, in general. He explained that for cities the size of Pleasanton, the city gets this assignment every eight years or so, and the city will have to provide the zoning for it, although the State does not necessarily dictate exactly what the rents will be but it does say that it will assume the city is meeting its obligations if it provides zoning at 30 units per acre for the two categories of very-low income and low-income. He continued that the city's obligation is to zone for that, and two years ago, Pleasanton went through the two-year process of the Housing Element Update, and after many, many meetings and lots of discussions, the City selected the sites, and this site happened to be one of them.

With respect to how that affects this particular project, Mr. Dolan stated that the zoning is set at 30 units per acre, and the develop has an obligation to the City or the City will be talking to them about providing some affordable units, based on Pleasanton's own, self-created, Inclusionary Zoning Ordinance (IZO). He added that the City collectively decided that when it does development, it wants to have a certain percentage offered at a lower rent, and that is something that every development has an obligation to do, including this one. He noted that this project has not yet begun the dialogue for it Housing Agreement, but the IZO, portions of which have been challenged in court, really becomes a negotiation. He indicated that the City's current goal is to have 15-percent affordable, and that can be at various levels of subsidy. He explained that there are really three levels: very-low-, low-, and moderate-income, and the 15 percent is split between those various levels. He then referred to Ms. Stern for information on the rent.

Ms. Stern stated that the median income for the area is around \$80,000, and the very-low income level would be about 50 percent of that or around \$40,000; the rental rates would be about 30 percent of the income level.

Mr. Dolan stated that staff will provide more data on that as the project comes forward. With respect to the terms of the unit sizes, he indicated that the other thing that the City has to do as part of the process is that when the City had the State review and certify its Housing Element, the City had to do a housing needs analysis and determine what is not being provided to the community. He noted that this is a fairly extensive analysis,

and part of the conclusion was that Pleasanton does not have larger apartment units that would serve a family. He explained that this would be a family that is not in a position to purchase a home, but there are a couple of children and the family really needs a three-bedroom unit. He indicated that there is plenty of need for one-bedroom units, and if this project were entirely one-bedroom, it would rent quickly but it would not necessarily serve a need for the community that has been identified in the City's Housing Element.

Discussion Points:

A: *Would the Planning Commission support the exceptions noted above if the project were to move forward as proposed?*

Commissioner Allen stated that with respect to parking, if the adjacent property owner does support the plan, she is fine with the plan for the carports; however, if the adjacent property owner does not support it, then she would not be fine with it and the Commission would need to go over the parking issue.

Commissioner Allen stated that she is fine with the roadway without knowing much about what the traffic impact is and how busy it is. She indicated that on the surface, it seems okay to have a narrower alley.

Commissioner Olson indicated that he agreed with Commissioner Allen on both items.

Commissioner O'Connor stated that he also agrees with both items. He added that if the property owner to the west would agree, he really does think that the carports would take up the same space as open parking but would certainly enhance the project and make it more desirable, which, in turn, would help or alleviate the concern of the neighbors regarding affordability, what the development is going to look like, and what kind of people are going to be attracted. He added that covered parking does enhance projects so he would like to see that.

With respect to the alleyway, Commissioner O'Connor stated that he does not really have a problem with that. He indicated that there is one lighted intersection to get in and out and a main drive in and out, and he is fine with it.

Commissioner Ritter stated that he agrees and is fine too.

Commissioner Posson stated that he would prefer carports to open parking but that he would want to see agreement by both the adjacent property owner and through Hacienda's approval process.

On the primary street design versus the alleyway, Commissioner Posson stated that his preference would be for the primary street design, but if there are some constraints on the development of the property that they can demonstrate as they get on the design, he would be fine with an alleyway.

Chair Pearce stated that she agrees with Commissioner Posson. She indicated that she could support carports but would like to get the westerly neighbors' agreement to that exception. She added that she would like to understand the constraints a little better if the roadway will be an alley.

B: Are the on-site circulation, parking layout, feathering of densities, stepping-back stories above the second story, and positioning of the buildings acceptable?

Commissioner Posson stated that the Commission has heard a lot tonight from residents about heights as well as about on-site circulation and density, and step-back stories. He indicated that he thinks the applicant will be looking at the overall building heights and at those reductions, and when they come back, he would like to see a lot more representation, in addition to the one simulated view from Parkside, of what the views and what the project was going to look like from the backyards of the Parkside residents.

Chair Pearce noted that was a good point.

Commissioner Ritter stated that he thinks it is important to have the flow so that if the residents are coming in, the headlights do not get in the other residents across the alleyway, across the Arroyo Mocho. He noted that he does not necessarily like the pool position and can empathize with the neighbors living 244 feet from the building complex if a group of children are playing in the pool and it is loud. He added that he is comfortable with two stories along the Arroyo Mocho as long as they are not higher than 24 feet. He noted that he likes the idea of stepping-back for the higher buildings towards the West Las Positas Boulevard side.

Commissioner O'Connor stated that he is fine with the circulation and was trying to figure out where the headlights would go, but he thinks that for the most part the layout of the buildings is fine. He indicated that he was also looking for a two-story area for the pool versus the tot lot in the common area. He added that in larger developments that he knows, the pool is usually more central. He also expressed concern about putting the pool in the middle of four-story buildings as he does not know where the sun is going to be and where the shade would be. He stated that when he first looked at this, he thought that it would be fine if the pool were properly screened from the Arroyo, but he just thought if that was where the pool remained, he would like to see the one apartment building next to the pool, not on the recreational facility side but on the other side, brought down to a two-story in order to give more sun to the pool area. He indicated that he would not have a problem with moving it up to be more central, except that it would get into a shady area.

As regards the tot lot, Commissioner O'Connor stated that there would be three-bedroom units but how many children will actually be living in the complex will not be known until they get there. He noted that the tot lot looked very large compared to the

pool area and the open green area, and he believes more families will be using the open green and the barbecue area than just a tot lot. He added that tot lots are generally used only by younger children. He indicated that he would like to look a little bit more at the sizes of those three areas. He also noted that if the tot lot were moved to the back, then the noise the children will be making there could bother the neighbors.

Commissioner Olson stated he is fine on the circulation. He indicated that he is not really excited about four stories anywhere and that the buildings along the Arroyo should be limited to two stories. He noted that he was surprised when he drove over there about how wide the Arroyo is and is glad that there would be only a five-foot delta between the edge of the Arroyo and that of the new buildings versus the current building. He added that the pool should probably be moved to the middle or farther up and the open green to the back.

Commissioner Allen stated she is fine with the layout and agreed that the Arroyo side should be limited to two stories. With regard to the pool, she indicated that she would like the applicant to ideally look at an option with the pool more toward the middle, or alternatively keep it where it is but working with the neighborhood on the kind of screening as well as noise abatement through the right kind of wall. She agreed with Commissioner O'Connor that the tot lot could possibly be reduced in favor of more open space.

Chair Pearce agreed with what almost everyone has said. She stated that she is fine with the circulation and would prefer to see two stories along the Arroyo if at all possible. She indicated that densities absolutely need to be feathered. She added that she is not thrilled about four stories but does not know if there is any way to get the units needed for the site without that. She stated that she agreed with what has been said regarding the position of the pool and its impact on the neighbors. She reiterated the need for screening and mitigating what the proposal looks like from the Arroyo.

C. Should a pedestrian access be provided from West Las Positas Boulevard to the proposed Open Space area?

Commissioner Posson stated that he thinks the pedestrian access can be accommodated and should be required from West Las Positas Boulevard. He suggested that if the applicants have any specific security concerns or are not in favor of the access or want some type of locking system, they should bring those forward and give a good explanation for them.

Commissioner Ritter stated that he knows the Parks and Recreation Commission and the Bicycle, Pedestrian, and Trails Committee are trying to push very hard for inner connectivity. He noted that inner connectivity is important when laying out the plans as trails get people off the roads and on bikes and walking. He indicated that he does not know if it can be done through this property, but it is important for people to be able to walk along the Arroyo or somehow getting them to Hart Middle School across the street.

Commissioner O'Connor stated that he is not a big fan of having public access into what he considers a private area for the people who live here. He noted that there is a tot lot with little children playing, and he would not want strangers walking through the middle of the complex with the children out there. He added that there will also be children at the pool. He indicated that he does not have a problem with having an egress if it had an automatic closing gate as a way for the residents to come back through. He stated that if there were to be any kind of trail connectivity, he would prefer that it be at the property line or on some kind of easement or walkway that does not actually allow the public into the property where residents are living.

Commissioner Olson stated that he is on the Bicycle, Pedestrian, and Trails Committee and that he is not in favor of providing this pedestrian access at all. He indicated that he sees a security problem here and, as has been mentioned tonight, there is already a security problem on the other side of the Arroyo. He added that if there were to be one, it ought to be limited.

Commissioner Allen stated that she supports doing a pedestrian access on the side of the building and that would really be about it. She noted that for beaches, people usually provide access to the public at the corner of a property.

Chair Pearce agreed. She stated that she was on the committee that put together the Housing Element Design Guidelines and remembers having some of these conversations. She indicated that this is a private open space and that she does not want to create a *de facto* public open space by making a pathway right to it. She added that if connectivity to West Las Positas Boulevard is needed, it must be done in a way that does not make it look like this is public open space.

D. Are the proposed on-site recreation facilities and amenities acceptable?

Commissioner Allen said yes.

Commissioner Olson indicated that he is fine with them.

Commissioner O'Connor stated that he is fine with the amount of space that has been provided but that it may need to be tweaked in terms of the sizes of the pool, the tot lot, and the open space.

Commissioner Ritter stated that he agreed with Commissioner O'Connor.

Commissioner Posson stated that he would like to see a little bit more detail on what the recreation facilities would include. He added that he is in favor of looking at moving the pool more toward the center of the complex.

Chair Pearce stated that the facilities and amenities as proposed look good to her.

E. Are the residential building designs, colors and materials, and heights acceptable?

Commissioner Posson said yes.

Commissioner Ritter stated that he just wants to make sure that they match the other buildings in that vicinity so it has that Hacienda feel and does not stand out. He noted that he talked to Mr. Paxson about it a little earlier today, and he agreed that it made good sense in this area.

Commissioner O'Connor stated that he is not a big fan of stark white as it does not seem as warm to him as the "Pleasanton look," but he is fine with it and does not like to impose his own feelings of color on someone else. He added that he does not have a problem with a mix of colors so white has a place.

Commissioner Olson stated that other than height, he is fine with this.

Commissioner Allen stated that she was fine with it and that she does fully support staff's recommendation on the four items on this discussion item. She indicated that the buildings look a little plain, especially for being in such a prominent location, and would like to see extra detail. She added that she would also like the applicant to look at what looks like a little two-story boxy area on the northwest corner where there are several garages. She noted that coming down West Las Positas Boulevard, it looked almost like a utility area because there was sort of white stucco with four plain garages. She stated that she did not think that was quite the right look for this building and would suggest possibly enhancing the garage doors, adding some additional trim, so it looks punched up right in that corner, at the northwest driveway into the complex.

Chair Pearce stated that she agreed with Commissioner Allen. She noted that she also agreed with the four suggestions from staff, as well as with Commissioner O'Connor about the colors. She indicated that what she would like to see come back to the Commission are actual color samples that the Commissioners can look at using their little white-light day lamps that they do not get to use a lot and get excited about when they do. She noted that this is a major thoroughfare and she wanted to ensure that the Commission gets not only the detail but also the color palette right.

Chair Pearce stated that she is taking her prerogative and adding a sixth question for the Commission's consideration.

F. What additional information do you need the applicant to come back with?

Chair Pearce noted that Commissioner Posson wanted a visual analysis and she asked for a color palette.

Commissioner O'Connor stated that he sees the challenge here is, if the Commission wants to get everything on the Arroyo down to two stories, there are seven units back there that have to go somewhere. He added that he is not sure the City wants to have all four stories up front, but even if that were done, there is room for only five in the current design, and he does not know if there is a way to shrink all seven of those that are back there and how much redesign would be required. He indicated that he would like to see whatever options the applicants can get in, maybe get a different roof design to bring the height down somewhat, or sink the back row a little bit.

Commissioner Ritter stated that he would like to see a little more outreach with the residents. He indicated that the City Council passed Ordinance 2030 that basically rezoned this for an apartment complex, and so this is going to happen somewhere along the line. He added that this is a process, and the Commission wants to make sure it makes sense. He noted that all this feedback is good, and how they get implemented needs to be figured out. He suggested that the applicant talk to each of the City Councilmembers because that is important.

Commissioner Posson echoed Commissioner Ritter's statements. He suggested that the applicants have multiple input meetings with the residents as the design matures to make sure to get their comments and their buy-in, so the applicants clearly understand what the residents are saying and they clearly understand what the impacts are.

Commissioner Allen stated that she would like to see mature trees added to the visual analysis to show what it would look like, fully developed. She indicated that she agreed with the multiple meetings. She stated that the vision she has for the applicant might be like that of the applicant who came to the Commission recently who, two years ago, had many people in the audience like today complaining about the project; and by the time, the project came forward to the Commission, there was only one resident present, and that resident wanted to compliment the developer on what a fabulous job the developer did listening to the community and incorporating the feedback in a win-win design. She noted that it does involve negotiation and some good give-and-take, but it made it very easy for everyone.

Commissioner Olson echoed the requests that had been made and added that he would like to see the applicant specifically address the two areas of water and energy as the community enters a period where these are getting dear.

Chair Pearce stated that she would echo what everyone said. She indicated that she would like to see a tree report before she consents to knock down any trees. She noted that the conversation about the wildlife in the Arroyo was an interesting one and would like to figure out a way to mitigate the impact of construction on the wildlife out there as that is obviously so important to so many neighbors.

Commissioner O'Connor stated that he would like to add on to Commissioner Allen's desire to see some better photos with landscaping. He indicated that he would like the photos to show a realistic and accurate look with a time lapse of three, five, and ten years, rather than plan for 15 to 20 years.

Commissioner Posson noted that the Commission heard some comments tonight about some implied correlation between affordable housing and high-density housing and an increase in crime rate. He inquired if staff had any data about affordable housing or high-density residential areas and its impact on crime.

Mr. Dolan replied that the Police Department has compiled crime data and what it finds is that anywhere you put a collection of cars together in a parking lot, the percentage of break-ins into those cars increases and sort of skews the results. He noted that it has been focused on this one variable of parked car and is the pattern that has been observed. He added that staff will put together a report on this for the Commission.

Commissioner Posson stated that he is not just interested in what has happened in Pleasanton but also in other jurisdictions. He inquired if there have been any academic studies that looked at the impact of an increase in affordable or high-density housing. He indicated that this has not been the first hearing where the Commission has heard that discussion, and he thinks it would be helpful for both the Commission and the community to see any studies in this area.

Chair Pearce noted that this was a good idea.

Commissioner Ritter stated, for the record, that the Commission has talked about schools and that he knows staff has some data on how this project affects that schools and what it will do to them.

Ms. Stern stated that this is a timely question because of the discussion that went on with the Pleasanton Unified School District at a meeting last night. She indicated that they talked about how the City has been working with the District for many years and has informed it of what is coming up so it can plan accordingly for its facilities. She noted that City staff has done that all through the Housing Element Update process and with those changes to the General Plan. She added that there is also a Liaison Committee where members of the School Board and the City Council meet regularly to discuss these types of developments.

Ms. Stern stated that at last night's meeting, the School Board accepted a demographer's report that actually has a couple of recommendations related to two new schools, one of which would be in the northwestern area, potentially in the Hacienda Business Park area, and the other one, potentially long-term out there ten years, in the East Pleasanton area. She noted that the District is definitely looking at a long-term need for schools rather than at an immediate need at this point.

Commissioner O'Connor asked Ms. Stern, for the benefit of the audience, if she can touch on how many children are expected in this type of development which is a rental as opposed to an ownership and a single-family.

Ms. Stern replied that it would be less than for a single-family. She stated that the demographer's report may have made assumptions and scenarios based on different assumptions because the City has not built anything parallel to this development built in the last ten years. She indicated that she thinks the District has been using data from Dublin, and there is some discussion about whether that will be reflected in the Pleasanton case or not. She added that she believes the data that the District has used is something around .4 school child per unit. She stated that she can get some more accurate information on that if the Commission wants to do the study.

Commissioner O'Connor commented that he thought it .7 child per unit.

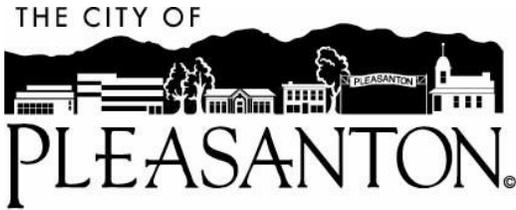
Chair Pearce stated that she would be interested in seeing that report when this application comes back to the Commission.

Mr. Dolan stated the Archstone apartment complex has also been considered as a source of data and that staff has some decent data on that.

Commissioner O'Connor noted that some people sometimes think that these projects are loading up the schools but there are probably only somewhere between 50 and 75 students.

Mr. Dolan indicated that staff has what it needs and will work with the applicant on the Commission's recommendations. He noted that there will be some challenges in moving the pool, but staff will certainly explore different locations and ways to screen it. He added that one of the biggest issues seems to be moving the bulk around from the back row but that he has some ideas for that.

No action was taken.



SUBJECT: Work Session for P13-2078

APPLICANT: SummerHill Apartment Communities

PROPERTY OWNER: Las Positas Property, LLC

PURPOSE: Work Session to review and receive comments on a Preliminary Review application to demolish the existing office building and construct 177 apartment units and related site improvements on a 5.9 acre site

GENERAL PLAN: Mixed Use/Business Park

ZONING: Planned Unit Development – Mixed Use (PUD-MU)

LOCATION: 5850 West Las Positas Boulevard

EXHIBITS:

- A. Planning Commission Work Session Discussion Points
- B. Preliminary Development Plan Sets
- C. Staff Report for September 11, 2013 Planning Commission Work Session (without attachments)
- D. September 11, 2013 Planning Commission Meeting Minutes (Excerpt)
- E. List of Concerns from Parkside Residents
- F. Photosimulation of Buildings A and C from the Adjoining Property to the West
- G. Location Map and Noticing Map

I. BACKGROUND

In January 2012, the City Council approved rezoning of nine sites throughout the City for multifamily development in order to meet the City's share of the regional housing needs (Ordinance No. 2030). One of the approved locations is the CM Capital Properties site located at 5850 and 5758 West Las Positas Boulevard. The CM Capital Properties site consists of two parcels: a 5.9 acre parcel located at 5850 West Las Positas Boulevard and a 6.7 acre parcel located at 5758 West Las Positas Boulevard. These two parcels are not required to be developed together.

SummerHill Apartment Communities have submitted a Preliminary Review application for the development of a multifamily housing project on the 5.9 acre site located at 5850 West Las Positas Boulevard.

The purpose of the work session is to receive comments from the Commission and public regarding the project and discuss how the project would meet, or require exceptions from, the *Housing Site Development Standards and Design Guidelines* (hereafter referred to as *Design Guidelines*), adopted by City Council on August 21, 2012. The site is identified as Site #9 in the *Design Guidelines*, and has a density requirement of 30 units per acre, which results in 378 units on the entire 12.6-acre site. The proposed project is to construct 177 residential units on an approximately 5.9-acre portion of the site, meeting the density requirement of 30 dwelling units per acre. No action on the project will be taken at the work session. If an affordable housing agreement is part of the project, the agreement will be scheduled for a recommendation by the Housing Commission. The development of the project will require Planned Unit Development (PUD) Development Plan approval, which is subject to review and approval by the City Council, following review and recommendation by the Planning Commission.

September 11, 2013 Planning Commission Work Session

The Planning Commission held a work session on September 11, 2013 to review the proposed 177 unit apartment complex project. The Planning Commission provided the following comments on the work session discussion points (additional comments made by the Commission are in the attached minutes – Exhibit D):

- A. *Would the Planning Commission support the requested exceptions if the project were to move forward as proposed?*

The Commission would support the carport setback at the western property line if an agreement with the property owner to the west is reached. The majority of the Commission would support using an alley design instead of an interior street design for the second westerly access road for the project. Two commissioners indicated their support of the alley design if constraints on the development of the property can be demonstrated.

- B. *Are the on-site circulation, parking layout, feathering of densities, stepping back stories above the second story, and positioning of the buildings acceptable?*

The Commission found the proposed on-site circulation and parking layout to be acceptable. One commissioner commented to not let vehicles' headlights entering the site impact the existing residents located on the south side of the arroyo.

Two commissioners commented on the size of the proposed tot lot area and common open space area. They felt the size of the proposed tot lot area could be reduced as they did not believe it would be used as much as the common open space area, and recommended the square footage allocated to these two areas be reevaluated so that the common open space area would be adequately sized to support the development.

Some commissioners also suggested reevaluation of the pool location so that it would be more centrally located instead of being located near the southern property line. One commissioner commented that if the relocation of the pool is not feasible, screening of the pool as well as measures to mitigate noise from the pool to the Parkside residents need to be considered.

In respect to the proposed building height and feathering of density, the majority of the Commission felt that the buildings facing the arroyo should be two-story buildings. The Commission was not excited to see the proposed four-story building height, but understood that it may be needed in order to achieve the required density. Two commissioners requested that photosimulations of the buildings be provided from the existing Parkside neighborhood.

- C. *Should a pedestrian access be provided from West Las Positas Boulevard to the proposed Open Space area?*

The majority of the commissioners supported a pedestrian access. As the proposed common open space area within the development is for private use, some of the Commissioners did not want to create a de facto public open space. As the proposed development would also have a tot lot, some of the Commissioners did not support a public access through the development due to security concerns. The Commission stated that if pedestrian connectivity from the proposed development to West Las Positas is needed, it must be done in a way that does not make the private open space/tot lot area look like this is public open space/tot lot.

- D. *Are the proposed on-site recreation facilities and amenities acceptable?*

The Commission found that the proposed on-site recreation facilities and amenities are acceptable. One Commissioner wanted to make sure that the applicant reevaluates the square footage allocated to the common open space area, pool, and tot lot so that they are balanced; another Commissioner wanted the applicant to include details on what the recreation facility would include.

- E. *Are the residential building designs, colors and materials, and heights acceptable?*

The Commission, in general, found the proposed designs are acceptable. The Commission agreed with staff's recommendation that additional architectural elements, such as exposed rafter tails, window planter boxes, wrought-iron detailing, stucco finish, etc. be added. The Commission also commented that architectural details are needed around some of the garage areas and requested a color/material board.

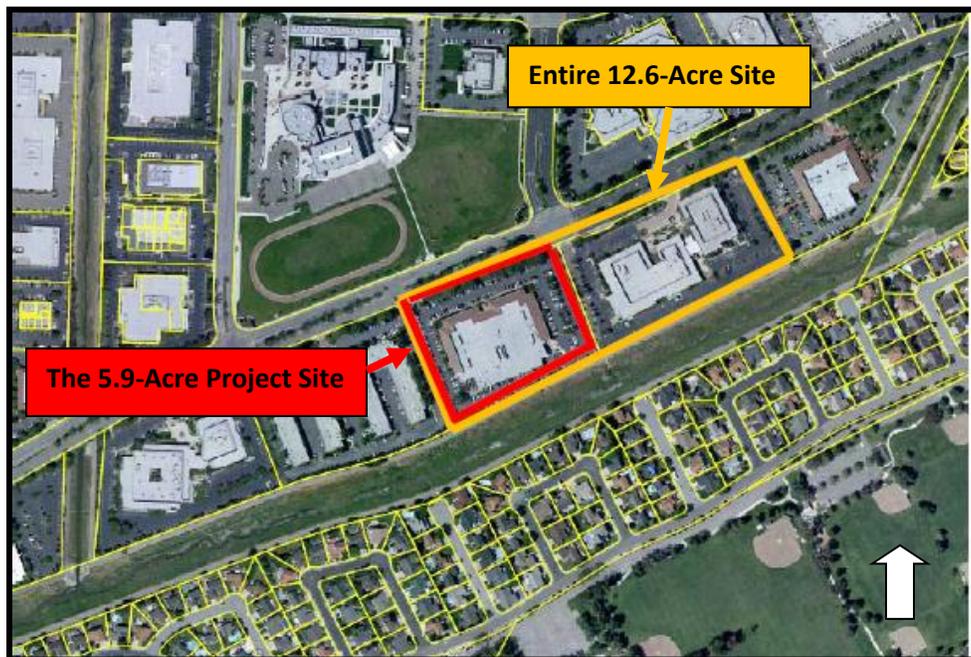
F. What additional information do you need the applicant to come back with?

The Planning Commission requested the following items be submitted and/or addressed in the formal application:

- A visual analysis and a color palette.
- More outreach with the residents to get their comments.
- Mature trees should be added to the visual analysis to show what it would look like fully developed. In addition, provide growth intervals of three years, five years and 10 years.
- If there have been any academic studies that looked at the correlation of an increase in affordable or high-density housing and an increase in crime rate.
- School district's projection report on number of students that may be enrolled in schools from the proposed development.

II. SITE DESCRIPTION AND SURROUNDING AREA

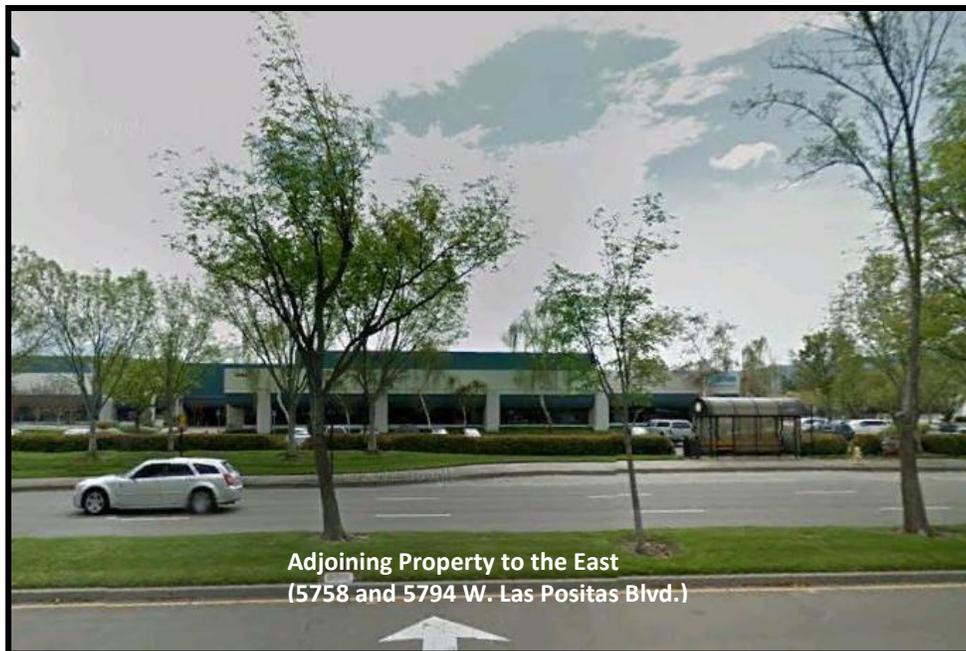
The subject site is located on the south side of West Las Positas Boulevard, across from Thomas Hart Middle School, within the Hacienda Business Park. The subject 5.9 acre site and the adjoining 6.7 acre site to the east are collectively referred as the 12.6 acre Site #9 of the Design Guidelines. Please see aerial map below.



Project Location Map

The project site fronts on West Las Positas Boulevard and backs up to Arroyo Mocho (south). The site was initially developed in 1984 for AT&T and later was clinical laboratories for SmithKline Beecham. The existing building is a one-story building, approximately 88,512 square feet in floor area. It is currently vacant.

The site is generally flat. A bus stop within a shelter served by Livermore Amador Valley Transit Authority (LAVTA) is located in front of the building to the east, and also across West Las Positas Boulevard at the middle school.

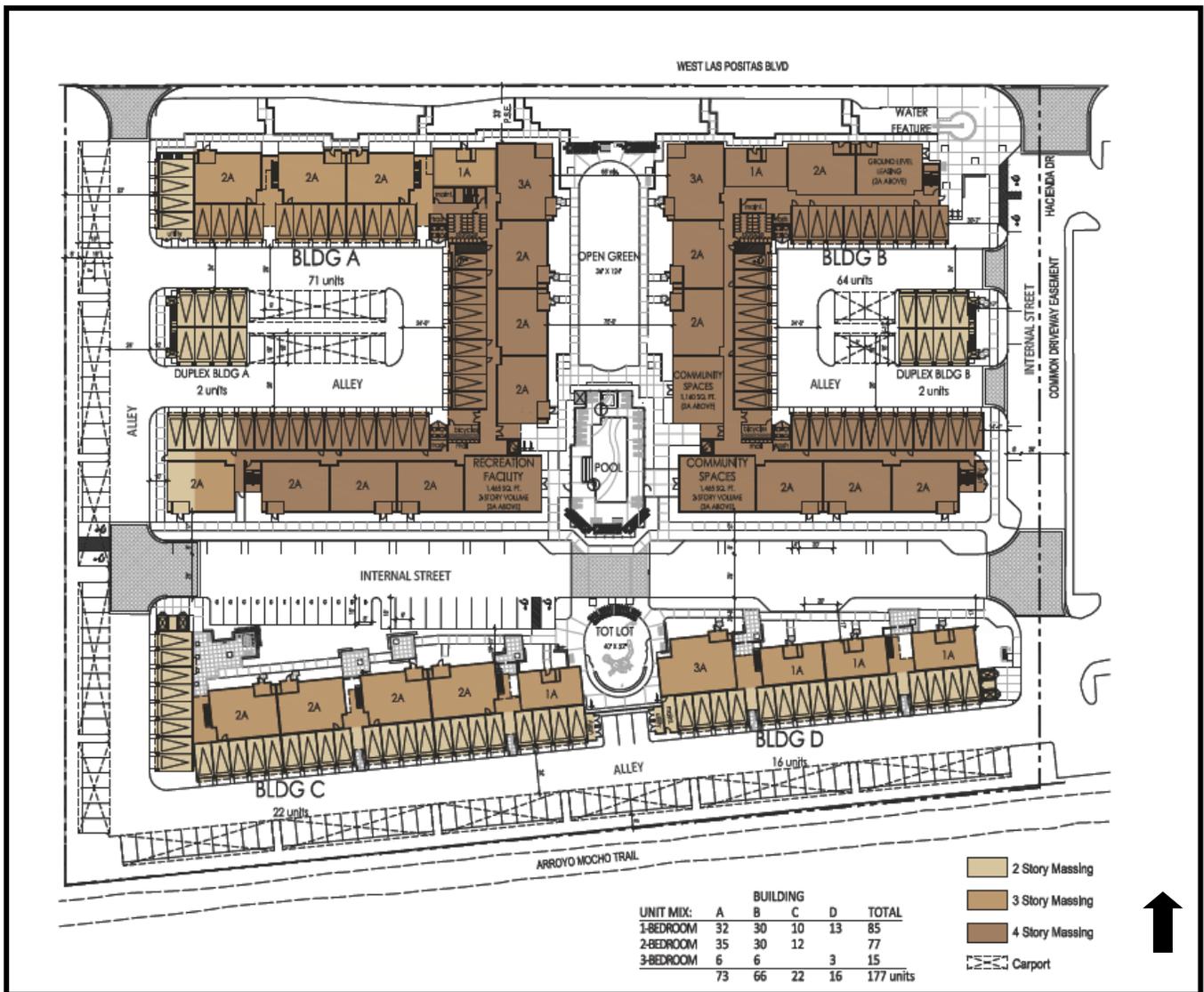


Adjacent properties include one-story office buildings to the east and west, Thomas Hart Middle School to the north, and Arroyo Mocho to the south. Further across the arroyo to the south are single-family homes.

III. PROJECT DESCRIPTION

The project would include four residential buildings housing a total of 177 residential units. Buildings A and B would be U shaped buildings located in the northern portion of the site fronting West Las Positas Boulevard. Buildings C and D would be rectangular shaped buildings located in the southern portion of the site. A combination of one- to three-bedroom units is proposed.

The proposed development would utilize the two existing entrances/exits off of West Las Positas Boulevard. One entrance/exit is located near the western edge of the site and the other one is located near the eastern edge of the site. The project's main entrance would be from the eastern edge of the site at the existing signalized intersection at West Las Positas Boulevard and Hacienda Drive. Please see site layout below.



Revised Site Plan

The proposed elevations present a Spanish influenced architectural style. The materials that are proposed include stucco exterior finish, stone veneer, wood-like trim for the windows, tile roof, wrought iron patio and balcony railings, and awnings.



Conceptual Building Elevation on West Las Positas Boulevard

The proposed development would provide a total of 304 parking spaces in private garage spaces, covered parking spaces (carports), and surface parking spaces. An open space area, a tot lot, a pool/spa, and a recreation facility would be provided within the complex. Pedestrian paths within the complex are proposed between residential buildings, the open space area, and recreation uses. A six-foot tall sound wall is proposed along the southern property line.

No changes were made to the number of units. There were minor changes made to the size of the bedrooms and the mix of bedrooms per building. Please refer to the following table for comparison.

Bedroom Sizes

	Original Submittal	Revised Submittal
One bedroom	718 sq. ft. to 785 sq.ft.	702 sq.ft. – 881 sq.ft.
Two bedrooms	1,054 sq.ft. to 1,069 sq.ft.	No change
Three bedrooms	1,298 sq.ft.	1,298 sq.ft. – 1,309 sq.ft.

Bedroom Mix per Building

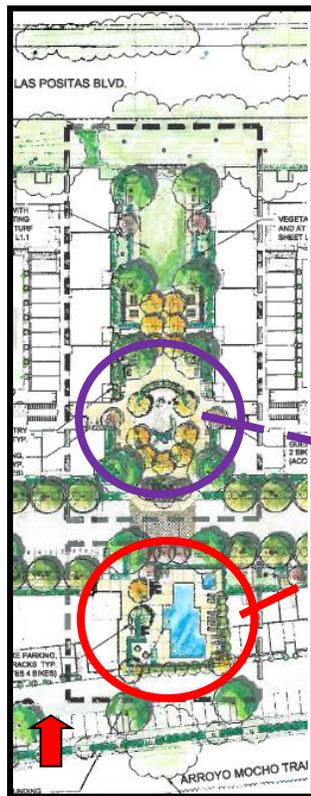
Original Submittal						Revised Submittal					
UNIT MIX:	BUILDING				TOTAL	UNIT MIX:	BUILDING				TOTAL
	A	B	C	D		A	B	C	D		
1-BEDROOM	30	28	10	20	88	1-BEDROOM	32	30	10	13	85
2-BEDROOM	35	31	6		72	2-BEDROOM	35	30	12		77
3-BEDROOM	8	8	1		17	3-BEDROOM	6	6		3	15
	73	67	17	20	177 units		73	66	22	16	177 units

IV. CONSIDERATIONS FOR THE WORK SESSION

The applicant has revised the plans per comments received from the Planning Commission work session on September 11, 2013. Staff is seeking comments and direction from the Commission whether the applicant has responded satisfactorily. The additional information the Commission requested would be included in the formal application submittal.

- 1. Site Layout.** In response to Commission's comments regarding the pool location, size of the common open space area, and size of the tot lot, the applicant has revised the site layout to: 1) relocate the pool to the north between Buildings A and B; 2) relocate the tot lot to the south and reduce its size from 2,400 sq. ft. to 2,080 sq. ft.; and 3) increase the square footage of the common open space area from 2,528 sq. ft. to 4,464 sq. ft. In addition, walkways have been added to connect the sidewalk along W. Las Positas Boulevard to the proposed residential development. In consideration of security of the private open space area, a fence and a gate are proposed at the northern entrance of the open space. Please refer to the exhibits below and the following page for the revisions.

Original Plan



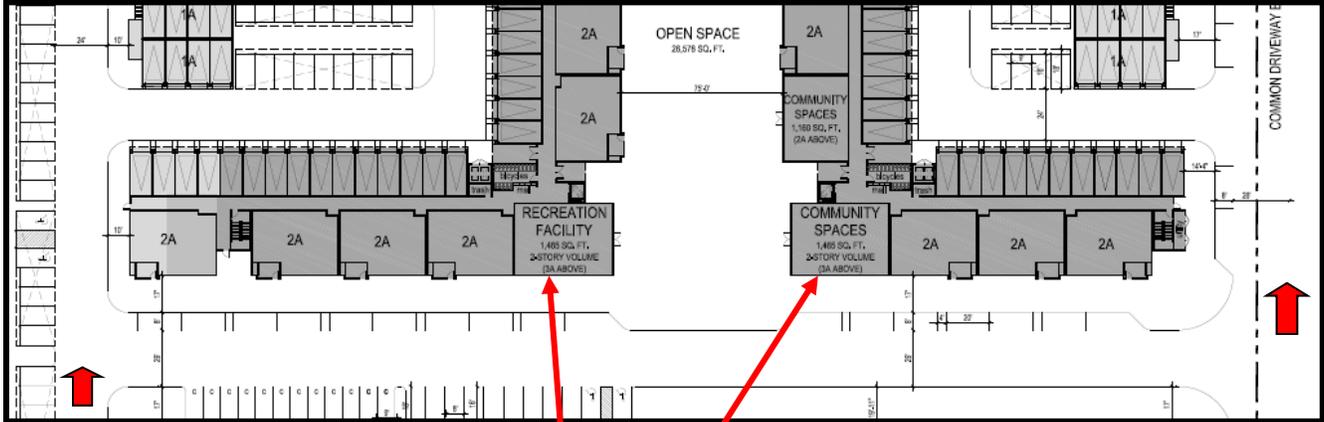
Revised Plan



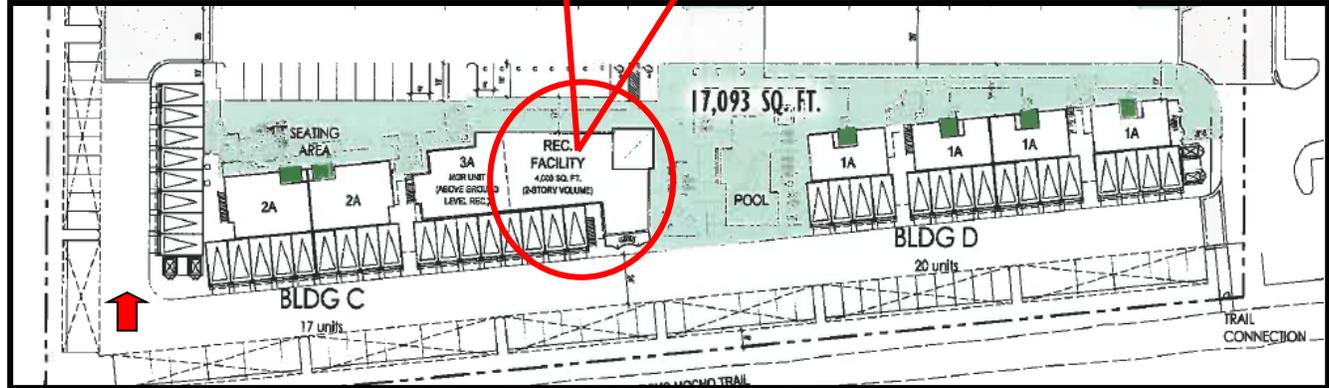


To accommodate to the pool and tot-lot location swap, the applicant has relocated the recreation facility. The recreation facility was originally proposed to be located in the eastern end of Building C. The applicant now proposes to locate the facility in both Buildings A and B. Building A would have the fitness facility and Building B would have a lounge area. Please see exhibits on the following page.

Revised Recreation Facility Locations

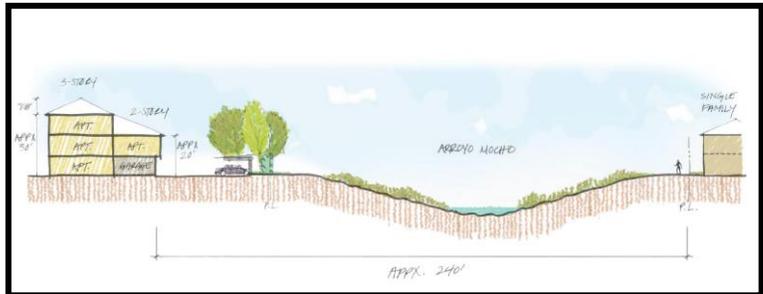
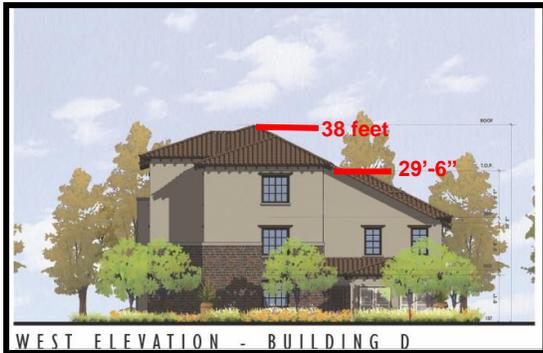


Originally Proposed Recreation Facility Location



Discussion Point No. 1: Is the new location of the pool and other amenities, and access from W. Las Positas acceptable?

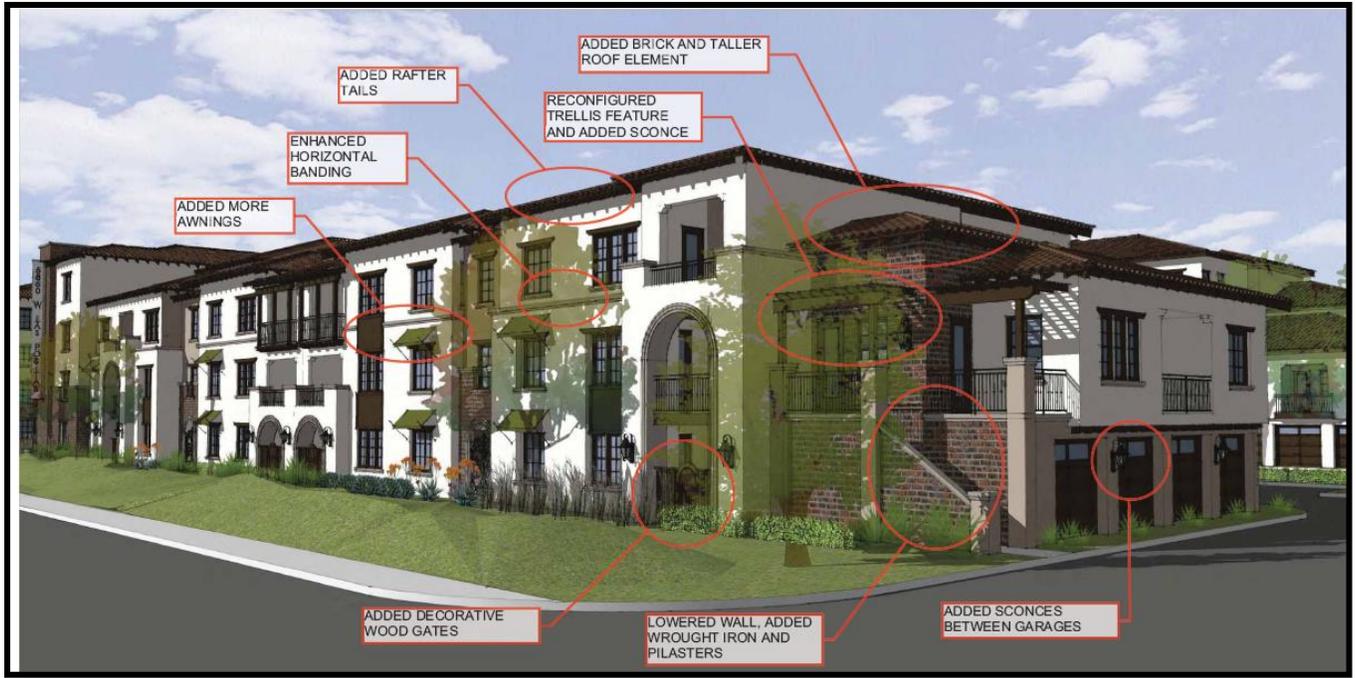
2. Building Height. Instead of two three-story buildings facing Arroyo Mocho, the applicant proposes two buildings which have a three-story component facing north and a two-story component facing south (the arroyo) to reduce the building mass and to reduce visual impacts to the existing residential community to the south. The two-story portion would measure approximately 29'-6" to the top of a sloping roof, and the height of the three-story portion would measure approximately 38 feet to the ridge of the roof. Please see the cross-section and the south elevations of Buildings C and D below. The cross-section also shows the distance to an existing two-story home on the south side of the arroyo.



Discussion Point No. 2: Is the revised proposal for massing at the rear of the site with two and three story building combinations acceptable?

3. Building Details. Additional architectural elements, such as rafter tails, awnings, horizontal bands, sconces, wrought iron railings, wooden gates, etc. were added to the buildings. In addition, a lowered wall and columns have been added to the otherwise plain wall on the northwest elevation of Building A near the garage. Please see the elevations on the following pages showing additional architectural elements/details to address the Commission’s comments.

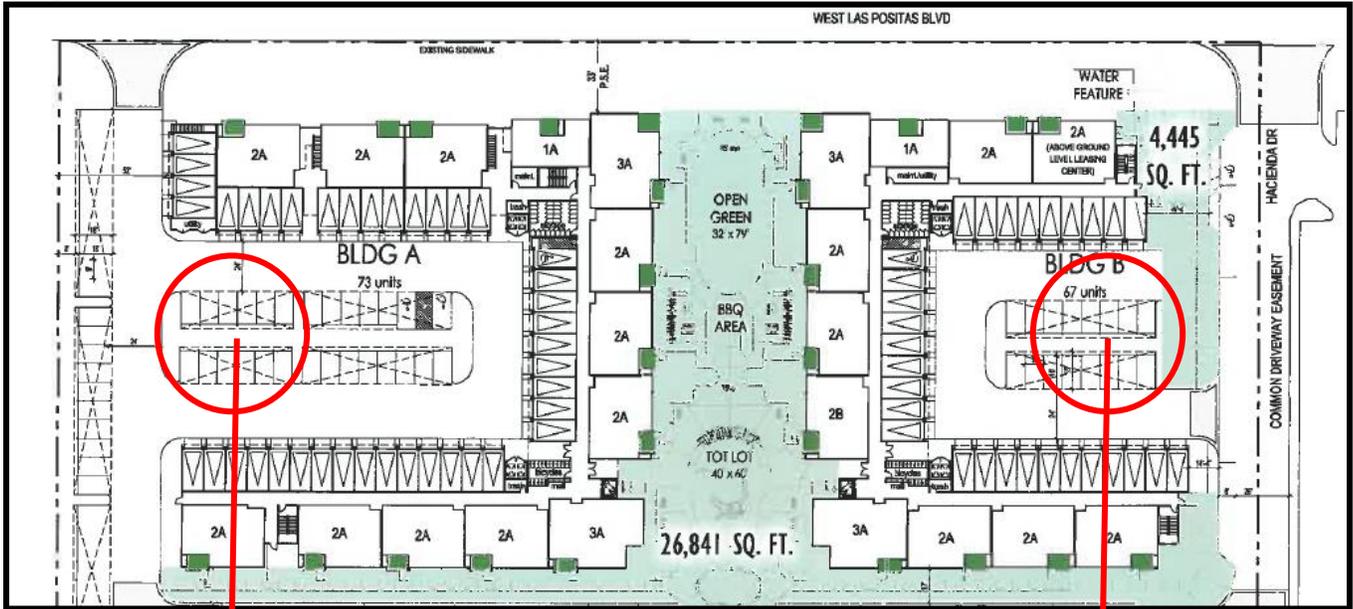




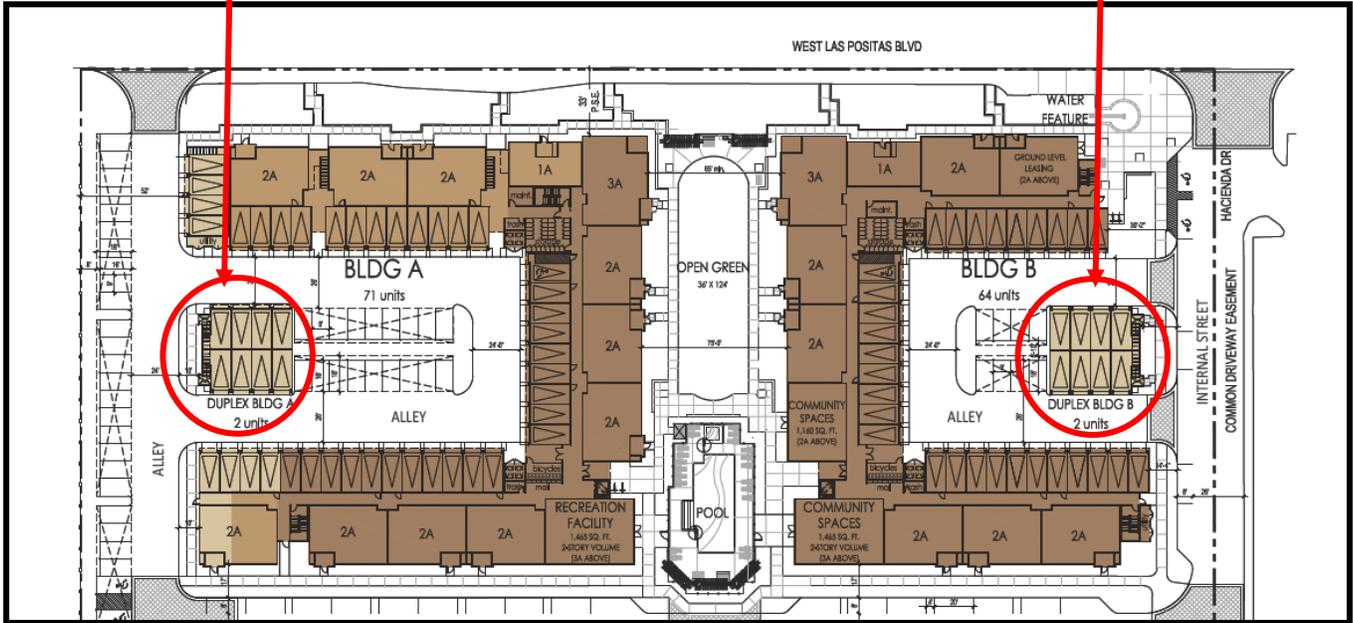
Discussion Point No. 3: Is the revised building design acceptable?

- 4. Redistribution of Dwelling Units.** As a result of lowering the building height of the buildings located in the southern portion of the site (Buildings C and D), the applicant has relocated four units (referred to as duplex units) in the middle of Buildings A and B, changing the middle carport area to a combination of carport and two-story building (one living floor above garage) to meet the required density.

Original Plan

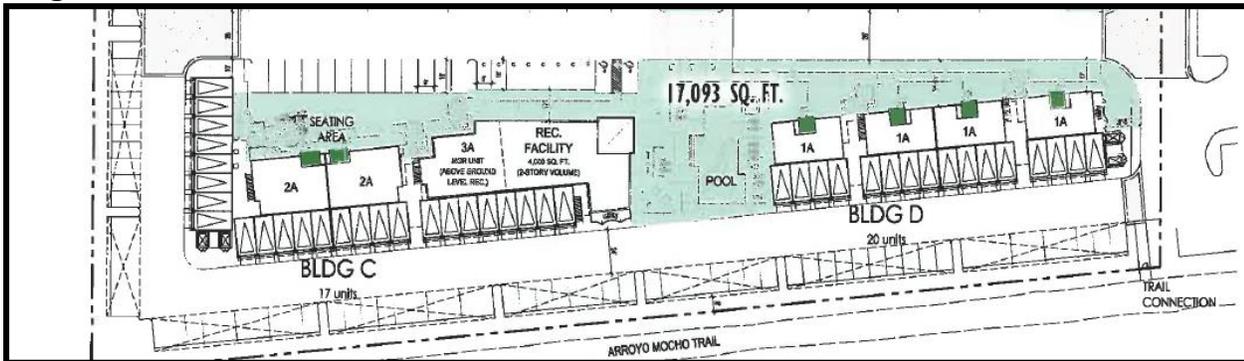


Revised Plan

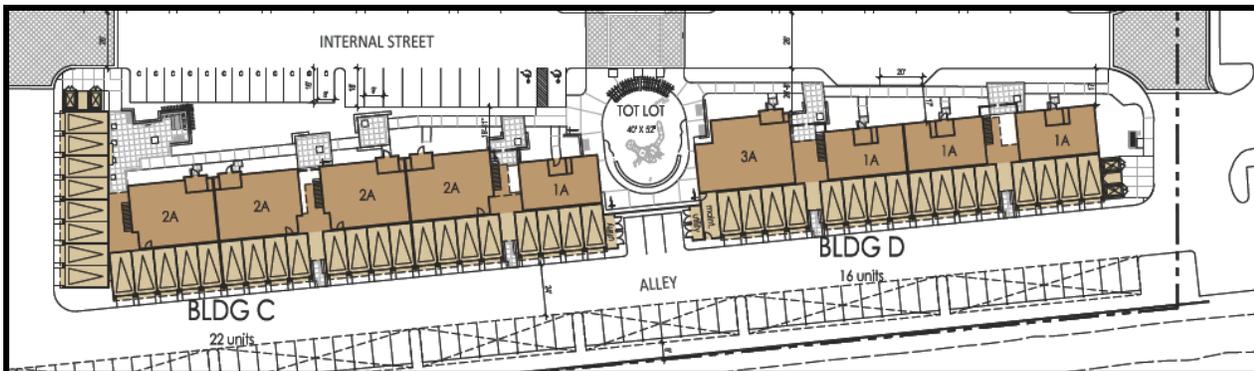


Additionally, the applicant has relocated five dwelling units to Building C and removed four units from Building D.

Original Plan



Revised Plan



Discussion No. 4: Is the revised dwelling-unit with living units over parking by Buildings A and B acceptable?

5. Housing Site Development Standards and Design Guidelines

With the above revisions, the applicant requests the following additional exception from the design guidelines. For the Commission's reference, the page and section number for each item in *italics* is also included.

The southeast portion of Building B where the utility closet and one garage are proposed is set back approximately 5'-8" from the back of the sidewalk, not meeting the required eight-foot setback. This reduction resulted from adding the required parallel parking to entry street.

Special Design Standards and Guidelines, page 20:

A4.2. Front setbacks shall be a minimum 8 feet from the back of sidewalk providing enough room for planting and privacy while still allowing a strong relationship between the units and street.

Discussion Point No. 5: Would the Planning Commission support the requested exception if the project were to move forward as proposed?

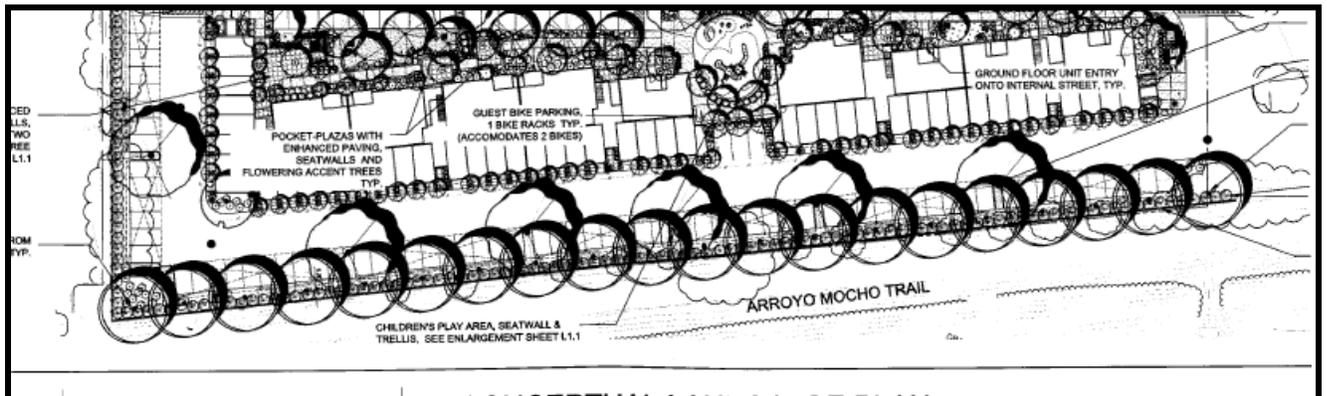
6. Revised Landscape Plan and Planting Growth Photosimulations

To screen the proposed development from the existing residential neighborhood located to the south, the applicant has revised the landscape plan at the southern property line. The existing trees (seven red ironbarks, 12 plums, and a cork oak) along the southern property line would remain. In a discussion with the project landscape architect, evergreen shrubs and Rhus lancea (African Sumac) trees would be planted to screen the future buildings. The evergreen shrubs would be trimmed to form a dense hedge. The applicant prepared photosimulations showing the planting along the southern property line at growth intervals of three, five, and ten years.

Original Plan

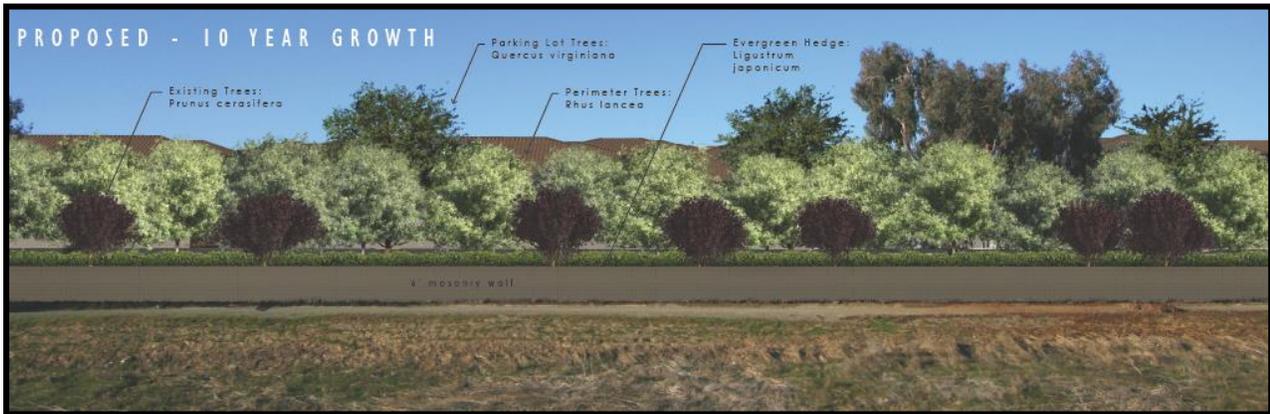
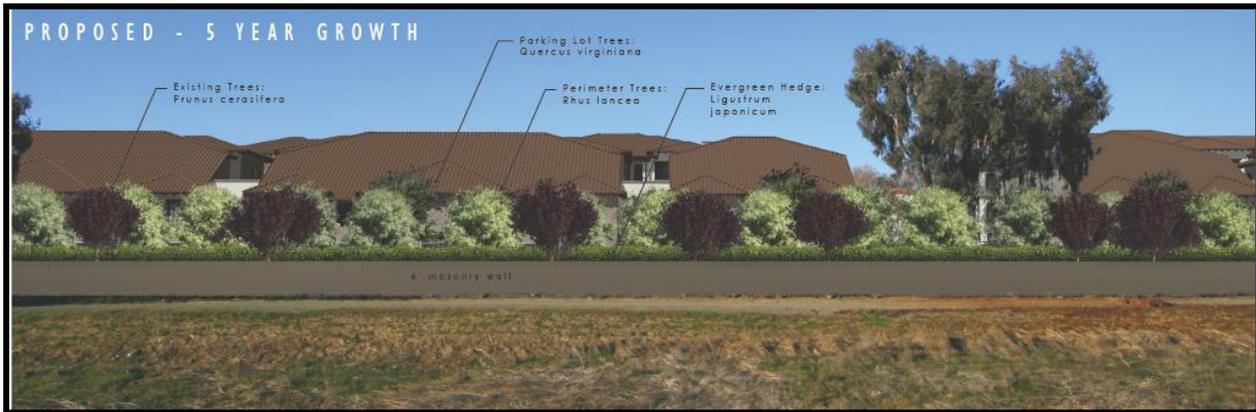
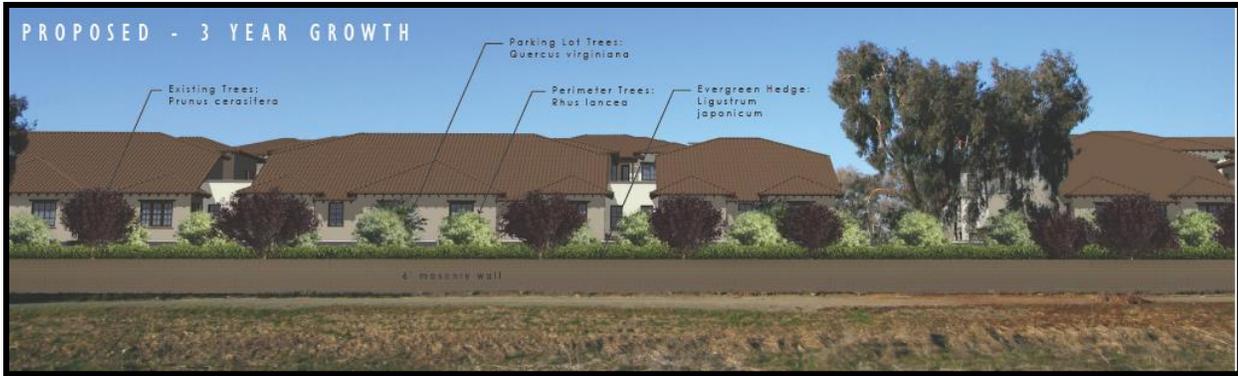


Revised Plan



Planting Growth Photosimulations





Discussion Point No. 6: Is the revised landscaping in the rear acceptable?

7. **Revised Plans.** The revised plan set titled “Third Pre-Submittal January 2014” includes the above referenced revisions. It also includes the following items that were not presented to the Planning Commission at the work session on September 11, 2013:

- Floor plans and elevations for Buildings C and D.
- Building sections.
- Roof plans.

V. NEIGHBORHOOD OUTREACH.

Neighborhood Meeting on October 20, 2013. Following the Planning Commission work session in September, the applicant held a second neighborhood meeting on the subject site. At the meeting, the applicant shared the following with the residents:

- the two and three story combination design concept for Buildings C and D;
- revised elevations of Buildings A and B with additional architectural elements; and,
- relocation of the recreation building, pool, and tot lot.

The residents appreciated the applicant's efforts in exploring design options to address their concerns; however, the following issues/concerns were made:

- building height/number of stories should be limited to two stories or less;
- impacts to schools
- impacts to traffic
- correlation between high density residential development and increase in crime
- wildlife protection

Neighborhood Meeting on November 20, 2013. Staff, led by the City Manager and the Director of Community Development, held a neighborhood meeting to discuss the proposed development, issues and mitigations. The City Manager and the Director of Community Development provided an overview of the City's Housing Element and the need to provide a variety of housing stock in the city; answered questions concerning low-income housing; explained the entitlement process; and advised the residents to form a group that would represent the Parkside neighborhood and continue conversation and discussion with staff concerning the proposed development. A list of neighborhood concerns prepared by the group is included as Exhibit E.

Residents' Group Meeting on January 14, 2014. At the meeting, staff reviewed the latest plan set with the group. The group was pleased to see the revisions showing the building height changes to Buildings C and D, relocation of the tot lot, pool, and open space area; and the additional planting along the southern property line. The group commented on the location of a trash enclosure proposed on the east side of the project. The group would like to see landscaping be planted between the proposed sound wall along the southern property line and the arroyo. In addition, the group recommended that no dogs be allowed within the complex. Staff has related the comments to the applicant. The applicant appreciated the feedback and will re-evaluate the site layout.

In addition to the outreach to residents, the applicant has forwarded the photosimulation of the carports and Buildings A and C when viewed from the west to the adjoining property owner for review and comment. Staff will report back to the Commission when comments from the adjoining property owner are received. A copy of the photosimulation is attached as Exhibit F.

VI. School District's Projected Student Yield

The Fall 2011/2012 Demographer's Report prepared by Davis Demographics & Planning, Inc., dated June 2012, for the Pleasanton Unified School District (PUSD), included Student Yield Factors (SYFs) for a 10 year projection. The SYFs, when applied to planned residential development units, would determine the number of students from a particular development who may be enrolled into PUSD schools. Different SYFs are used for different grade levels. Please refer to the following table showing the number of students that would be expected for the proposed 177 residential units to be enrolled in PUSD schools in various grade levels.

Grade Level	SYFs for Apartment Units	No. of Expected Students
K-5	0.128 (x 177 units)	23
6-8	0.081(x 177 units)	14
9-12	0.110 (x 177 units)	19
K-12	0.319 (x 177 units)	56

A copy of the report is available through the following web link:

<http://206.110.20.201/downloads/businessservices/FY12StudentPopulationProjectionsDemRpt.pdf>

VII. PUBLIC COMMENT

Notice of the Planning Commission's public work session was sent to property owners and tenants within 1,000 feet of the subject property. A map showing the noticing area is attached to this report. At the writing of this report, staff has not received any comments from any of the adjacent property owners or tenants.

VIII. STAFF RECOMMENDATION

Staff recommends that the Planning Commission take public testimony, discuss the items identified in the report, and any others it may identify, and provide direction to the applicant and staff.

Project Planner: Jenny Soo (925) 931-5615, email: jsoo@cityofpleasantonca.gov

P13-2078, Summerhill Apartment Communities

Work Session to review and receive comments on a Preliminary Review application to demolish the existing office building and construct 177 apartment units and related site improvements on a 5.9-acre site located at 5850 West Las Positas Boulevard in Hacienda Business Park. Zoning for the property is PUD-MU (Planned Unit Development – Mixed Use) District.

Jenny Soo presented the staff report and briefly described the revisions to the project plans made by the applicant, based on the Planning Commission's comments at the first Work Session on September 11, 2013, as well as information requested by the Commission on the additional neighborhood outreach and the School District's report on the proposed development's projected number of students.

THE PUBLIC HEARING WAS OPENED.

Kevin Ebrahimi, representing the applicant, thanked Brian Dolan, Ms. Soo, and Ms. Stern for their coordination and help in moving the proposal to where it is today. He also thanked the community for their help in coming up with a modified design proposal which addresses the Commission's and the neighbors' comments at the first Work Session. He noted that at that Work Session, the Commission provided positive feedback and several suggestions on the proposed design and strongly encouraged the applicant to meet with the neighbors, hear their concerns, and work with them to come up with a viable solution that would work for the site design and the neighborhood. He indicated that the staff presentation summarized the project well and that he would be providing a more detailed description of these changes and how they came up with them.

Mr. Ebrahimi identified the eight recommendations made by the Commission as well as based on comments made by the neighbors at the first Work Sessions:

- 1. Provide a two-story view of Buildings C and D from the vantage point of the Parkside neighborhood; do not increase the heights of Buildings A and B, the four-story buildings along West Las Positas Boulevard.*

The units on Buildings C and D were redesigned to eliminate the third-story element and create a two-story view from the perspective of the Parkside neighborhood to the south, while keeping the three-story element facing northerly towards the interior of the project. A slide showed a view of the proposed building about 240 feet from the rear of the Parkside community: a two-story element with a roof pitch that goes towards a three-story element that is visible from West Las Positas Boulevard. While this design eliminates the third floor requested by the Parkside neighborhood, it also limits the number of units that must be relocated elsewhere in the project, thereby avoiding the need to increase the heights of Buildings A and B.

- 2. Increase the open space grass area within the project.*

The size of the grass area within the open space in the central paseo was substantially increased.

- 3. Remove direct access from West Las Positas Boulevard to the open space area of the project.*

Access to the project open space along West Las Positas Boulevard was relocated and the entrance was gated for added security. Individual units will still have direct access to the public sidewalk along West Las Positas Boulevard.

- 4. Consider relocating the pool area away from the southern portion of the site to reduce visibility and noise impact to the Parkside neighborhood.*

The open space component of the project was redesigned by relocating the swimming pool to the central portion of the site in order to increase the distance between the pool and the Parkside community. Additionally, a six-foot tall masonry wall has been incorporated along the southern property line with the connections of Buildings C and D to further reduce any noise impacts and to act as a buffer to block any vehicle lights shining toward the direction of the Parkside community.

- 5. Provide more trees and shrubs to screen the project from view by the Parkside neighborhood; save the existing Eucalyptus and Palm trees along the southern property line; provide visuals of landscape screening at the three-, five-, and ten-year growth periods.*

More landscaping has been provided between the proposed project and the Parkside neighborhood. All of the existing trees along the southern property line will remain as requested, and an evergreen hedge row has been added along the entire southern property line. A row of large evergreen trees will also be planted at the same location all the way along the property line, with additional planting of a series of large evergreen southern live oaks in the parking area to provide additional screening and give dimension and depth to the landscaping. This will provide a three-tier landscape step along that property line. Balconies were removed from the south-facing units in Buildings C and D to provide added privacy. Slides showed the projected view of Buildings C and D with a three-year, five-year and ten-year landscaping. Additional landscaping was placed on the southern portion of the six-foot tall masonry wall to screen the project's visibility from the neighbors' homes.

- 6. Provide more architectural detail and potentially darken the white exterior color of the buildings.*

Additional architectural details were incorporated and darker colors were provided. The updated architectural elevations plans highlight the following changes:

- Wooden gates at entries to the patios

- More awnings
- Rafter tails
- Sconce
- Recessed windows
- Two darker color palettes replacing the exterior white color
- Off-white finish on Buildings A and B and a taupe finish on Buildings C and D
- Redesigned end unit in Building A that is visible from West Las Positas Boulevard to provide much greater detail
- Added pilasters and wrought iron
- Raised height of the brick exterior treatment and increased brick banning at key locations

7. *Continue to work with the neighboring commercial property on the west side of the project regarding the proposed carports, landscaping, and other visual screening.*

Outreach work with the westerly commercial neighbor, Mr. Doug Giffin, has continued, and in response to his concerns, decorated fencing and greater landscaping have been provided, including a full evergreen screen hedge along the property line to augment the exterior pear trees at that location. In addition, large evergreen southern live oak trees will be planted to provide additional screening. A slide shows the existing view of the commercial property and visual simulations of the projected view at a five-year growth.

Mr. Giffin's preference is to eliminate the carports in this area; however, this design provides significant benefit to the project and the people who will live within that community, without adversely impacting the adjacent property. A cantilevered design for the carports has been developed so they will not have any side or rear walls, and in many respects, the carports are designed more like shade trees than structures. One note to consider in evaluating if carports in this area should be allowed is to recognize that when the original setback condition was placed, the mitigation of landscaping and carport design was not available to make that determination.

8. *Continue our outreach with the community.*

Outreach efforts with the Parkside neighborhood has continued, both with individual residents and in neighborhood meetings, to better understand the neighbors' needs and concerns:

- Neighborhood meeting at the project site on September 4, 2013, before the first Planning Commission Work Session.
- September 11, 2013 Planning Commission Work Session at which comments from the Commission and the neighbors were received.
- During September and October Summerhill called, emailed, and/or met individually with all neighbors who presented comments at the Planning Commission Work Session. Not all residents were willing to meet individually,

but for the most part, the majority met with Summerhill representatives at the community meetings.

- On October 6, 2013, Summerhill introduced the project and answered questions at the neighborhood meeting organized and hosted by a Parkside resident.
- On Sunday, October 20, 2013, Summerhill hosted a neighborhood meeting to again present the project and hear additional comments.
- In mid-November of last year, Summerhill developed a fact sheet for the City and neighborhood leaders for distribution, for transparency and to respond to all of the questions posted individually and at group meetings regarding this project.

Mr. Ebrahimi stated that Summerhill has been very successful in its projects as it accommodates the neighbors while keeping the projects economically feasible. He noted that both aspects need to work together to make a project work.

Mr. Ebrahimi added that they were asked last week to consider three other items following staff's meeting with the neighbors:

1. *Provide landscaping to screen the proposed six-foot tall masonry wall on the south property line of the community.*

Creeping fig vine has been incorporated for this visual screening, as shown in the plans presented earlier.

2. *Prohibit pets, dogs in particular.*

The apartment community would be at a great disadvantage if it did not allow for dog ownership. Residents will want to have that option, and Summerhill will want to continue to offer that flexibility.

3. *Location of trash bins at the southeasterly location of Building D.*

The design and location of the trash bins are being modified so garbage trucks do not require access to the rear alley for pick-up of any items.

Mr. Ebrahimi indicated that their consultant team is present to answer any questions the Commission may have.

Robert Natsch, acting as spokesperson for the Parkside community, stated that his house is directly across the Arroyo from the Summerhill development. He indicated that, for the most part and given the requirements, the Summerhill Complex drawings are very professional and that the Parkside group was encouraged by the changes made to the original plans: moving the pool to the center of the development, eliminating the balconies and stairways from Buildings C and D facing the Arroyo, sloping the rooflines on Buildings C and D, adding the six-foot tall sound wall and a gate

accessing the Arroyo, and changing the building colors. He noted, however, that residents would rather not have any three- or four-story buildings on this site and that, in fact, they prefer not to have any apartment complex there at all.

Mr. Natsch stated that upon review of the third pre-submittal plan document represented tonight, the members of the Parkside community want to express the following concerns:

- They are encouraged that there will be mature trees along the back wall, based on the five-year plan, as they are concerned it may take too long for small plantings to grow and mature.
- They would like reassurance that the existing eucalyptus trees will be preserved, and they heard that this evening that they will be, which is good news as well.
- They would prefer an eight-foot soundwall versus a six-foot soundwall. The 24/7 noise that will be generated by a 177-unit apartment complex with a swimming pool, playground, cars coming and going, and trash hauling will certainly change and negatively affect the quality of life of nearby residents.
- They also would like the City to control the demolition and construction hours and would like to know who to call when there is a work crew making noise outside the designated hours.
- They have asked for the no-dog permit for residents. Many of the residents love dogs and own one themselves, but a 177-unit density is just too high for that many potential animals.
- They want no north side access to the Arroyo. There is already public access to the south side of Arroyo and they do not want public access on the north side as well. They are concerned that part of the Arroyo will become a dog-run and a literal eyesore. The apartment density is just too great for that many people to have easy access to the site.

Mr. Natsch stated that the rendering on page A6.7 of Exhibit B showing a south view of Buildings C and D is misleading. He noted that according to the plans, Buildings C and D will be 36 feet, 10 inches high from grade to ridgeline, and Buildings A and B which will be to the north, will rise to 51 feet, 11 inches. He pointed out that based on this view, there is a 15-foot difference that is not represented by blue sky that will block most of that view from their side of the Arroyo. He explained that on these particular views, Buildings C and D are shown from the rear, and Buildings A and B are seen 15 feet over the roofline of Buildings C and D, but the drawing does not show how much of the sky will be blocked by Buildings A and B. He added that they currently have a slight view of Mt. Diablo, and that will be totally erased by the Summerhill project.

George Bowen, an original Parkside resident, stated that they bought their house in 1985 and have lived through the many changes that have impacted the Parkside community. He indicated that he would like to start with some important general comments that are less specifically related to Summerhill. He stated that he believes there is a sense among the Parkside residents who were surprised that they are standing here with a development that is zoned and is moving forward. He stated that there was a notice that was sent out, and along with that notice were assurances that

there were no plans to develop and they should not expect a development on that property in the future at all. He indicated that that really removed their concerns, and they did not come down and address the rezoning.

Mr. Bowen stated that he thinks it would be worth going back and looking at some of the additional comments made about the zoning changes, that they were just finding spaces to accommodate the lawsuit that occurred. He noted that the City was really put in a spot in that lawsuit, but now there are developments that are either existing, being built, or in the process of being approved which make Las Positas a high-density housing corridor and will have a significant impact on the Parkside community. He added that on one side, they have a wonderful sports park that they are proud of and grateful for; it does create noise for them, but the benefits far outweigh the detriments. He noted that they do have noise from the sports park that is actually currently reflected off of the buildings on their backside which is along the Arroyo.

Mr. Bowen stated that one other thing they heard discussion about this specific project is the adjacent property, and the Parkside community would very strongly appreciate a review of the zoning of the adjacent property to have an even larger housing development next to this 177-dwelling unit property, and which would have a much more significant impact on them than this current project has.

Mr. Bowen stated that they appreciate the concessions that have been made on the part of Summerhill, who has listened to the concerns expressed and have made the efforts to make the project more tolerable for them. He noted, however, that they have a few specific concerns that he would like to raise, one of which has to do with the sound wall. He indicated that he has a background in acoustics, and the term that is been used, "sound wall," is a bit of a misnomer. He explained that sound reflects off of hard objects, and that is why recording studios tend to be made up of very soft objects. He noted that masonry has about the lowest co-efficient absorption of sound of any material out there: only .02 percent of sound that strikes masonry is absorbed; 99.98 percent of the sound is reflected. He pointed out that on the proposed property site, there is going to be a lot of sound reflected back where the trees are towards the residents. He indicated that although they would like a wall for improved privacy and to reduce the noise that comes from the development, they will also face a competing problem which is the reflection of sound that could come from Hopyard Road and from the sports park, and they may actually be increasing the noise level that they experience now apart from whatever noise comes from the development itself. He indicated that the nature of the acoustic properties of a flat masonry wall is to reflect more noise directly back at the residents, from sirens and cars on Hopyard to soccer goals at the sports park. He stated that there are two ways to address this issue: one is to create a wall that diffuses sound that could still be made of masonry; and another is to make the wall out of material that is more absorptive of the sound. He added that a combination of both of those is best, and asked that a study be made by a professional acoustic engineer on how best to reduce the negative acoustic properties of that wall.

Mr. Bowen stated that the remaining points he has are that they strongly object to access to the Arroyo on the north side and the impact on water. He indicated that a very rough estimate of the water usage of this one property is about 10 million gallons of water a year. He noted that there is a precious reserve in Zone 7 and asked that that concern be addressed.

Doug Giffin, Chamberlin Associates, owner of the commercial property immediately to the west of the new Summerhill project, stated that the buildings along West Las Positas Boulevard currently interact very well with one another. He indicated that each of them tends to have three fronts so no matter where one is on these multi-tenant buildings, that person would be staring at the front of another building and would not feel that he or she is somehow tucked away or hidden in the back of a property. He noted that currently, a quarter of their 94,000-square-foot building, or about 25,000 square feet of the building is continuous, full glass in the front of those spaces, and they all directly face the Summerhill property. He pointed out that their current view now from the front of their single-story attractive building with Spanish tile roof and a great context is the parking lot.

Mr. Giffin stated that one of their concerns early on and why they were so heavily involved in developing the development standards was because of the relation between both the use of the adjacent property and the visual impact of the fence. He indicated that the new building will be 20 feet closer to their property and quite a bit taller; so the two things they worked very hard to have incorporated into those standards were the 50-foot setback within the structures and the stepping of the buildings. He added that, to Summerhill's credit, he thinks they have done a great job in designing an attractive project; and without the carports there, he thinks it achieves the goal that both planning, the Business Park, and Chamberlain thought was necessary to maintain that visual appeal for their tenants. He added that early on, Mr. Ebrahimi asked him if Chamberlain would consider carports, and Chamberlain wanted to be able not to mind and see what Summerhill would come up with.

Mr. Giffin stated that from the top view and without the carports, it would be relatively similar to what Chamberlain has now: one is in front of the building staring at the front of another building. He noted that now, it is essentially 50 feet off of that nice separation, and one is suddenly looking at the rear end of the property instead of the front. He pointed that that it makes $\frac{1}{4}$ of their building suddenly undesirable, more difficult to lease, and more difficult to retain tenants. He indicated that they had requested a wrought-iron fence simply to try and prevent cross traffic; they are not looking for a visual barrier but for a nice openness, a look at these great attractive buildings.

Mr. Giffin requested that the Commission hold Summerhill to the Design Guidelines that were developed for this reason and not allow structures within that 50-foot setback area. He indicated that the impact to their tenants is great and would have a significant effect on their ability to retain tenants and the rents that they get for their property.

Mr. Giffin stated that the only other thing he wants to say is that he was very happy with the detailing on the garages at the entrance to West Las Positas Boulevard, where the simulation focuses on one of the buildings that does not have garages. He indicated that the garages to the right, to the south of their project, also directly face Chamberlain, and he requested that they have similar detailing to the garages to the front of the project so they are also attractive and do not appear to be kind of the back of the development

Karen Ellgas, a Parkside resident, stated that they formed a committee and five members of Parkside will be speaking. She indicated that tagging onto what Mr. Natsch mentioned earlier, they have listed 14 items that were a concern to the neighbors, in order of importance, some of which have already been addressed and which has been very encouraging:

14. *Assess the availability of neighborhood parks for the unit residents.* Pleasanton has a neighborhood park philosophy; where would the neighborhood park be for this particular development?
13. *Location of the dumpsters,* which has been addressed.
12. *Balconies,* which has been addressed.
11. *No dogs permitted in the residential units.* There is an issue with that many potential animals on that site and the problems that would arise from that.
10. *The traffic impact of the development.* There surely are traffic impact studies for that.
9. *Location and elimination of the swimming pool.* That has been addressed.
8. *Open up the discussion on the Below-Market Rate (BMR) housing.* This has been discussed.
7. *Eliminate the three-bedroom units; limit the number of bedrooms to two or less.*
6. *Smoking ordinance.* What is it for the City of Pleasanton?
5. *Include underground parking in the design.* That is something they would like.
4. *Landscaping and hardscaping concerns.* The developer seems to be working very well on this.
3. *Security, privacy, access to the Arroyo.* The plans appear to show no access to the Arroyo.
2. *Number of stories limited to two or less from our view.* This has been been addressed.
1. *Impact of development on schools.* Provide access to the report Ms. Soo talked about.

Ms. Ellgas asked about the possibility of the applicant providing a two feet by four feet (2' x 4') model of the proposed project so people can see what it actually might look like.

Joanie Chidambaram, a Parkside resident, asked if Summerhill will redraw the plans. She stated that the development would be visible from her home and that she specifically told the applicant that she was interested in seeing what the development was going to look like from their home. She pointed out that the slide presented earlier of the view from the south did not include Buildings A and B, and she does not believe they are far away enough that they would not be visible. She indicated that she thinks

what everybody needs to see is what it would look like from the back because that is a lot of roof and it will just look like one big solid, dark brown slope.

THE PUBLIC HEARING WAS CLOSED.

Chair Olson explained that, with respect to the concern mentioned that there was not going to be any development on this parcel and now there is a project planned, the City is under pressure from regional housing organizations and from Sacramento to provide more housing in Pleasanton. He pointed out that, as everyone may be aware, there was a lawsuit, and the City lost the lawsuit; and that is why staff has spent over a year looking around the City for property that could be rezoned to permit housing. He noted that there is considerable pressure from outside the City, and that is why this is occurring.

The Commission then proceeded to consider the Work Session Discussion Points.

- 1. Is the new location of the pool and other amenities, and access from West Las Positas Boulevard acceptable?*

Commissioner O'Connor stated that where the pool is located is what the Commission was asking for and that he is satisfied with that. With respect to the access from West Las Positas Boulevard, he inquired if the gate only opens out and is restricted from outside coming in.

Chair Olson noted that that is the way he reads it.

Ms. Soo replied that it is just for residents to pass.

Commissioner O'Connor stated that he is satisfied with that.

Commissioner Posson stated that he is as well.

Chair Olson stated that they are all in agreement and are fine with that.

- 2. Is the revised proposal for massing at the rear of the site with two- and three-story building combinations acceptable?*

Chair Olson stated that he thinks it is a good thing that the Arroyo side has two stories; however, based on the number of units needed here, it will have to be a three-story building in front on West Las Positas Boulevard. He indicated that he finds that combination acceptable. He noted that at the prior Work Session, the Commission asked about the distance from the southern edge of the building out to the edge of the Arroyo and it turns out that it is at least as long as or maybe a bit longer than the current building. He asked staff if he is correct in assuming that has not changed in this revised plan.

Ms. Soo replied that was correct.

Commissioner Posson thanked Summerhill and staff for providing additional views because he thinks they help significantly. He stated that when he looked at the view from the south, his first reaction was that there was a lot of roof. He indicated that he did go back and read the Minutes from the previous hearing, but he thinks that the reduction on the three-story on the rear side of the building did not help. He noted that part of the comments was the visual impact of the building itself, and he recalls someone suggested story poles. He stated that he thinks it might be beneficial to look at story poles to show the residents what the profile would look like for the entire development, not just for Buildings C and D but also for Buildings A and B as well, because there have been some comments about these views not being accurate representations of what the development would look like. He indicated that he is not yet convinced that the design of both those buildings fit the visual impacts the Commission would like to see.

Commissioner O'Connor stated that part of the discussion at the last Work Session was the visual impact of looking at the building and moving some of the units, as well as privacy because there was another set of windows up there that looked into people's yards. He noted that those have been accomplished. He stated that he does not know if there is anything that can be done with the massing as they have moved as many units as they can, and there is not much more that can be done at the back while meeting the 30 units to the acre that needs to be done.

Commissioner O'Connor stated that he would like to see an additional visual that shows Buildings A and B in the distance, if that can be added in. He added that he does not know if erecting story poles for a project of this size would help a lot to do anything of significance. He pointed out that one thing he would like the applicant to look at is another way of cutting that roofline to make it look less massive; however, he does not know what could be done because there would be units right behind them, and that could expose windows back into the southern direction. He stated that he is fine with where the units are going to be. He indicated, however, that he would like something done to reduce that massing which is very flat and goes all the way across, and maybe improve the roof a bit.

Mr. Dolan asked if the Commission noticed that there were some variations in the roof, that there are small sections that stick out a little bit farther on the end. He pointed out that there is a lot of brown, but there is going to be some shadow and some variation.

Commissioner O'Connor noted that it does look like it sticks out, even when looking at the lower one; but it almost looks like everything melds in, or at least that is what the visual will look like with a flat, one-color roof.

Mr. Dolan stated that there will be some shadow that will help show the difference. He added that the alternative was to leave the windows, and there might have even been decks and balconies out there, but this was the number one concern of the neighbors.

THE PUBLIC HEARING WAS RE-OPENED.

Mr. Ebrahimi noted that the visual presented by staff shows only Buildings C and D to provide clarity for the Commission to see just these two buildings. He noted that the empty air space between Buildings C and D is where Buildings A and B would be located. He then displayed the applicant's slide which shows all four buildings and more roof articulation. He added that the 15-foot angle is over 50 feet from one ridge to another, and that is what is reflected. He indicated that looking at all the buildings together does two things: it shows the full perspective, and it provides a lot more roof differentiation.

THE PUBLIC HEARING WAS CLOSED.

3. Is the revised building design acceptable?

Commissioner Posson stated that he likes all the improvements the applicant has made. He noted that the residents have indicated that they view visual impacts as significant and asked the applicant to go back and see if there are any design changes that could be made to make it less intrusive to the residents.

Commissioner O'Connor agreed that the applicant did a lot of improvements that the Commission asked for. He indicated that he is actually very impressed with what they did and that he likes the results: the wood gates; some wood detail at the bottom to make those patios look a lot nicer; the awnings; the rafter tails, and the very extensive change on the redesigned end unit.

Chair Olson stated that he also likes this revision.

4. Is the revised dwelling unit with living units over parking by Buildings A and B acceptable?

Chair Olson stated that if one story is eliminated in the back on the south end, those units will have to be put somewhere to accommodate the required 30 units per acre.

Commissioner Posson agreed.

Commissioner O'Connor also agreed. He added that it is not what he desires, but it looks like it is the only place, if they are to be moved off the south side, which is a big gain for everyone.

5. Would the Planning Commission support the requested exception if the project were to move forward as proposed?

Chair Olson noted that the exception is the southeast portion of Building B as set back approximately five feet eight inches from the back of the sidewalk, not meeting the

required eight-foot setback. He stated that his sense is that this is a limitation due to the geometry and the layout.

Commissioner Posson stated that he did not see any explanation on why the eight-foot setback was not feasible.

Commissioner O'Connor stated that parallel parking is being added.

Ms. Soo confirmed that this is for the parallel parking provided on the entry street.

Commissioner Posson inquired what the effect would be if the parallel parking is not provided.

Commissioner O'Connor replied that the parking requirements would not be met.

Ms. Stern said yes. She added that the idea is to create a street coming into the project, and the parallel parking helps to do that.

Commissioner Posson inquired if there were no other alternatives to meet the parking requirements.

Ms. Stern replied that in that location, there were no other alternatives than to eliminate the on-street parking.

Commissioner Posson inquired if staff is supportive of that exemption.

Mr. Dolan replied that staff considers it to be pretty minor.

Commissioner O'Connor stated that he thinks going from an eight-foot planter to an almost six-foot planter is fine.

Commissioner Posson stated that, with staff's explanation, he is fine with it.

6. Is the revised landscaping in the rear acceptable?

Commissioner O'Connor said yes.

Chair Olson also said yes.

Commissioner Posson noted that Mr. Bowen talked about the acoustic properties of masonry walls. He stated that he knows sound and that noise is a large issue for the Parkside residents. He indicated that he would like to see some evaluation of the attenuation properties of the wall in the design and whether there is not a better design to better abate the noise.

Commissioner O'Connor stated that he does not have a problem taking a look at it. He noted that this was another added item Summerhill agreed to put in for the Commission, so he is glad that they are already doing that. He noted that he does not know how many more iterations are needed and that it looks like there's always something else each time around. He added, however, that he does not have a problem looking at it especially if it is a design. He stated that he heard one gentleman refer to it as a straight flat wall. He noted that he has seen curved walls, but he does not know if it is done for noise.

Commissioner Posson stated that he definitely likes the landscape design. He indicated that he appreciated how the applicant looked at that visual impact and tried to mitigate it to the greatest extent possible.

Chair Olson inquired if all of the landscaping proposed is on the inside of that sound wall so the closest thing to the Arroyo is the sound wall.

Mr. Dolan said yes, plus the vines that staff asked for.

Chair Olson stated that he is fine with what is being proposed.

Chair Olson noted that at the last Work Session, he raised the issue of access to the Arroyo. He stated that he thinks there is no access here and hopes that would remain.

Ms. Stern replied that the access has been eliminated.

Chair Olson noted that there is nothing the Commission can do about the other side of the Arroyo as that is not the responsibility of this project. He then asked the Commissioners if they have any other questions.

Commissioner O'Connor stated that he has one last comment. He indicated that he is a bit disappointed that there are no carports on the one side. He stated that he understands the reasoning behind it and asked if this is all a done deal.

Mr. Dolan replied that it is a question staff did not ask the Commission. He indicated that the applicant would like to put the carports in, but the neighboring properties' interests oppose them. He added that it would be an additional exception from the Design Guidelines. He noted that the parking requirement can be met either way; it is just whether or not the people who live here get the benefit of a carport.

Commissioner O'Connor inquired, assuming there are no carports on that side, how many parking spaces on the complex would be uncovered. He further inquired if there would be more than just those on the west side.

Ms. Soo displayed the site plan and pointed out the carports located on the west and south sides of the project site, the surface parking by Building C, and the parallel parking on the south side of Building A and B and along the entry street.

Commissioner O'Connor noted that there were not too many and estimated that there are maybe 30 in the complex.

Ms. Soo replied that was about right.

Commissioner O'Connor noted that it is a significant number. He inquired if all the surface parking shown on the slide is all guest parking.

Ms. Stern replied that not all of them are for guests.

Commissioner O'Connor inquired if they are all assigned parking and noted that there have to be some guest parking there.

Ms. Stern replied that one space is usually assigned per unit and the rest would be sort of free for all.

Commissioner O'Connor asked Mr. Dolan if he was looking for any additional input from the Commissioners.

Mr. Dolan replied that it would be helpful if the Commission had an opinion about the carports. He added that staff got kind of a mixed message on the story pole discussion.

Commissioner O'Connor stated that he would rather not spend the money on the story poles. He indicated that to begin with, a two-story and three-story complex has to be built. He added that he just wanted to see if there was anything else that could be done about the roof massing.

Chair Olson stated that he was satisfied with the explanation the applicant gave about the four buildings and that he does not see any reason for adding to the cost by doing story poles.

Commissioner Posson stated that he does not see it as a requirement and that he was only suggesting that as something the applicant may want to consider to give the residents a better sense of what the visual impact would be or would not be. He indicated that he would really leave that up to the developer in the discussions with the residents. He then addressed the methodology used to have discussions with the residents. He noted that the applicant had said that they reached out to people who had expressed an interest in the development. He indicated that to him, that is different from going out and sending a notice out to the neighborhood and asking them to come down and give their views about an apartment complex they are planning to construct.

Chair Olson asked staff if the Work Session was noticed to everyone.

Ms. Soo said yes.

Chair Olson asked if the first Work Session was also noticed.

Ms. Soo said yes.

Mr. Dolan stated that he would also like to share with the Commission, which was alluded to a little bit, that City Manager Nelson Fialho and he actually hosted and invited the neighborhood to come to a meeting held in the Council Chamber, and that was a couple-hour dialogue. He continued that it was followed up with the neighbors agreeing to sending a small group, which resulted in yet another meeting with him, and they have been working through some of their issues and continue to do so. He noted that there may be some legal things, for example, the issue about the dogs, and the City Attorney is questioning whether that can be done.

Julie Harryman stated that she has not researched that matter, but hearing it tonight, she is not entirely sure that is something the Commission is interested in. She indicated that she can certainly research whether or not it is even feasible to put a condition on the project that would not allow them to have dogs.

Commissioner O'Connor stated that he does not know how many people have dogs in apartments versus houses. He added that obviously, they would have to be inside a unit and walked by owners, so they are not going to be left unattended in a back yard where they would be barking all day when no one is home; and if they are barking inside, they will only disturb other tenants who will then complain to management. He indicated that he does not really have a problem with dogs.

Chair Olson stated that he is on that side as well.

Commissioner Posson stated that that is where he is too.

Commissioner O'Connor stated that with respect to carports, he is torn because he understands the next-door neighbors and their view and what they are looking at, but he also would really like to have seen the apartment complex have the carport as opposed to open parking because it makes it a more desirable complex. He added that he certainly know what it is like to leave a car outside and get dust all over it all the time. He noted that there have been other variances that the Commission has granted and have had no objections to, and this is the only one which seems to have an objection.

Chair Olson questioned if that item is still under discussion with that property owner.

Commissioner O'Connor stated that the other property owner spoke tonight.

Commissioner Posson stated that he is of the same opinion and understand both points of view. He indicated that from the tenants' standpoint and from the developer's standpoint, it is more attractive to have carports, but he understands the adjacent property owner's concerns as well. He added that he would hope both parties would

continue to look at different options, and the Commission can then decide where it wants to go when the project comes back.

Commissioner Posson noted that someone mentioned the large area of grass, and that from an amenity standpoint, a grassy area is nice for residents to have as a recreational area. He pointed out, however, that as everyone present may know, there is a water shortage, and the Governor declared a drought. He addressed the applicant and stated that they may want to look for alternatives to natural turf, maybe some type of artificial turf to reduce the burden on irrigation.

Commissioner O'Connor noted that the open area has been discussed and that he believes that is where the barbecues would be located and maybe serve as a gathering area as well. He stated that children may want to throw or kick a ball around, but maybe it does not necessarily have to be all turf, some of it could be hardscape.

Zacky Abed, Project Landscape Architect from Van Dorn Abed Landscape Architects, Inc., stated that there are barbecues on the south end of the pool and on the north end of the green area which also has trellises and picnic benches. He indicated that the Statewide ordinance allows high water use landscaping for 25 percent of the site, and that is what the open area encompasses; everything else is low water use.

Commissioner O'Connor stated that because water is covered by the owners, synthetic turf is certainly an option if they want to save on their water bill.

No action was taken.