



## PLANNING COMMISSION MEETING MINUTES

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

**APPROVED**

**Wednesday, June 12, 2013**

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

### **CALL TO ORDER**

The Planning Commission Meeting of June 12, 2013, was called to order at 7:00 p.m. by Chair Phil Blank.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Chair Blank.

### **1. ROLL CALL**

Staff Members Present: Brian Dolan, Director of Community Development; Janice Stern, Planning Manager; Julie Harryman, Assistant City Attorney; Steve Otto, Senior Planner; Marion Pavan, Associate Planner; Jenny Soo, Associate Planner; and Maria L. Hoey, Recording Secretary

Commissioners Present: Commissioners Phil Blank, Greg O'Connor, Arne Olson, Jennifer Pearce, and Mark Posson

Commissioners Absent: None

Before continuing with the Agenda, Chair Blank acknowledged former Commissioner Kathy Narum's over six years of service on the Planning Commission and read a Commendation for her from the City of Pleasanton, signed by all the Commissioners. He stated that it was a great pleasure to know Ms. Narum personally and to work with her on the Commission. He added that it has been terrific and asked the audience to join him in thanking Ms. Narum for her service.

Former Commissioner Narum thanked the Commission and invited them to come to the City Council meetings.

Vice Chair Pearce then indicated that tonight was Chair Blank's last meeting on the Planning Commission and read a Commendation for him from the City of Pleasanton for almost nine years of service. She stated that it has been a pleasure sitting next to Chair Blank for the past eight years, certainly entertaining. She added that she speaks for everybody that it has been great and that the Commissioners will miss him.

Chair Blank thanked the Commission.

Commissioner Olson addressed Chair Blank, stating that he has enjoyed getting to know Chair Blank and watching him in this venue, noting that he has done a terrific job.

Chair Blank thanked Commissioner Olson, adding that his comment means a lot to him and that he appreciated it.

Commissioner O'Connor also addressed Chair Blank and noted that it has been great working with both Chair Blank and former Commissioner Narum.

Commissioner Olson commented that he was going to miss the treats.

Chair Blank noted that bringing treats was one of his innovations. He then thanked everyone again and for indulging the Commission.

## **2. APPROVAL OF MINUTES**

### **a. May 22, 2013**

Commissioner O'Connor noted a typographical error in the eighth paragraph on page 13 and requested that it be corrected to read as follows: "Commissioner O'Connor inquired if the current mix of single-family versus all other higher density in the City is about 2 25 percent to 75 percent or something like that."

Commissioner O'Connor noted that the phrase "Walnut Glen" in the second sentence of the second-to-last paragraph on page 37 should be changed to "Walnut Hills."

Commissioner Posson requested that the last sentence on page 27 be modified to read as follows: "Commissioner Olson added that ~~partially~~ a park for dogs would be great."

Commissioner Olson noted that the first part of the Minutes where Ms. Stern is talking about the RHNA issues was terrific material and should be distributed to the East Pleasanton Specific Plan Task Force members, if that has not yet been done. He added that it is really good information and very instructive reading.

Chair Blank commented that it is something like "RHNA Numbers for Dummies."

Commissioner Posson agreed that it was really good.

Chair Blank requested the following changes:

- Modify the sentence in the fifth paragraph on page 14 to read as followed: “Chair Blank stated that he recalls the conversations the Commission had about creating an area where there is nothing but high-density housing and the cautions the Commission received about putting all the high-density housing in one area when it was trying to figure out how to spread this throughout the City.
- Add the following sentence at the end of second full paragraph on page 17: “He added that he did not know that Ms. Barclay was going to be at the meeting this evening.”
- Modify the sentence in the first full paragraph on page 20 to read as follows: “Chair Blank stated that he was involved in some disaster recovery planning a few years back and ~~seeing the floods~~ noted that if the Del Valle Reservoir were breached when it was full....”
- Modify the sentence in the sixth paragraph on page 28 to read as follows: “Chair Blank inquired if the Commission should ~~not~~ make any comments ~~as to the~~ with respect to its aesthetics.”
- Modify the last sentence of the third paragraph from the bottom on page 30 to read as follows: “He added that if ten million dollars would be spent to build a special park just for the school, then this should be ~~considered~~ re-considered.”

Chair Blank noted that Question No. 4 did not include his comments and requested staff to review the tape recording and add his comments in there.

**Commissioner Pearce moved to approve the Minutes of May 22, 2013 as amended.**

**Commissioner Olson seconded the motion.**

**ROLL CALL VOTE:**

**AYES: Commissioners Blank, O’Connor, Olson, Pearce, and Posson.**

**NOES: None.**

**ABSTAIN: None.**

**RECUSED: None.**

**ABSENT: None.**

The Minutes of the May 22, 2013 meeting were approved as amended.

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

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

4. **REVISIONS AND OMISSIONS TO THE AGENDA**

Janice Stern advised that there were no revisions or omissions to the Agenda.

5. **CONSENT CALENDAR**

a. **P13-0543, Brixmore Rose Pavilion**

Application for a Conditional Use Permit to operate a veterinary hospital for dogs and cats only at 3901 Santa Rita Road, Suite A, within the Rose Pavilion shopping center. Zoning for the property is PUD-C (Planned Unit Development – Commercial) District.

b. **Tract 8139, Lynn Jansen, Roselyn Estates II**

Application for Vesting Tentative Map approval to subdivide an approximately 3.71-acre lot, generally located north of the present terminus of Calico Lane and east of the present terminus of Lynn Drive (APN 946-4610-014-00), into seven single-family home lots plus two common area parcels. Zoning for the property is PUD-MDR (Planned Unit Development – Medium Density Residential) District.

c. **P13-1944, St. Anton Partners**

Application for a Development Agreement to vest the entitlements of the project PUD-81-30-87D consisting of 168 apartment units and related site improvements located at 5729 West Las Positas Boulevard. Zoning for the property is PUD-HDR (Planned Unit Development – High Density Residential) District.

Commissioner Pearce moved to: (1) make the conditional use findings as listed in the staff report and to approve Case P13-0543, subject to the Conditions of Approval listed in Exhibit A of the staff report; (2) find that Vesting Tentative Map 8139 is consistent with the PUD Development and the Negative Declaration previously prepared for the rezoning of the site (PRZ-59) and that none of the conditions in CEQA Guidelines Section 15162 calling for the preparation of a subsequent Negative Declaration have occurred; make the subdivision map findings as stated in the staff report; and approve Vesting Tentative Subdivision Map 8139, subject to the Conditions of Approval listed in Exhibit A of the staff report; and (3) find that the conditions described in CEQA Guidelines Section 15162 have not occurred as described in the Addendum to the SEIR and find that the previously prepared SEIR, including the adopted CEQA Findings and Statement of Overriding Considerations, and the Addendum to the SEIR are

adequate to serve as the environmental documentation for this project and satisfy all the requirements of CEQA; find that the proposed Development Agreement is consistent with the General Plan; and recommend approval to the City Council of Case P13-1944, a Draft Development Agreement, as set forth in Exhibit A of the staff report.

Commissioner Posson seconded the motion.

**ROLL CALL VOTE:**

**AYES:** Commissioners Blank, O'Connor, Olson, Pearce, and Posson.

**NOES:** None.

**ABSTAIN:** None.

**RECUSED:** None.

**ABSENT:** None.

Resolutions Nos. PC-2013-27 approving Case P13-0543, PC-2013-28 approving Vesting Tentative Subdivision Map 8139, and PC-2013-29 recommending approval of Case P13-1944 were entered and adopted as motioned.

**6. PUBLIC HEARINGS AND OTHER MATTERS**

- a. **P13-1858, City of Pleasanton, East Pleasanton Specific Plan**  
**Project update and discussion of four working draft specific plan alternatives for an approximately 1,100 acre area east of Martin Avenue and Valley Avenue, north of Stanley Boulevard, and south of Arroyo Mocho. Zoning for the approximately 235 acres of this property that is within the City of Pleasanton is P (Public and Institutional) and I-G-40 (General Industrial, 40,000 square foot minimum lot size).**

Brian Dolan, Director of Community Development, presented the staff report and explained why this item is on the Agenda again. He stated that at the last meeting, staff gave the Commission a status report on what the Task Force has been doing, the input staff has received from all the other Commissions and interested parties, and where the Task Force was headed as it geared up for a check-in with the City Council. He indicated that staff listened to the Commission's feedback, which included some great feedback and some actual substantive policy direction. He noted that staff did not necessarily absorb this feedback or respond to it during the meeting, and at a later discussion on the Commission's input, staff felt there were some things they wanted to circle back on with the Commission because they felt these were very important. He stated that this primarily relates to the theme that has gotten a fair amount of play at the Task Force and was really picked up on and reinforced by the Planning Commission: the idea that future development in the East Pleasanton Specific Plan area should be reflective mathematically in terms of the mix of single-family versus multi-family, similar to the rest of town, which is currently 75-percent single-family detached and 25-percent multi-family. He indicated that this is definitely possible and makes some sense, particularly in maintaining the character of the community, and is completely

understandable that some would want to entertain this with respect to a whole new 400 acres to develop.

Mr. Dolan stated that there were a few things staff wanted to double-check on with the Commission. He then displayed two tables on the screen:

## Estimate of RHNA to Year 2030 and Acreage Needed to Accommodate Housing Needs

	<b>2014-2022 RHNA</b>	<b>Estimated 2014 Inventory</b>	<b>Additional units to be planned for 2014-2022 RHNA</b>	<b>Estimate of 2022-2030 RHNA</b>	<b>Estimate of units to be planned for 2014-2030</b>	<b>Additional Acreage Needed</b>
Very Low Income	1,102	991	111	1,102	1,213	40
Low Income						
Moderate Income	405	0	405	405	810	35
Above Moderate Income	551	270	281	551	832	111
<b>Total</b>	<b>2,058</b>	<b>1,261</b>	<b>797</b>	<b>2,058</b>	<b>2,855</b>	<b>186</b>

Mr. Dolan explained that this first table is a review of the time frame in terms of housing that the Task Force is thinking about planning for. He pointed out that it goes through the math of what is left over from the last round and what the City is faced with in the next round of RHNA, and what is being assumed for the round after that. He noted that the City does not know what that assignment is going to be in the round following that, but staff is assuming that it is going to be pretty much the same as the first one because that is the only piece of data staff has to go on, although it could be higher or it could be lower.

## Mix of Single Family and Multifamily Units and Comparison to RHNA

	<b>Total Units</b>	<b>Number of Single Family Units in Alternative</b>	<b>Number of Multi-family Units in Alternative</b>	<b>Multi-family Units as a Percent of low, very-low and moderate income RHNA requirement</b>	<b>Number of Single Family at 75%</b>	<b>Number of Multi-family at 25%</b>	<b>25 % Multi-family as a Percent of estimated RHNA for Very-low, Low and Moderate</b>	<b>Number of multi-family units which would need to be located elsewhere in City</b>
Alternative 1	1,000	500	500	25%	750	250	12%	1,773
Alternative 2	1,426	465	961	48%	1,070	357	18%	1,666
Alternative 3	1,710	486	1,224	61%	1,283	428	21%	1,595
Alternative 4	1,283	641	643	32%	962	321	16%	1,702

Mr. Dolan stated that his main point is made primarily by this second table which shows the four Alternatives that were presented to the Commission at the last meeting:

- The first column shows a wide range of unit totals starting with 1,000; 1,426; 1,710; and 1,283.
- The second and third columns show the breakdown in terms of how many of those in the various Alternatives are single-family and how many are multi-family, which vary quite a bit.
- The fourth column shows the percent of the multi-family units for low, very-low, and moderate income RHNA requirement and how much of the requirement would be addressed in each of those Alternatives.

Mr. Dolan stated that this includes two RHNA cycles and shows how much of the RHNA requirement for low, very-low, and moderate multi-family units would be accommodated in the plan area if those Alternatives were adopted just how they were. He pointed out that these Alternatives range from 25 percent up to 61 percent. He noted that there has been a fair amount of discussion about how this is a wide open area and there is no other comparable place in town, and about what is the appropriate percentage of the City's future RHNA to place in this quadrant. He indicated that it is a legitimate question, and most people have been mindful of the Council's previous policy discussion that the City will not put all these units there and would like to achieve some sort of a balance.

- The next two columns get to the direction that staff received from the Planning Commission that, based on a 75-percent single-family and 25-percent multi-family, Alternative 1 with 1,000 units would result in a split of 750/250; the breakdown for the other Alternatives are shown when applied to 1,426 units for Alternative 2; 1,710 units for Alternative 3; 1,283 units for Alternative 4.
- The last two columns show that if the range of numbers of units are somewhere in the vicinity of 1,000 units up to 1,700 units – and the Task Force, at its last meeting, actually added a couple of alternatives that creep up a little bit above those numbers but not too much – then the City is only going to accommodate somewhere in the range of 12 percent to 21 percent of the multi-family requirements over the next two RHNA periods in the East Pleasanton Specific Plan area, thus leaving a demand of anywhere between approximately 1,600 units to almost 1,800 units for which other sites would have to be designated elsewhere in the City.

Mr. Dolan recalled for those among the Commissioners who went through the last Housing Element process that this was not an easy task. He noted that there were a few sites that scored really well in the ratings process that did not get selected, with two of the best ones actually being in the East side. He indicated that there was a lot of discussion about the Kiewit property and the Legacy property at that time, but these did not make the list and were going to be saved for the next time around. He added that there was also the Irby property, which scored really well but did not make the final cut.

Mr. Dolan continued that after these sites, the City will be looking at new sites that have not really been talked about before. He indicated that this can be done but noted that staff did not really take the next step and explore the implications of the Planning Commission's direction, and would like to circle back to the Commission, before it checks-in with the City Council next week, and see if the Commission had any additional comments based on this information.

Commissioner O'Connor asked Mr. Dolan how many acres were rezoned last time to meet the RHNA numbers.

Mr. Dolan replied that there were 70 acres.

Commissioner O'Connor commented that with these numbers, the City would be looking at about 60 acres, in the 1,800-unit range at 30 units to the acre, which is pretty close to the same amount as last time.

Mr. Dolan noted that was correct.

Commissioner O'Connor stated that what he finds interesting about this calculation is that even with the highest development, Alternative 3, which got most of the criticism at the last meeting, it would be off only by about less than 200 units, which is really not a

lot of difference. He noted that all four Alternatives are pretty close in terms of what would need to be found in the rest of the City.

Mr. Dolan stated that he understood Commissioner O'Connor's point. He explained that the average is approximately 250 per project, and in chunks of 250, the average would be somewhere around eight acres. He noted that these should be thought of in terms of how many of these projects are really going to be available. He questioned if, for example, one apartment is built on 400 acres of developable land, if it would be necessary to have that few to reflect the character of the rest of the town. He displayed the graphic that staff had prepared for the Housing Element Update that shows where multi-family is concentrated within the City, and replicating that character is not necessarily a mathematical equation. He noted that one can drive up the west side of the City for miles and not see any multi-family development; then driving up into Hacienda and around there, there is a little more, and there are some in the Downtown. He added that the experience varies quite a bit, depending on where one is in town to derive the character based on the type of housing.

Commissioner O'Connor noted that it is interesting that although there is nothing in the East area, it is still being studied. He further noted that there is not a lot that have been rezoned before that is even close to that area.

Mr. Dolan noted that was correct. He indicated that there has been a fair amount of comment, and if the quadrant defined as East/West is split by Santa Rita Road and North/South is split by Stanley Boulevard, there is not a lot in there. He stated that it has been pointed out by Task Force members and even by a previous Councilmember that the Auf der Maur site, which will be coming before the Commission in the near future, is pretty close; and then the Irby property will come forward in the next round and rates very highly for consideration, which is not too far away either.

Mr. Dolan emphasized that his point remains that the East Pleasanton Specific Plan area is the only wide-open space that the City has left. He indicated that Commissioner O'Connor's point that the differences are not that much is a good one; however, it is something that the City needs to be sensitive to when considering how many apartment projects of this size can be put out there and still maintain the character so it still feels like the rest of Pleasanton. He reiterated that he just wants the Commission to have another chance to absorb that information and see if there was anything else it wanted to share with the Council.

Commissioner O'Connor stated that something that came up quite a bit at the last meeting was that the Commission realized that it will be necessary to come back to the entire City, but it does not want to necessarily have to come back to the East side after it has been planned. He added that the Commission was thinking that when all the rest of the numbers come up around the rest of the City, the 25-percent/75-percent mix may have to change, and there was pretty much consensus among the Commissioners that going up to about 35 percent was an acceptable number.

Commissioner Olson agreed.

Commissioner Pearce stated that she did some math on the 35 percent because she was thinking about how it helps considerably in terms of the number of multi-family units. She noted that for Alternative 1, that would be 350 units; Alternative 2 would be 499 units; Alternative 3 would be 599 units; and Alternative 4 would be 449 units. She pointed out that it seems like that is still within the realm of the policy direction that the Commission had recommended but gets more units.

Chair Blank added that it is also reasonably consistent with what the rest of Pleasanton looks like.

Commissioner Pearce agreed totally.

Commissioner O'Connor inquired if that was from a low number to a high number.

Commissioner Pearce replied that it is from Alternative 1 to Alternative 4. She added that she is only talking about the number of multi-family units and not about single-family units.

Commissioner Olson stated that he totally agrees that the Commission's consensus at the last meeting was that it was comfortable with 35 percent. He then pointed out that the two or three projects that Mr. Dolan indicated scored quite high at the last round but were not included ought to be considered at this point as the City goes forward. He stated that the numbers should be adjusted to include those projects if it is pretty certain that they are going to go forward, rather than looking at where the City is right now and saying that there is a crisis.

Mr. Dolan stated that there is really only one project that is not acknowledged, and that is the Irby site.

Commissioner Olson noted that then there are two others.

Mr. Dolan stated that there were two sites that were kind of generically identified as Kiewit, a portion of the Kiewit site and not the entire 50-plus acres; and a very small percentage of the Legacy property. He noted that those sites were not picked because the East Pleasanton Specific Plan had not yet been done. He added that it was unclear whether those locations made any sense, and there were some good reasons not to include them.

## **THE PUBLIC HEARING WAS OPENED.**

Ganping Ju stated that he was a member of the Ironwood community and wanted to point out that this community has been supporting some of the City's projects such as those for senior citizens as well as the active Downtown community. He asked the Commission to take that into consideration. He noted that in Alternative 1, the

multi-family units are located next to Busch Road and closest to the senior apartments. He asked that these multi-family units be moved farther away from the senior citizens because Seniors are very sensitive to noise. He also requested that Busch Road not be used as a collector road because traffic will become a nightmare. He pointed out that children should also be taken into consideration in relation to the quality of the schools in the area. He added that there should not be more than 1,000 homes in the East Pleasanton area and that there should not be too many single-family units as this will greatly negatively affect the property values of the Ironwood community.

Colleen Winey stated that she was a member of the East Pleasanton Specific Plan Task Force representing the Zone 7 Water Agency, a property owner in the area. She read for the record, the following letter that was sent out earlier today on behalf of the Zone 7 General Manager regarding his comments on the proposed Land Use Alternatives for the East Pleasanton Specific Plan:

*“Zone 7 Water Agency (Zone 7) has reviewed the referenced proposed Land use Alternatives for the East Pleasanton Specific Plan (EPSP) and we wanted to provide some background and comments consistent with those we have provided to the EPSP Task Force. Zone 7 is interested in the EPSP are because the study area includes three of the future Chain of Lakes that will be owned and operated by Zone 7, Lakes H, I, and Cope. The Chain of Lakes is a series of former quarry pits that are being turned over to Zone 7 by the quarry owners as mining is completed to be used for water management purposes.*

*“In 1981, the Livermore-Amador Valley Quarry Area Reclamation (LAVQAR) Specific Plan was adopted, which established the Chain of Lakes area as mitigation for impacts from the gravel extraction that removed aquifer material and increased salt loading through evaporation of the exposed groundwater. LAVQAR included an associated Environmental Impact Report that provided an analysis of certain water management uses for the lakes.*

*“In addition to LAVQAR, Zone 7’s Board adopted the Stream Management Master Plan and associated Master Environmental Impact Report in 2006 that discusses the use of the Chain of Lakes for multiple uses, including flood protection. Some of the other planning documents and agreements that relate to the facilities to be constructed and the uses in and around the Chain of Lakes area include contracts with each of the quarry operators/owners, Zone 7’s Well Master Memorandum of Understanding with Dublin San Ramon Services District regarding the storage of recycled water, and the existing agreement for public access along the Lake I Buffer Strip with the City of Pleasanton. Any plans for the Chain of Lakes (and Lakes H, I, and Cope, specifically) must be consistent with all Zone 7’s existing Master Plans and agreements.*

*“Because the Chain of Lakes plays such a critical role in Zone 7’s continuing mission to provide a reliable, high quality water supply and effective regional flood protection for Eastern Alameda County’s residents and businesses and*

*because the City of Pleasanton is moving forward to develop the EPSP, staff have created a methodology to systematically evaluate and plan for various opportunities and applications for each lake and the Chain of Lakes as a whole (such as groundwater recharge, peak storm water storage for regional flood protection, seasonal recycled water storage, habitat corridors, education, passive and active recreation, etc.). Zone 7 will accelerate the evaluation of Lakes H, I, and Cope to better coordinate with current City planning efforts such as the EPSP. A preliminary evaluation and status report will be presented to the Zone 7 Board of Directors on Wednesday, June 19, 2013, at the Board's Regular Monthly Meeting which begins at 7 p.m. at the address listed above. The staff report related to that effort should be posted on Zone 7's website by close of business this Friday.*

*"Zone 7 will continue to collaborate with staff from the City of Pleasanton and advise the City as planning efforts for the lakes within the EPSP area are developed. Please feel free to contact either me (925 454-5000, email [jduerig@zone7water.com](mailto:jduerig@zone7water.com)) or Colleen Winey (925 4544-5063, email at [cwiney@zone7water.com](mailto:cwiney@zone7water.com)), if you have any questions or need additional information.*

*"Sincerely,*

*"G.F. Duerig, General Manager"*

Sean Sowell stated that one of the things that came up at the last EPSP meeting was information that the large swath of the land in the southeast corner of this Specific Plan area, which was in all four Alternatives, was contemplated to be industrial zoning. He indicated that it may perhaps not even be necessary or desirable to have that land zoned as industrial or for commercial use, given the effect that that will have on the housing and jobs balance, the traffic issues, etc. He noted that this did get some attention and discussion at the Specific Plan meeting, and he would like to bring that to the Commission's attention as well because he thought it may not be advisable to zone that for industrial purposes. He indicated that he recognized that Vulcan Materials Company is right next to it, farther east, but given the fact that the City is having challenges with regard to housing issues, continuing to skew the jobs and housing balance further by not easing up on the commercial and industrial uses of the land would, in a sense, be digging a hole a little bit further. He stated that he does not know if the Planning Commission can or should take a position on that but that this was something Becky Dennis and Citizens for a Caring Community brought to the Task Force's attention. He noted that he had not seen the numbers before, and if they are right, that this might be worth some consideration.

Mr. Sowell stated that another thing that came up that he had not heard before was a presentation by the gentleman that was the owner or spokesperson for Kiewit who brought some figures regarding densities that were not reflected in any of the four existing Alternatives, and which he is calling Alternative 5, although it is not anything

official. He recalled that the speaker brought up the possibility of densities in the order of 6 to 12 units along with the 23 and 30 units mix instead of the 3, 4, and 11 mixes that were part of Alternatives 1, 2, 3 and 4. He asked the Commission to look at that as well and factor that into its thought process. He noted that if there are 5, 6, 8, 10 or 12 units per acre rather than just 3 units, there would be a sea of 3 units per acre and then towers of 23 and 30 units. He indicated that it does not need to be like that, and maybe that kind of variability would be in order. He stated that maybe an Alternative 5 or 6 would make a little more sense, or tweak 1 and 2 to change the 4's and 3's to 6's and 8's and the 8's to 10's or 12's. He noted that Commissioner Pearce ran some numbers, and pointed out that this has the effect of giving everybody a little more wiggle room, not only in this particular part of town but in the rest of town.

Mr. Sowell stated that a third thing he wanted to bring up, which he mentioned at the Task Force meeting, is that at the very beginning of the Task Force process, the City Council did an end-run around the Task Force by ruling out in the top corner, which is just inside the Airport Protection Area, the existence of any housing and instead putting campus office in there. He noted that this goes back to the industrial/commercial use in the southeast corner and that it may not make sense to have that zoned that way as well.

Mary Switzer stated that she has lived in town for 41 years and has watched it grow. She indicated that her biggest concern with respect to East Pleasanton is the traffic. She questioned what the City is going to do about the traffic going down Stanley Boulevard and if Busch Road and Boulder Street will be extended. She noted that right now, when the freeway gets balled up, the people do an end-run around Stanley Boulevard, down First Street or Isabel Avenue and cuts through to I-84. She expressed concern that there is the freeway in and out traffic, and the City is talking about some pretty high densities. She added that putting in apartments means a lot of cars in a small area, and all those cars have to get to the grocery store, to school, and to the Downtown. She stated that she also heard that there is going to be a couple of hundred apartment units on the corner where Bernal Avenue cuts across Stanley Boulevard, and if that is true, the resulting traffic should be considered.

John Jay stated that he lives in southeast Pleasanton and moved here for the character of the City. He indicated that he loved the City back then and was concerned about the direction that it is headed toward today. He stated that the biggest concern that he has is the possibility of crime. He noted that he has been a prosecutor for 35 years, tried murder cases for 15 years and has run offices for about 11 years. He added that he sees patterns, and, unfortunately, one of those patterns is the relationship between low-income housing and crime. He inquired if, at this point, it is beyond requesting some sort of Environmental Impact Report or Economic Impact Report when low-income housing is interjected in other areas. He stated that he heard the Commission's ratio is 75 to 25 and that it is being increased to 35 and 65. He asked the Commission to be cautious of the impact that is going to occur with the interjection of low-income homes.

## **THE PUBLIC HEARING WAS CLOSED.**

Chair Blank noted that the Commission is not being asked to take any specific action other than to provide additional feedback and comments, and commented that usually that is “staff speak” for “We are not really sure you guys knew what you were doing the first time around and want to give you a chance to think about it and make sure.”

Mr. Dolan replied that hearing the Commission reiterated that it would go up to 35 percent is actually something that maybe he did not hear clear enough the last time. He stated that he was just looking at the Minutes and noted that it was said a few times, but it did not seem like the theme. He added that a reassurance that the Commission would go that far is something that is useful to staff.

Chair Blank asked staff if they have what they need.

Mr. Dolan said yes, unless the Commission would consider going beyond that.

Commissioner Posson asked staff, if the City goes with 35 percent of multi-family in the East Pleasanton Specific Plan area and then accommodate the remaining 2030 RHNA needs across the City, where that would bring the mix of single-family and multi-family across the City, if it would be 32 percent or 28 percent or 26 percent.

Mr. Dolan replied that staff has not taken the time to run the answer. He noted that it is a simple calculation but that he could not tell what it would be.

Commissioner Posson stated that the reason he is asking that question is because the Commission has heard a lot tonight and at the last public hearing about making sure there is an equitable distribution of these requirements across the City. He noted that the Commission came up with 35 percent, which he felt was reasonable because a new area is being planned, and the RHNA numbers are coming. He stated that in his view, the City should have some additional accommodation for additional multi-family housing in this area, and if this is going to be equitable, then it might make sense to at least run that calculation, and if it comes out to be 28 percent or 40 percent – his guess is it is probably somewhere between 25 percent and 35 percent – or what that new number might be, taking into consideration the 2030 RHNA needs, then that should be the allocation for the East Pleasanton Specific Plan area.

Chair Blank stated that his understanding was basically, staff stated the last time that the Pleasanton current ratio is 75 percent to 25 percent, and the Commission is willing to go up to 35 percent/65 percent if it made sense. He indicated that he was trying to understand what numbers Commissioner Posson wanted to run and asked if it was with the general mix if the City did 35 percent in the East Pleasanton Specific Plan.

Commissioner Posson replied that what he is suggesting is considering the estimated 2030 RHNA numbers and based on the housing across the City, including the East Pleasanton Specific Plan, whatever that percentage is should be the percentage of

RHNA allocation, accommodated by the East Pleasanton Specific Plan. He indicated that the reason he was asking is if it is 35 percent in the East Pleasanton Specific Plan, and then the rest was distributed across the City, and then, the City's allocation of multi-family to single-family is 28 percent, then the mix should be 28 percent/72 percent.

Chair Blank noted that it would certainly be the number staff should run before it goes up to the City Council.

Commissioner Posson noted that it would then be an equitable distribution across the community.

Chair Blank and Commissioner Olson agreed.

Commissioner O'Connor stated that he might be fine with that, depending on what those numbers looked like, and he might even be fine with going up. He added that if they were close, he would not have a problem with the East side having one or two extra percentage points because that it is a new area, so people moving into that area are going to know what that has been zoned. He continued that on the other hand, going back and rezoning older, developed part of the City and adding lots of apartment buildings next to existing residential communities that have been there for 20 or 30 years, would impact the people in these neighborhoods who do not have much choice as they are already there. He then asked if the School Board has ever looked at this 30-to-the-acre type of development and figured out how many students are expected to come out of that. He noted that there are not that many three-bedroom homes so not a lot of families will be moving in, maybe single parents with one child or two children.

Mr. Dolan replied that the School District has a number that it has been using which is created by its consulting demographer. He noted that because the City does not have any of these new apartments built at this density that the School District could sample, the District is using data from existing apartments and comparing them to what the yield is in Dublin and places close by. He stated that there is no perfect match and noted that the yield is not high but there is a fair amount of units. He added that the District did its study a few years ago, right before the City knew for sure that it was going to be losing the housing cap.

Commissioner O'Connor recalled that the District came up with a number that was somewhat less than one child per unit, on average, like a .8 or .7.

Mr. Dolan replied that he does not remember what the number is but it was pretty small, definitely less than one child per unit.

Commissioner O'Connor noted that if there were 300 units total in one area, at .7 or .8 child per unit, that would be 250 children or so.

Commissioner Posson indicated that he did not make the comment on the 6<sup>th</sup> paragraph on page 2 regarding missing the treats and requested that it be corrected.

Mr. Dolan stated that all of this would be spelled out in the Environmental Impact Report, and it would include traffic and all those things that were mentioned. In response to Chair Blank's question, he said that staff has what they need.

Commissioner Pearce stated that she thinks what the Commission is saying is that it is flexible, that it does not want to be dramatically different from the rest of the town but recognizes the need for units there.

Commissioner O'Connor inquired how many total acres the City has right now and how many units it has, not counting East Pleasanton.

Mr. Dolan replied that there are somewhere between 26,000 and 27,000 units in the City.

Commissioner O'Connor inquired how many acres there are in the City when considering adding density to this 400-acre area.

Ms. Stern replied that one would have to really look at it as what is the area that is designated residential. She asked Commissioner O'Connor if he is asking about vacant areas in the City.

Commissioner O'Connor stated that the City is planning more than just residential in the East side; it is also looking at some industrial and some retail. He indicated that talking about these numbers, he is hearing people say how they do not want that much density. He asked what the density per acre is in the whole City; how many acres were developed and how many homes there are.

Chair Blank noted that at that large a scale, it is almost averaging an average because there are such varying densities. He further noted that he is not sure how meaningful it would be to get the average density in the City of Pleasanton.

Commissioner O'Connor noted that it means that if an area as big as 400 acres or 500 acres is being developed, then it would show how what the rest of the City has in terms of how many housing units there are in that area. He added that he thinks it would tell him if 1,000 units really was the max the City wants to go, or if it is really more like the 1,700. He stated that he thinks he knows what he would like to see, but he does not know what the whole City build-out today really is.

Chair Blank stated that some questions need to be considered, such as if people who have entitlement rights to build but have not built yet are counted, or there are some high density housing that are already approved but has not yet built. He noted that it might be worth looking at.

Commissioner O'Connor stated that it is "built plus approved" because what the build-out is going to be here is already known. He added that this is planning for a new area so it should consider "built plus zoned," what the actual build-out would be.

Mr. Dolan stated that he thinks staff could come up with some metrics to make a comparison to the rest of the City; however, the average density would be a bit problematic as there are certain considerations, for example, the lakes throw everything off.

Commissioner O'Connor stated that lakes are not a developable area; what is being considered here is the 400 acres.

Mr. Dolan stated that if Commissioner O'Connor is referring to growth for the City, then that is a different number.

Chair Blank stated that a way to do a weighted average needs to be figured out because there are going to be other areas where there is developable and non-developable acreage.

Commissioner Pearce stated that she thinks there are a lot of ways to show whether or not this is compatible with the rest of the City.

Mr. Dolan stated that staff will be keeping that in mind to provide different measure points in addition to just the percentage of multi-family versus single-family.

Commissioner Pearce noted that that would be helpful.

Chair Blank stated that he does not mean to summarize the Commission, but he thinks that Commission has a strong sense that it wants East Pleasanton to be compatible with the rest of the community and not be different or an outlier.

Commissioner Olson asked Mr. Dolan, given that RHNA allocations are not established to begin with, why the City would not include preliminary numbers from the Kiewit project and factor those into staff's analysis.

Mr. Dolan replied that Kiewit is included in the analysis because they will be numbers that are included in the East Side Specific Plan. He indicated that Kiewit will be developed if Alternative 1 is picked; some percentage of that 1,000 units will be on Kiewit property.

Commissioner Posson noted that there were a couple questions from the speakers.

Chair Blank stated that one of the speakers was looking for an Environmental Impact Report, and staff has indicated that one will be done. He noted that when that occurs, the public will get a chance to weigh in on what should or should not be included in the Report.

Ms. Harryman noted that there was a question about the Auf der Maur property on Stanley Boulevard and Bernal Avenue.

Commissioner Posson stated that to find out about what is going on at Stanley Boulevard and Bernal Avenue, contact staff.

Mr. Dolan indicated that that project will be on the Agenda for the July 10, 2013 meeting.

#### **b. Renewable Energy and Water Supply Conservation for New Development**

Brian Dolan stated that he and Commissioner Posson met to discuss some preliminary suggestions to implement energy and water conservation for new development and that they were in agreement on an approach moving forward. He deferred to Commissioner Posson to describe the proposal.

Commissioner Posson stated that Daniel Smith, Director of Operations Services, Mr. Dolan, and he met earlier this week to talk about how they wanted to frame this discussion. He explained that in way of background, he had sent a memo to Chair Blank on April 10, 2013 requesting that the Commission talk about renewable energy and water conservation as it relates to new developments coming before the Commission.

Commissioner Posson stated that this was really an outgrowth of the Pleasanton Partners application for California Center. He noted that during the course of the hearing and in discussions with the applicant, some conditions were added to the project, specifically in the area of energy and water, in order to meet those challenges or to contribute to meeting those challenges facing the City. He indicated that the applicant agreed to more affirmative measures, such as the installation of sub-meters so tenants were accountable for their water usage, and utilization of energy star appliances to conserve energy. He noted that there were some additional measures that were raised that were not included in those conditions. He indicated that during that discussion, Commissioner Pearce suggested that the Commission have a policy discussion, and that is what precipitated his request to have that discussion.

Commissioner Posson stated that in his memo, he talked very briefly about some of the challenges as well as some of the provisions of the General Plan that give the Commission authority to address these issues. He noted that there is a statutory requirement to reduce water consumption by 20 percent by 2020, which goes down to a level of 195 gallons per day per person. He pointed out that currently, the baseline year was 244 gallons per day per person, and the estimate for 2013 is 212 gallons per day per person. He indicated that there is some progress but still some challenges, and it is estimated that when as the 2020 targets come closer, there will be some additional reductions in water use.

Commissioner Posson stated that on the energy side in the memo, he referenced the California Public Utilities Commission (PUC) Energy Strategy, which includes some elements about residential, including low-income, as well as some of the measures that local governments can take in order to help get some additional independence.

Commissioner Posson stated that a few things have changed since April, one of which is the St. Anton's Partner application which came before the Commission with around 190+ points, which is well above other applications that the Commission has considered. He noted that Mr. Smith had indicated that the Energy and Environment Committee is in the process of turning over due to term limits so he did not feel that the group had gelled to the point where a joint review would make sense. He added that the City is losing its Energy and Sustainability Manager at the end of the month, so with that position no longer available, staffing for the Energy and Environment Committee will not be there.

Chair Blank inquired if the loss is permanent.

Mr. Dolan replied that it is permanent for now.

Commissioner Posson stated that a few things have changed in comparing the two applicants: the St. Anton project has tightened up a number of its elements by committing to the electrical vehicle charging station, onsite electric generation for the project's common area (a leasing building and community center), a commitment to 25 percent better than the Title 24 requirements, which is a significant stride forward, and solar tube skylights for energy conservation.

Commissioner Posson stated that the real questions are: "What do we want to see?" "Which side of the scale do we want to see?" "Do we want to move further with additional requirements?" He indicated that to pull this together, the initial suggestion does not appear to be viable based on the changes in the Energy and Environment Committee and City staffing. He noted that in their discussion, Mr. Dolan indicated that Planning staff is intending to require the same type of energy and water conservation measures as those of the St. Anton application for future multi-family projects coming before the Planning Commission, and that the Planning Division intends to bring a number of different ordinances before the Planning Commission for consideration to implement elements of the Climate Action Plan. He stated, however, that there are still a number of multi-family developments and other developments coming before the Commission, and the question is what the Commission wants to do in the interim. He stated that the real purpose of the discussion this evening is what approach the Commission wants to take with respect to energy and water conservation for new developments coming before this Commission.

Chair Blank commented that just listening to Commissioner Posson – and the Commissioners who have been around for a while will know – reminds him of the automatic sprinkler system. He stated that when he first got to the Commission, he saw houses burn down because they did not have interior sprinklers. He noted that he just

went on a crusade, and with the cooperation of staff and the support of the City Council, all residential and commercial applications approved by this Commission had internal, automatic sprinklers, even when it was controversial. He recalled that there were applicants claiming it was going to add 10 percent to the cost of their commercial buildings, and the Commission had to bring the Fire Chief in to say that it was more like one percent to two percent.

Chair Blank stated that he is very supportive of this process, especially since electric car charging stations showed up, and people know that he has been pushing for this. He noted that these are things that he recommends the Commission look at as part of its review process.

Commissioner Olson totally agreed.

Chair Blank added that it would not have to go through a task force and the Commission can actually drive change that way.

Commissioner Olson noted that initially, the Commission got sprinklers installed simply from Chair Blank's push and the Commission's agreement to condition projects to include sprinklers.

Commissioner O'Connor added that the Commission also prioritized that.

Commissioner Olson agreed. He added that in the early going, the Commission would not approve a project without that condition, and that was how it was done.

Commissioner Pearce agreed that the Commission made installing sprinklers a priority until the Commission had the opportunity to make it a priority for Council. She added that it was a good model.

Commissioner Olson stated that the Commission can do the same for this: look at the St. Anton project and say that is the model and what the Commission wants to see in other projects, and then make it a priority.

Commissioner O'Connor noted that Chair Blank was a leader in that area and he was a little brazen. He added that he did not know if the Commission had staff's consensus in the beginning, but they came around.

Chair Blank noted that it was a different staff.

Commissioner O'Connor continued that once the Commission had staff's support, staff talked to the City Council who gave the "go ahead" signal. He stated that between then and the time the Commission did get something in place, the Commission had a consensus, and it made it a lot easier that staff actually required those things in the their projects' conditions before these projects actually came to the Commission. He indicated that he thinks it would be helpful if the Commission scheduled and had these

conversations with staff around what the Commission thinks staff could support or what staff thinks the Council would also support, because what the Commission does not want to do is start loading up conditions on projects and then have it reversed at the City Council level.

Chair Blank stated that one possibility for the Commission would be to select two Commissioners to work with staff, so there is no Brown Act violation, and put together some ideas. He suggested that Commissioner Posson be one of the two Commissioners. He added that he thinks water and energy conservation for new development is a great idea and that that he is very supportive of it.

Commissioner Pearce stated she also does.

Commissioner Olson noted that there is a ticking clock here in terms of regulation, and the Commission needs to get on it.

Commissioner O'Connor stated that the State of California will also be dictating on this pretty soon.

Commissioner Olson agreed.

Commissioner Pearce asked Mr. Dolan if he had anything to add.

Mr. Dolan stated that he sees this as a two-phased approach. He noted that there will be two projects coming before the Commission shortly, and in the short-term, he thinks continuing on with the conditions that were applied to the most recent projects is not going to be a big surprise or overburden on these two projects. He added that then, clearly, Planning has already been tasked with implementing some of the programs from the Climate Action Plan, and many of them are worded, "Thou shalt create an ordinance to do X," and some of those things are exactly what Commissioner Posson is talking about. He noted that one of them was to revisit the point requirements in the Green Building Ordinance, which staff will be working on. He indicated that he is always concerned about staff resources, and these things will occur over time; in the meantime, staff will be using the checklist it has prepared as well as some of these additional conditions that have been applied and cover the gap that way.

Commissioner O'Connor stated that what the Commission has been hearing is that staff is really pushing the envelope on development. He asked Mr. Dolan if these developments are really viable with as much as what the Commission might ask a developer to contribute; if, as the Commission starts loading more requirements on development in the areas of energy and water and such, the Commission might have to take away something that the City has been getting; if there is going to be a trade-off in terms of how much the City can continue to load on to a developer if it is trying to get additional low-cost housing out of the deal, or getting money for parks. He noted that there are only so many dollars that make these projects viable and inquired if the City is going to reach that point.

Mr. Dolan replied that it depends on whom you talk to. He stated that he has never met a developer who told him he was going to make gobs of money on his project.

Commissioner O'Connor stated he was somewhat concerned because he knows the City has approved a couple of these larger apartment developments but he is not seeing them moving forward and is not sure if they are going to be built.

Mr. Dolan replied that the City has been hearing that, and not just from one developer. He noted that the truth is, if they do not build it, he thinks that is real-world proof that it did not work because they went to all that trouble to get it approved and then to not build it, then maybe the City did overdo it. He stated that he thinks it is going to take a little more time before the City knows that, and then the market is going to adjust.

Chair Blank stated that he does not think the nexus is necessarily that just because the City is requiring charging stations for electric cars and photovoltaic cables and separate water meters, that is going to kill a project, if a project is going to be profitable.

Mr. Dolan agreed. He added that some of those decisions probably have a lot more to do with what they paid for the land than with some of these requirements.

Commissioner Pearce agreed.

Chair Blank asked Commissioner Posson if he is fine with where the Commission is at.

Commissioner Posson questioned where the Commission is.

Commissioner Olson stated that there were a couple suggestions.

Chair Blank stated that his suggestion would be that the Commission consider appointing two Commissioners to work with staff – and recommended Commissioner Posson to be one of them – to develop the standard; and then in the meantime, continue to do what the Commission is doing for St. Anton's for everything else that comes through. He indicated that his experience has been that a developer who comes in says, "What do we need?" and staff gives them that laundry list; and they know up front so they are okay with it. He noted that what developers hate is when staff asks the developer if they put in these things when they get to the end of the project, and they say that staff did not tell them that.

Commissioner Posson pointed out that this is exactly what he is trying to avoid, that he does not want the Commission to have that discussion while the applicant is at the podium.

Commissioner Pearce asked Mr. Dolan if he is in support of that suggestion.

Mr. Dolan replied that he totally agreed that that is not a very fun message to deliver in the last month of a project. He stated that he is unaware of anything that the Commission has required of developers that has not already been part of the dialogue. He indicated that as staff finalizes the staff reports, these are being written in right then, and if staff identifies something different, they may have to have a conversation about it with the applicant. He stated that he does not think there is going to be any big surprises for the next applications coming up.

Chair Blank stated that he thinks the question is about appointing the two Commissioners.

Commissioner Pearce said yes. She inquired if there is a need, from staff's perspective, to have two Commissioners work with staff to develop a standard.

Mr. Dolan replied that he thinks think that would be useful in the long-term as staff works through some of the implementation. He stated that he does not know that it is necessary in the short-term to talk about conditions.

Commissioner Pearce suggested that the Commission wait until the two new Commissioners are on board, and then have that conversation.

Commissioner O'Connor asked Mr. Dolan if he wanted to do this with two Commissioners working with staff or as a workshop with the Commission.

Mr. Dolan replied that he is fine with the two Commissioners, and then they would be more flexible in terms of time and scheduling.

Commissioner Pearce suggested that this be tabled until there is a new full Commission.

Commissioner O'Connor stated that there is only one project coming up in the next month.

Chair Blank noted that Mr. Dolan already has the schedule.

Mr. Dolan stated that the Auf de Maur project is on the July 10, 2013 Agenda, and the Pleasanton Gateway project on July 24, 2013.

Chair Blank noted that these two developers have already heard all this earlier.

Commissioner Olson indicated that he is going to look at this initial process that the Commission is applying here as the "Phil Blank Memorial Process" until it is codified. He told Chair Blank that he will live forever.

Commissioner O'Connor stated that he has already heard this from a couple of the Commissioners as well as from staff, and he does not know where it puts the

Commission with the two projects coming forward, but he does not necessarily think that the Commission will start throwing new stuff at people in the next 30 days.

Chair Blank noted that Mr. Dolan did mention that the developers have already heard these things, and he was pretty sure it was not something that was new.

Mr. Dolan confirmed that he is fairly confident of that; but if any of it is new, staff will be discussing that with the developers.

Commissioner Olson stated that he brought it up specifically with one of those projects this morning and there was no resistance. He added that he thinks the developer has planned what the Commission wants to see in the area of energy and water.

Commissioner Posson thanked his fellow Commissioners for the discussion.

Chair Blank stated that it is good stuff and expressed his appreciation to Commissioner Posson for bringing it up.

**7. MATTERS INITIATED BY COMMISSION MEMBERS**

No discussion was held or action taken.

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

**a. Future Planning Calendar**

No discussion was held or action taken.

**b. Actions of the City Council**

No discussion was held or action taken.

**c. Actions of the Zoning Administrator**

No discussion was held or action taken.

**d. Matters for Commission's Information**

No discussion was held or action taken.

**a. Selection of Planning Commission Chair and Vice Chair for the remaining meetings of 2013**

Chair Blank stated that there is a Vice Chair and asked what the Vice Chair would like to do.

Commissioner Pearce asked Mr. Dolan if he wanted to say something.

Mr. Dolan stated that staff does not have a position of this. He indicated that there is a transition, so whether the Commission wants to do this now or later is up to the Commission.

Commissioner O'Connor stated that he is fine with doing it now.

**Chair Blank nominated Commissioner Pearce as Chair for the rest of the year.  
Commissioner Olson seconded the motion.**

**ROLL CALL VOTE:**

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

**Commissioner Pearce nominated Commissioner Olson as Vice Chair.  
Chair Blank seconded the motion.**

**ROLL CALL VOTE:**

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

**9. ADJOURNMENT**

Chair Blank adjourned the Planning Commission meeting 8:25 p.m.

Respectfully,

JANICE STERN  
Secretary