



MENLO PARK PLANNING COMMISSION MINUTES

Regular Meeting

May 5, 2003

7:00 p.m.

City Council Chambers

801 Laurel Street, Menlo Park, CA 94025

CALL TO ORDER – 7:00 p.m.

ROLL CALL – Bims, Fergusson, Fry (Chair), Halleck (Vice-chair), Pagee, Sinnott, Soffer present

INTRODUCTION OF STAFF – Murphy, O’Connell, Siegel, Smith

A. PUBLIC COMMENTS

There was none.

Chair Fry announced that item eight on the agenda regarding a use permit and architectural review for 500 Willow Road was continued prior to this meeting until the meeting of June 16, 2003.

B. CONSENT CALENDAR

1. Consideration of the draft transcripts of the October 9, 2002 Planning Commission meeting.

Commissioner Soffer moved approval. Chair Fry indicated that she had corrections. Commissioner Fergusson also indicated corrections. The motion died for lack of a second.

Commission Action: M/S Fry/Fergusson to approve with the following modifications.

- Page 30, Line 16 – replace “reservation” with “preservation”
- Page 30, Line 25 – insert “not” between “would” and “allow”
- Page 75, Line 14 – replace “Codey” with “Cody”
- Page 214, Line 7 – replace “responsible” with “sponsored”

Motion carried, 6-0-1, with Commissioner Sinnott abstaining.

C. PRESENTATION

2. **Presentation to former Planning Commissioner Stein**

On behalf of the Commission, Chair Fry and Commissioner Fergusson presented former Commissioner Stein with a plaque, gift and card.

D. PUBLIC HEARINGS

1. **Use Permit/Sherman Drake/509 Ivy Drive:** Request for a use permit to demolish an existing single-story residence and construct a new two-story residence on a lot that is substandard in regard to lot area and lot width.

Staff Comment: Planner O'Connell said that the applicant had made a use permit request for a new residence at 509 Ivy Drive at the corner of Windermere. He said that the staff report lists several conditions of approval to meet requirements and noted the driveway setback. He said that the applicant has agreed to the changes and has gotten supportive signatures from the adjacent neighbors on Ivy Drive and Windermere Avenue.

Questions of Staff: Commissioner Soffer said that he was concerned that the diagrams did not match the staff report. Planner O'Connell explained that the plans had undergone several iterations by the applicant and that comments regarding the driveway by the Engineering Division were made that necessitated a change to the design. He said that the use of a new tool, the GIS, used by staff showed that the neighbor's accessory structure was actually on the property line rather than near it as had been thought. He said that staff believed that the sum of the changes was not significant enough to alter the design and the item was kept on the agenda for consideration. Commissioner Soffer said that the garage had been turned 90-degrees which he thought was significant. Planner O'Connell said that the garage was in the same previously proposed location, but that its doors would be on the Ivy Drive side rather than on the Windermere Avenue side. This change was due to comments from the Engineering Division that 28-feet was needed from the curb to the beginning of the driveway which could not be obtained from the Windermere Avenue side. In response to Commissioner Sinnott, Planner O'Connell said that the applicant was being asked to include windows more in scale with the elevation on Windermere Avenue, subject to staff review and approval.

Commissioner Bims asked if the accessory structure on the adjacent property had been built through a use permit. Planner O'Connell said that staff had not reviewed that as there are many such structures in the community, many of which were built prior to regulations being developed. Commissioner Fergusson asked about staff's concern with the proposed sliding windows expressed on page three of the staff report. Planner O'Connell said that staff tries to reflect the thinking of the current Commission on aesthetic and design issues and would welcome some input on the windows. He said that in the past some relief has been required around windows to provide shadow, but that could factor in tremendous costs based on the structure of the windows. He said that staff thought that the proposed combination sliding windows and grids might not be attractive, and thought perhaps that three panes on top and one on the bottom or a simulated divided light with external grid might be more attractive.

Public Hearing: Mr. Sherman Drake, the applicant, said that he has lived in Menlo Park for 47 years and worked in Menlo Park for 30 years. He said that his home is pretty much falling down and that his family is very excited about rebuilding. He said that cost was a concern.

Commissioner Bims asked if the applicant had issues with the neighbor's accessory structure. Mr. Drake said that he had no problem with it. Commissioner Pagee asked if he would be amenable to a requirement for simulated true divided light windows. Mr. Drake indicated assent. Chair Fry asked if the shadows from the house would fall on the neighbor's yard and if

they had thought about making the design a mirror of the existing plans so that entry could be from Windermere Avenue. Mr. Drake said that he was willing to look at that change.

Commission Action: M/S Soffer/Pagee to close the public hearing.

Motion carried, 7-0.

Planner O'Connell said that the designer had considered flipping the house as suggested by Chair Fry and it is somewhat viable, but the backyard would be located on a busy street and not really usable.

Commission Comment: Commissioner Pagee said that the design would be an attractive addition to the neighborhood and would improve the City's housing stock. She noted that there were other two-story homes in the neighborhood.

Commissioner Sinnott said that she would like to move as recommended in the staff report, but was open to some additional language regarding the windows. Commissioner Pagee said that she would second.

Commissioner Fergusson said that as the home is located at a key point at the entry to the neighborhood, she would offer a friendly amendment that true divided lights be required. Commissioner Sinnott asked whether she might want simulated true divided lights instead as true divided lights were very expensive. Planner O'Connell explained that simulated divided lights cost somewhat more than what was being proposed, but were more attractive. He said that simulated true divided lights were considerably more expensive and attractive. Commissioner Fergusson said that she would ask for simulated divided lights. Commissioner Sinnott said she would accept Commissioner Fergusson's friendly amendment if it was agreeable to the applicant. Mr. Drake's agreement was determined. The friendly amendment was agreed to by Commissioner Pagee, who made the second.

Commissioner Soffer said that he wanted to relay to staff the importance of providing drawings that support the staff report for the Commission's review. Chair Fry commented that she would like to see more articulation on the back of the house and that she thought the mass of the house was over a bit and would prefer the mirror design she had suggested previously. She said however that she was supportive of the project.

Commission Action: M/S Sinnott/Pagee to approve as recommended by the staff report with the addition of condition "i" as described below.

1. Make a finding that the project is categorically exempt under Class 3 of the current State CEQA Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following conditions:

- a) Development of the project shall be substantially in conformance with the plans prepared by Build Right Homes, dated received by the Planning Division on April 24, 2003, consisting of four plan sheets, and approved by the Planning Commission on May 5, 2003, except as modified by the conditions contained herein.
- b) Prior to building permit issuance, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
- c) Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Transportation Division, and Engineering Division that are directly applicable to the new construction.
- d) Prior to issuance of a demolition permit or building permit, the applicant shall submit a plan for construction safety fences around the periphery of the construction area for review and approval of the Building Division. The Building Official may waive this requirement on a case-by-case basis. The fences shall be installed according to the plan prior to commencing construction.
- e) Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval of the Planning, Engineering and Building Divisions. All utilities shall be placed underground. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
- f) Prior to building permit issuance, the applicant shall submit revised plans with a minimum of 6 feet of separation between the new structure and the accessory structure on the adjacent property to the left. The breakfast nook and the master bedroom may have a corresponding shift closer to Windermere Avenue to satisfy this condition. If eave overhangs project into the 6-foot separation, they shall be treated with flame retardant material to the satisfaction of the Building Division. The remainder of the new structure shall have a minimum left side setback of 5 feet in width and a minimum right side setback of 12 feet in width. The revised plans shall be subject to Building and Planning staff review and approval.
- g) Prior to building permit issuance, the applicant shall submit a revised plan with driveway access from and garage doors facing Ivy Drive. The revised driveway configuration shall attempt to minimize the use of pavement and the width of the curb cut. The revised Windermere Avenue elevation shall contain garage windows that are balanced and in scale with the remainder of the façade. The plan shall be subject to Planning and Transportation staff review and approval.
- h) Prior to building permit issuance, the applicant shall submit plans demonstrating that the residence conforms to the daylight plane requirement, subject to review and approval by Planning Division staff.

- i) Prior to building permit issuance, the applicant shall submit revised plans indicating that the windows will be simulated divided light to provide texture on the outside of the glass. The revised window design shall be subject to Planning staff review and approval.

Motion carried, 7-0.

2. Use Permit and Variance Extensions/Gregory Bettencourt/668 Partridge Avenue:

Request for extensions to a previously approved use permit to allow the demolition of an existing single-family residence and detached accessory buildings and the construction of a new two-story residence on the rear half of a R-2 zoned property that is substandard with regard to lot width, and a previously approved variance to locate a new detached garage in the front half of the property and three feet from the left side property line, where a minimum of five feet is required. An existing residence located at the front of the property would be retained.

Staff Comment: Planner O'Connell said that the applicant's request was to extend the use permit and variance. He noted that the original Commission approval had been given on April 1, 2002 and was in effect for one year by which time, either a building permit needed to be obtained or an extension requested of the Commission. He said that the applicant, the new property owner, was present.

Questions of Staff: Commissioner Soffer asked if the easement issue had been resolved. Planner O'Connell said that condition of the use permit would remain, which was to require resolution of the easement issue before construction could begin.

Public Hearing: Mr. Gregory Bettencourt, applicant, noted that he had a survey done regarding the easement question and he would be happy to provide that information to the Commission.

Chair Fry said that she recalled when the use permit had been approved that there had been a discussion to move part of the structure back because of concerns voiced by neighbors. Commissioner Halleck said that he had suggested, based on the neighbor's concern that the cars would be backing into the area near their bedroom and house area, that the house be moved back to prevent that impact. Commissioner Halleck said that was why he had voted against the project at that time. Mr. Bettencourt said that he was open to meeting with the neighbor and working to resolve that concern.

Commission Action: M/S Halleck/Soffer to close the public hearing.

Motion carried, 7-0.

Commissioner Soffer moved, and Commissioner Sinnott seconded, to approve as recommended in the staff report.

Chair Fry asked if the applicant were to make changes to the design after meeting with the neighbors how those design changes would be approved. Assistant City Attorney Siegel said that design changes would come to staff. He said that dependent on the magnitude of the changes, the changes might be approved by staff or noticed for new hearing before the Planning Commission. He said that if the extension was denied, the applicant would have to

reapply for a use permit. Commissioner Pagee asked if the neighbors were noticed about the extension request. Planner O'Connell said that they were. He said that one neighbor called and he explained that this would be an extension of the use permit as previously approved.

Commission Action: M/S Soffer/Sinnott to approve as recommended in the staff report.

1. Make the finding that the project is categorically exempt under Class 1 of the current State CEQA Guidelines.
2. Make the finding that there is good cause for the extension based on unusual circumstances not of the applicant's own making.
3. Approve a one-year time extension, from April 1, 2003 to April 1, 2004, of the use permit and variance previously granted by the Planning Commission on April 1, 2002, for the new construction at the subject property.

Motion carried, 7-0.

- 3. Variance and Use Permit/Ann Sison/204 Princeton Road:** Request for variances to allow a front setback of 18 feet, 4 inches where 20 feet is otherwise required, to allow a corner side setback of 9 feet, 10 inches where 12 feet is otherwise required, to allow a garage door setback of 10 feet where 20 feet is otherwise required, and to locate the two required parking spaces in the required corner side setback; and a request for a use permit to construct a fence with a height of six feet in the required front setback and the City's right-of-way where a maximum of four feet is otherwise required and to locate the fence in the required sight visibility triangle where a maximum height of three feet is otherwise required.

Staff Comment: Planner Smith reported that the applicant is proposing to do a remodel and expand a single-family residence at 204 Princeton Road, located at the corner of Princeton Road and Cambridge Avenue, and add several sections of new fence along both street frontages. The proposal requires use permit approval to construct a fence with a height of six feet in the required front setback and the City's right-of-way where a maximum of four feet is otherwise required and to locate the fence in the required sight visibility triangle where a maximum height of three feet is otherwise required. Additionally, fences built in the City's right-of-way are subject to a subsequent encroachment permit approval from the Engineering Division.

In addition to the use permit request, the applicants are requesting variances in the proposed design of the residence remodel to allow the following: a one-foot, eight-inch encroachment into the front setback; a two-foot two-inch encroachment into the required 12-foot side setback; a garage door to be situated 10 feet from the property line with 20 feet being the requirement; and both required parking spaces within the required corner side setback.

Questions of Staff: Commissioner Fergusson asked about the three trees on Cambridge; Planner Smith indicated that there is no proposal to remove the trees, which are not heritage trees, but that they would be close to the fence. She asked about the review made by the Transportation Division of the safety triangle. Planner Smith indicated that the Transportation Division had reviewed the proposal in the sight safety triangle and found that the fence would

not interfere with sight safety around that corner. Commissioner Fergusson confirmed with staff that the public right-of-way was fairly wide, being 13 to 14 feet.

Commissioner Soffer suggested that it might be helpful to consider the variances as one discussion and the use permit as another discussion, which met the Commission's approval.

Chair Fry noted that the front of the house faces the technical side of the lot and asked if the front of the house was oriented to the technical front of the lot how the proposed fence would meet the guidelines. Planner Smith said that if the house faced Princeton, from the Princeton property line on back, there would be a four-foot maximum in fence height; and a section of the existing seven-foot fence at the western side of the parcel and a portion of the proposed six-foot fence would technically be in the 20-foot front setback. The bulk of the proposed three-foot fence would comply with the four-foot height requirement. There would be portions of the proposed six-foot fence and existing seven-foot fence that would exceed that height. Planner Smith indicated in response to Chair Fry that the Transportation Division visited the property and reviewed the plans.

Public Comment: Applicants Ann and J.T. Sison, 204 Princeton Road, Menlo Park, addressed the Commission. Mrs. Sison noted that they have lived at their home for eight years and enjoy many friendships with their neighbors. She thanked her neighbors for attending the meeting in support of the project and the Planning Staff for their assistance. In response to Commissioner Pagee, Mrs. Sison indicated that the neighbors are supportive of the fence as their residence is a popular play area for the neighborhood children, and that they plan to grow climbing plants along the fence. Commissioner Soffer indicated that he liked the corner as it was with the natural beauty and its openness. Applicant Sison indicated that she had a safety concern with children playing in the side where the children cannot be seen. Mr. Sison indicated that they plan to keep the three trees there. Mrs. Sison indicated that there is a new variety of fence that allows for a semblance of openness and the use of plantings. Mrs. Sison indicated that they really want an enclosed yard. Commissioner Sinnott confirmed with staff that the property does not have a backyard. Commissioner Fergusson noted that at the front of the house along Princeton Road there is a three-foot fence that encroaches almost six feet into the public right-of-way. On the Cambridge side of the property there is a proposed five and a half foot encroachment into the public right-of-way. She asked if the fence line on the Cambridge side could be moved back to the property line. Mrs. Sison indicated that they would not be very excited about the compromise being proposed by Commissioner Fergusson as there is not much space to begin with because of numerous heritage trees and the lot configuration. Chair Fry asked about a six foot fence going into the safety triangle and asked if the height could be reduced on that side. She indicated that she would not approve that tall of a fence in the safety triangle and that it should be the three foot maximum. She said she has friends nearby and knows that young children live diagonally across the street from the Sisons and that the property where young children live is enclosed and safe with a three-foot fence. Commissioner Soffer confirmed with City Attorney Siegel that the public right-of-way was much wider in this area than in other parts of the City. Commissioner Sinnott asked about the safety triangle; she noted that the fence within the safety triangle appears to be notched back; and she wondered if staff had okayed the encroachment into the safety triangle. Planner Smith indicated that the Transportation Division had reviewed the proposed encroachment into the safety triangle and found that the design would be safe. Chair Fry confirmed with staff that the dimensions approved by the Transportation Division were not marked on the plan.

Hilary Holmquest, 205 Princeton Road, Menlo Park, indicated that she lives across the street from the proposed project and is very supportive of the Sison's plan, particularly the fence along Cambridge Avenue.

Ann James, 229 Princeton Road, Menlo Park, said that she fully supports the proposed plan of the Sison's and through her experience driving in the area she does not think that the proposed fence would have any negative impact on safety.

Kayko Rintz, 274 Princeton Road, Menlo Park, stated that the proposed fence was very important to the neighborhood as the neighbors have community trade-off babysitting and for the safety of the children the Sison's property needs to be fenced.

Kim Crockett, 332 Princeton Road, Menlo Park, indicated that she has two small children and that she supports the proposed project indicating that she makes the turn at the corner everyday and that fence would not block the sight line.

John Livingstone, 253 Princeton Road, Menlo Park, indicated that he is the neighbor with small children who has a three-foot fence. He indicated that the proposed fence at the corner in the safety triangle might actually improve the safety in that drivers might be more inclined to stop at the stop sign. He expressed his support of the Sison's project.

Commission Action: M/S Pagee/Halleck to close the public hearing.

Motion carried, 7-0.

Commission Comment: Chair Fry proposed that the use permit and variances be discussed separately.

Commissioner Sinnott moved and Commissioner Halleck seconded to approve the variances.

Commissioner Fergusson indicated that she finds the proposed architecture and design to be very beautiful and innovative, and supports the request. Commissioner Bims indicated his support of the variances as proposed. Commissioner Pagee indicated that she found the proposed design to be very creative that allows full use of the footprint and allows for light without infringing on neighbors' light. Chair Fry agreed that the design was creative and asked for a friendly amendment to have the driveway be a two-car wide driveway rather than a three car wide driveway. Commissioners Sinnott and Halleck agreed with the friendly amendment. Planner Murphy asked that the findings be defined, which are page 9 under recommendations and should include recommendations numbering 1), 3), 4) with "use permit" struck , and conditions "a" through "f" with additional condition "g" regarding the restriction of width of the driveway to two car width.

Commission Action: M/S Sinnott/Halleck to approve the variances as follows:

1. Make a finding that the project is categorically exempt under Class 1 of the current State CEQA Guidelines.
2. Make the following findings as per Section 16.82.340 of the Zoning Ordinance pertaining to the granting of variances:

- a. The configuration of the parcel, its location on a corner, the location and floorplan of the existing residence, and presence of eight heritage trees on and around the site create a constraint to building an addition on this property without the approval of the requested variances.
 - b. The proposed variances are necessary for the preservation and enjoyment of substantial property rights possessed by other conforming property in the same vicinity, and the variances would not constitute a special privilege of the recipient not enjoyed by neighbors.
 - c. Except for the requested variances, the addition will conform to all other requirements of the Zoning Ordinance. Granting of the variances will not be materially detrimental to the public health, safety, or welfare, and will not impair an adequate supply of light and air to adjacent property since the residence would remain one story in height.
 - d. The conditions upon which the requested variances are based would not be applicable, generally, to other property within the same zoning classification since the variances are based on characteristics unique to this property.
3. Approve the variances subject to the following conditions:
- a. Development of the project shall be substantially in conformance with the plans prepared by Ana Williamson Architect, consisting of 13 plan sheets dated received February 20, 2003, and approved by the Planning Commission on May 5, 2003, except as modified by the conditions contained herein.
 - b. Prior to building permit issuance, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility company's regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the new construction.
 - d. Prior to issuance of a demolition permit or building permit, the applicant shall submit a plan for construction safety fences around the periphery of the construction area for review and approval of the Building Division. The Building Official may waive this requirement on a case-by-case basis. The fences shall be installed according to the plan prior to commencing construction.
 - e. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval of the Planning, Engineering, and Building Divisions. All utilities shall be placed underground. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.

- f. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance. Prior to building permit issuance, the applicant shall submit a tree protection plan for all heritage trees on the subject property for review and approval to the Planning Division. This tree protection plan shall also address protection measures to be taken in the construction of fences on the site.
- g. Prior to building permit issuance, the applicant shall submit revised plans for a modified driveway approach to be limited to a two-car width subject to review and approval of the Engineering, Planning and Transportation Divisions.

Motion carried, 7-0.

Commission Comment: Commissioner Fergusson indicated that she supports everything about the fences except the portion that would encroach into the public right-of-way on Cambridge Avenue. Her concerns were two-fold in that the encroachment would deprive the public of use of land designated public and that Cambridge Avenue is a view corridor to the Allied Arts Guild located at the end of Cambridge Avenue. She moved approval of the use permit with the condition that the fence along Cambridge Avenue be moved back five-feet six-inches to the property line.

Commissioner Halleck indicated that he is in favor of the use permit as proposed. Although he has reservations about tall fences and encroachments into the public right-of-way, in this instance, the fence is notched back and he found through a site visit that the fencing would fit well with the neighborhood and would provide a yard for the subject residence.

Commissioner Soffer asked City Attorney Siegel if the City gives up ownership to the public right-of-way. City Attorney Siegel indicated that an encroachment permit allows for use of the public property. Although the City does not give up ownership to the property, the City would not assert any action against the construction allowed by the encroachment permit.

Commissioner Soffer indicated that he did not like fences and in this instance thought a diagonal fence would be best. He indicated that he would second Commissioner Fergusson's motion. City Attorney Siegel indicated that Commissioner Fergusson's motion had died for the lack of a second, because discussion had ensued.

Commissioner Fergusson moved to approve the use permit as proposed with the exception that the east fence line be moved five and a half feet west. Commissioner Soffer seconded the motion.

Commissioner Bims indicated that he favored approving the use permit as proposed. He noted that the fence would allow for a yard that could be safely used by the neighborhood children, and that the Transportation Division had found the encroachment into the safety triangle to be acceptable and safe.

Commissioner Sinnott said that she agreed with Commissioner Halleck and Bims and that the applicants have a true need for a yard. She said that twelve feet is a huge right-of-way. She indicated her support of the use permit as proposed.

Commissioner Pagee said that she is not in favor of the use permit as proposed. She indicated that previously she had approved something similar to what was being requested and found the resultant construction unacceptable. She indicated that she would accept a six-foot fence along Cambridge Avenue if it were moved back five-feet six-inches.

Chair Fry indicated that she lives on a corner and she had installed extensive landscaping to what she thinks is equivalent to the fencing being proposed. She noted that she regretted the landscaping as the density caused a safety hazard and she subsequently removed the landscaping.

Chair Fry also noted that there is a pattern of intersecting two-way stop signals in this neighborhood. She said that she thought the stop signal pattern created more hazards. Her primary concern is that the tall fence and landscaping will create a greater hazard when combined with the stop signal intersection pattern.

Chair Fry moved to amend the existing motion to require the fence to be three feet at the corner.

The motion was not seconded.

Commissioner Sinnott asked if the applicants would be able to appeal the Commission's findings. City Attorney Siegel indicated yes.

Commissioner Fergusson inquired about the height of the fence relative to natural grade and existing curb. (Note that record is ambiguous regarding the outcome of the discussion).

Chair Fry noted that the closed gate at the driveway created a safety hazard in that a vehicle would be stopped in the street while the gate was being opened. She suggested an amendment to the motion to include a condition that the gate be moved back to allow a vehicle safe entrance. Commissioners Fergusson and Soffer indicated the amendment was acceptable to them.

Commission Action: M/S Fergusson/Soffer to approve the use permit as recommended by staff with the two modifications to move the fence back along the Cambridge Avenue side five-feet six-inches and to move the gateway across the driveway back to allow a car's length in the driveway.

1. Make a finding that the project is categorically exempt under Class 1 of the current State CEQA Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the City.

3. Approve the use permit subject to the following conditions:
- a. Development of the project shall be substantially in conformance with the plans prepared by Ana Williamson Architect, consisting of 13 plan sheets dated received February 20, 2003, and approved by the Planning Commission on May 5, 2003, except as modified by the conditions contained herein.
 - b. Prior to building permit issuance, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility company's regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the new construction.
 - d. Prior to issuance of a demolition permit or building permit, the applicant shall submit a plan for construction safety fences around the periphery of the construction area for review and approval of the Building Division. The Building Official may waive this requirement on a case-by-case basis. The fences shall be installed according to the plan prior to commencing construction.
 - e. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval of the Planning, Engineering, and Building Divisions. All utilities shall be placed underground. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
 - f. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance. Prior to building permit issuance, the applicant shall submit a tree protection plan for all heritage trees on the subject property for review and approval to the Planning Division. This tree protection plan shall also address protection measures to be taken in the construction of fences on the site.
 - g. Prior to construction of any fences within the City's right-of-way, the applicant shall obtain the necessary encroachment permits from the Engineering Division.
 - h. Within 30 days of the approval of this project, the applicants shall submit a complete encroachment permit request to the Engineering Division for the existing seven-foot-tall fence on the Princeton Road side of the property that extends into the City's right-of-way. If the Engineering Division denies this encroachment permit request, the applicants shall remove the portion of the seven-foot-tall fence located within the City's right-of-way within 30 days.

- i. Prior to building permit issuance, the applicant shall submit revised plans showing the proposed six-foot-tall fence parallel to Cambridge Avenue on the front property line instead of encroaching five feet, six inches into the public right-of-way subject to review and approval of the Planning Division.
- j. Prior to building permit issuance, the applicant shall submit plans for a modified driveway gate to adequately accommodate the length of a car between the street face of curb and the face of the gate subject to review and approval of the Engineering, Planning and Transportation Divisions.

Motion carried, 4-3. Commissioners Bims, Halleck and Sinnott voted against the motion.

The Commission took a short break. The meeting resumed at 9:05 p.m.

4. Use Permit Extension/Scott Bohannon/165 Jefferson Drive: Request for a five-year extension of a use permit to convert an existing office and warehouse building located in the M-2 zoning district to office use.

Staff Comment: Planner Murphy reported that the Planning Commission on June 18, 2001 approved the use permit and architectural control requests to convert a 9,185 square foot portion of the existing 24,311 square foot commercial building from warehouse space to office use. The proposed expansion was primarily for the benefit of a company named *There*, an interactive multi-media software company whose focus is developing virtual travel experiences and products. On May 20, 2002, the Planning Commission approved a one-year extension. He said that staff recommended a two-year time extension rather than one-year extension because of the economic downturn, the terms of the existing lease and the desire of the applicants to negotiate an extension of the lease with the current tenants.

Questions of Staff: In response to a question from Chair Fry, Planner Murphy said that the use permit runs with the land. He said that the applicant proposed to convert warehouse space to office space; if a future tenant proposed to convert the warehouse space to office space that would require a new use permit.

Public Hearing: Mr. Scott Bohannon, owner's representative for the project, introduced himself. Chair Fry said she had seen a sign to "sublet" posted at the property. Mr. Bohannon said that the tenant was looking at subleasing to free them up to find a space more appropriate for their use. He said that if they were precluded from converting the space to office that would preclude the tenancy once the lease was up. Commissioner Fergusson asked about the proposed changes. Mr. Bohannon described the existing site and where the proposed changes would be made in the two L-shaped areas. He said that the agreement for the property owner to do the revisions has lapsed and that the tenants and property owners need to establish the conditions of an agreement, but that it was important to keep the option available for the tenant and renewal of a lease. Commissioner Bims asked about the market conditions and if the renovations could be made within five years. Mr. Bohannon said that the project had no significant impact and in this leasing environment, owners need the ability to do what they need to do to lease space. He said that it was hard to give confidence to tenants when there was a use permit process that was somewhat subjective. Commissioner Fergusson said that she understands that *There* is a vital, growing company and asked how their business might benefit the City. Mr. Bohannon said that it was unclear what their product would be and currently they

have a subscriber site that people with compatible computer systems can use. Commissioner Sinnott asked how Mr. Bohannon felt about staff's recommendation regarding a two-year extension. Mr. Bohannon said that the longer the extension the better. Commissioner Bims asked Mr. Bohannon if he might have to come back in five years for another extension. Mr. Bohannon said that there were several scenarios. He said that the tenants might move and other tenants move in who do not need the improvements, or that the improvements might be made.

Mr. Tom Newhausen, Menlo Park, said that he objected to an extension as the site was a mess. He questioned the use of construction fencing since construction had not begun and said that the fence was an eyesore. Chair Fry ascertained that Mr. Newhausen was speaking to the next item on the agenda regarding an extension for a use permit at 962-1002 Willow Road.

Commission Action: M/S Soffer/Halleck to close the public hearing.

Motion carried, 7-0.

Commission Action: M/S Soffer/Fergusson to approve as recommended in the staff report.

1. Make the finding that the project is categorically exempt under Class 1 of the current State CEQA Guidelines.
2. Make the finding that there is good cause for the extension based on unusual circumstances not of the applicant's own making.
3. Approve a two-year time extension, from June 18, 2003 to June 18, 2005, for the use permit previously granted by the Planning Commission on June 18, 2001, for the conversion of 9,185 square foot of warehouse space to office use.

Motion carried, 7-0.

- 5. Use Permit Extension/Mike Brand/996-1002 Willow Road:** Request for a use permit extension for the demolition of an existing commercial structure and construction of a new 11,334 square foot, two-story, general office building in the C-2-B Zoning District.

Staff Comment: Planner Smith said the applicant was requesting an extension of the use permit approval for a new office building to be located at 996-1002 Willow Road. The Planning Commission approved the proposal on July 15, 2002, and the use permit would expire on July 15, 2003. The request was to extend the use permit for one-year with an expiration of July 15, 2004.

Questions of Staff: Commissioner Halleck asked about the construction fencing and if it were a code enforcement issue. Assistant City Attorney Siegel said that it was and that no complaints regarding the fence had reached his attention. He said that there had been a complaint about litter to Code Enforcement, but he had not heard of any other complaints.

Public Hearing: Mr. Michael Brand, Palo Alto, said with the extension he hoped to get permits in 2004, begin construction in late 2004, and complete the project by 2005. He said that there is an old house on the parcel next to this site. He said that there is a zoning issue with the next-door residence and that he has given some thought to seeking zoning change for the subject property to allow for residential development. He said that the couple who were storing the house on his property had come before the Commission for a use permit. He said that the fence had been adversely affected by weather conditions and restored as best as possible. He said that without the fence, he feared the site would get really junked as people now dump in front of the fence and he has been cleaning up. He indicated that the weeds are being removed.

Commissioner Soffer asked about the delay with the project. Mr. Brand said that when the project began several years ago, the office space market was good and has since unraveled. He said that now it is not feasible to get anyone to fund an office space development.

Commissioner Fergusson said that the use permit approval was for an office building and she asked what the permitted uses were. She said she saw something that said this is a "Medical Building." Mr. Brand said that any type of office use was permitted and that there may have been a condition to allow for use for medical services.

Mr. Russ Dember, Menlo Park, thanked Michael and Corey Brand for working with the neighbors the past few years. He said that he supported the extension of the use permit. He suggested that the windows on the top of the two towers be inset as a group to break up the monolithic effect and that there might be some mitigation with the mass and impact of the two stories of the proposed office building. He said for future reference that the location of the tree must be reexamined as there seems to be a discrepancy in the measurements.

Mr. M. E. Sweatt, Menlo Park, said that he and other neighbors hope the project goes forward. He requested that the property be maintained regarding the fencing and the landscaping. He said that the neighbors had strongly disagreed with residential development on these lots.

Ms. Holly Still, Menlo Park, said that she thought it should be kept in mind that Caltrans was proposing some changes to the intersection.

Commission Action: M/S Soffer/Pagee to close the public hearing.

Motion carried, 7-0.

Commissioner Soffer moved to approve per the staff report and noted Mr. Brand's written acknowledgment that he was possibly looking at a residential use. Commissioner Sinnott asked about the proposed Caltrans' work. Assistant City Attorney Siegel said that Caltrans was proposing to change the Hwy. 101 interchange with Willow Road, but it was unknown if and when that project would occur. Commissioner Fergusson suggested that the property owner as a good neighbor should improve the site conditions by changing the fence and keeping the area free of litter and weeds. Chair Fry confirmed with staff that if the applicant pursues a different use for the site that the new use would need to come back to the Commission.

Commission Action: M/S Soffer/Sinnott to approve as recommended in the staff report.

1. Make the finding that the Revised Mitigated Negative Declaration was approved by the Planning Commission on July 15, 2002.
2. Make the finding that there is good cause for the extension based on unusual circumstances not of the applicant's own making.
3. Approve a one-year time extension, from July 15, 2003 to July 15, 2004, for the use permit previously granted by the Planning Commission on July 15, 2002, for the construction of a new 11,333-square-foot office building on the subject property.

Motion carried, 7-0.

- 6. Zoning Ordinance Amendment, Use Permit, Architectural Control, Sign Review, and Negative Declaration/John Conway/1200 El Camino Real:** Request for a Zoning Ordinance Amendment to allow for the reconstruction of existing, nonconforming service stations in the C-4 El Camino Real zoning district, and use permit and architectural control approval for the demolition of the existing station facilities and the construction of a new snack shop/auto service building, pump islands, and pump island canopy at 1200 El Camino Real. The proposal also requires sign review for new canopy signs that contain the color red, as well as review and approval of a Negative Declaration that was prepared for this project.

Staff Report: Planner Smith presented the staff report and noted that because the application involves a Zoning Ordinance Amendment that requires ultimate approval by the City Council, the Planning Commission will act as a recommending body on the Zoning Ordinance Amendment, Negative Declaration, use permit, architectural control, and sign review applications. He noted that prior to the meeting staff received a letter of support for the project from the Menlo Park Chamber of Commerce.

Questions of Staff: Chair Fry confirmed with Planner Smith that only the proposed signage having the Chevron logo on the canopy was to be reviewed and that parking indicated on page 1 of the staff report did not include the additional parking at the Foster Freeze historically used by the service station.

Public Comment: Applicant Muthana Ibrahim, Designers Collective, distributed revised street elevations of both frontages for the Commissioners' review. Chair Fry confirmed with the applicant that the sign on the canopy would be the same. In response to Commissioner Pagee's question regarding the change on page A3.1, Mr. Ibrahim said that they are wrapping the canopy columns with stucco pilaster and stone veneer base to match the building. Commissioner Halleck questioned the safety of the parking space closest to the street shown on LA 1. Mr. Ibrahim indicated that the space is conforming in its 16 ½ ft. and there is no wheel block. Mr. Rick Ciardella, landscape architect for the project, indicated that the trees would also be repositioned. Mr. Ciardella asked the Commission to look at page B-4 regarding ingress and egress. The corner island planter needs to be reduced to allow for cars coming in from El Camino Real. That island will have to be reduced by one-half of what is shown on the plans in order to retain a curb cut that was labeled for removal.

Commission Action: M/S Pagee/Fergusson to allow meeting to continue until after 11:30 p.m.

Motion carried, 7-0.

Mr. Ciardella, Menlo Park of Chamber of Commerce, indicated the Chamber's strong support of the project.

Commisison Action: M/S Fry/Soffer to close the public hearing.

Motion carried, 7-0.

Commission Action: Commissioner Sinnott made a motion and Commissioner Soffer seconded it to recommend as stated in the staff report.

Commissioner Pagee asked for a friendly amendment to the motion to allow staff to make recommendations on landscaping. Chair Fry asked for clarification on the additional curb cut. Planner Murphy said that the additional curb cut was a new item. The Commission could give staff and the applicant flexibility in resolving the issues prior to the City Council meeting. Regarding additional landscaping, Mr. Ciardelli indicated that the limited space would make additional landscaping difficult and he also clarified that they are not redesigning the curb cuts and they are staying the same. He indicated that he would maximize the landscaping on that corner as much as possible and take a look at expanding landscaping.

Commission Action: M/S Sinnott/Soffer to recommend approval as recommended in the staff report with the following consideration:

The applicant may reduce the size of the proposed planter located closest to the intersection of El Camino Real and Oak Grove Avenue in order to retain the El Camino Real curb cut located closest to Oak Grove Avenue provided that the applicant maximizes the amount of landscaping on the site. (The applicant is preparing revised plans to present to the City Council).

The Planning Commission recommends the following action to the City Council:

1. Adopt the following findings relative to the environmental review of the proposal:
 - a. A Negative Declaration was prepared and circulated for public review pursuant to the current State CEQA Guidelines;
 - b. The Planning Commission has considered the Negative Declaration prepared for the proposal and any comments received during the public review period; and
 - c. Based on the Negative Declaration and any comments received, there is no substantial evidence that the project will have a significant effect on the environment.
2. Adopt a finding that the proposed Zoning Ordinance Amendment is consistent with the adopted General Plan land use designation of El Camino Real Professional/Retail Commercial.

3. Adopt Ordinance No. ____ amending the Zoning Ordinance allow for the reconstruction of existing non conforming service stations in the C-4 El Camino Real zoning district.
4. Adopt findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
5. Adopt findings, as per Section 16.68.020 of the Zoning Ordinance, regarding architectural control approval:
 - a. The general appearance and scale of the project is in keeping with the character of the existing development on the site;
 - b. The development will not be detrimental to the harmonious and orderly growth of the City;
 - c. The development will not impair the desirability of investment or occupation in the neighborhood; and
 - d. The development provides adequate parking as required in all applicable City ordinances, and has made adequate provisions for access to such parking.
6. Adopt a finding that the proposed signs are appropriate and compatible with the downtown, and consistent with the Design Guidelines for Signs.
7. Approve the use permit, architectural control, and sign review requests subject to the following conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by Designers Collective, consisting of 10 plan sheets dated received March 12, 2003, and approved by the City Council on May 20, 2003, except as modified by the conditions contained herein.
 - b. Prior to building permit issuance, the applicant shall comply with all sanitary district, Menlo Park Fire Protection District, and utility company regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. Prior to issuance of a demolition permit or building permit, the applicant shall submit a plan for construction safety fences around the periphery of the construction area for review and approval of the Building Division. The Building Official may waive this requirement on a case-by-case basis. The fences shall be installed according to the plan prior to commencing construction.

- e. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval of the Planning, Engineering, and Building Divisions. All utilities shall be placed underground. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
- f. Prior to demolition permit issuance, the applicant shall submit a plan for the control of dust for the duration of the project. The plan shall list specific measures, including but not limited to routine watering of the site. The plan shall also specifically address how dust would be controlled during weekends and other off-work periods. Finally, the plan shall include a contact name and phone number to receive and address any complaints. This plan shall be submitted for the review and approval of the Planning Division.
- g. Prior to issuance of a demolition permit, the applicant shall comply with the requirements of Chapter 12.48 (Salvaging and Recycling of Construction and Demolition Debris) of the City of Menlo Park Municipal Code.
- h. Prior to issuance of a building permit, the applicant shall comply with the requirements of Chapter 12.48 (Salvaging and Recycling of Construction and Demolition Debris) of the City of Menlo Park Municipal Code.
- i. Prior to building permit issuance, the applicant shall submit details of the trash enclosure for review and approval of the Engineering Division and Planning Division. Trash enclosures and dumpster areas must be covered and protected from roof and surface drainage. If water cannot be diverted from the areas, a self-contained drainage system that discharges to the sanitary sewer (with approval from West Bay Sanitary District) or to the storm drain through an appropriately designed sand filter shall be installed. Sand filters must be inspected and cleaned by a contractor at appropriate intervals.
- j. Prior to issuance of building permits, plans for on-site recycling and garbage facilities shall be submitted for review and approval by the City Environmental Program Coordinator.
- k. Prior to issuance of building permits, a detailed landscape and irrigation plan shall be submitted and approved by the Planning Division. The landscape plan shall comply with the Water Efficient Landscaping Ordinance. All landscaping shall be in place prior to final inspection. Landscape controls shall be incorporated into the plans to ensure efficient irrigation, appropriate landscape design, and proper maintenance.
- l. Prior to issuance of building permits, the applicant shall submit a plan showing site improvement details, including but not limited to lighting and perimeter fencing, for review and approval by the Planning and Engineering Divisions. Prior to installation of outdoor lighting, a photometric lighting plan shall be submitted for on-site lighting; the plans shall show that on-site lighting does not

create offensive glare and light. The plan shall be reviewed and approved by the Planning and Engineering Divisions.

- m. Prior to issuance of a grading, demolition or building permit, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division.
- n. The applicant shall comply with the Best Management Practices (BMP) requirements in order to ensure project compliance with the National Pollutant Discharge Elimination System (NPDES) permit.
- o. Prior to building permit issuance, the applicant shall submit a plan for off-site frontage improvements subject to review and approval by the Engineering Division. Off-site improvement could include, but are not limited to, repairs to curb, gutter, sidewalks, driveway aprons, and paving, and may include the planting of one street tree on Oak Grove Avenue. Proposed improvements in the El Camino Real right-of-way shall comply with Caltrans standards and requirements.
- p. Prior to installation of any additional signage beyond the signs that have been specifically approved by the Planning Commission, the applicant shall submit plans of the signs for review and approval by the Planning Division.
- q. Should the access to the property through Derry Lane be closed in the future, the applicant shall have the option of converting that access to drive to two landscape reserve parking spaces. This action to create two landscape reserve parking spaces shall require review and approval by the Planning Division, but shall not require Planning Commission review and approval.
- r. The applicant shall comply with Section 7902.1.7.2.2 of the 2001 California Fire Code.

Motion carried, 7-0.

- 7. Use Permit/Hanh Nguyen/927-929 Hamilton Ave:** Request for a use permit to convert approximately 3,000 square feet of a tenant space in a building located in the M-2 zoning district from warehouse to office use.

Staff Comment: Planner Murphy said that the project was located at 927-967 Hamilton Avenue in the M-2 (General Industrial) zoning district and that the applicant proposed to remodel the interior of an existing tenant space to allow Wellbound, a healthcare company, to occupy the site. He noted that the proposal would convert the tenant space from office and warehouse use to exclusively office use and that under Section 16.46.020 of the Zoning Ordinance, structural alterations that change the use on a site in the M-2 zoning district require use permit approval by the Planning Commission.

Public Hearing: In response to a question from Commissioner Soffer, Mr. Luke Bollinger, Habitec Architects, said that the business is governed by the State's agency for health care and there are requirements for hazardous waste disposal.

Commissioner Bims asked about the previous use of the site for photo processing and if there had been cleanup issues. Mr. Bollinger said that the site was mostly warehouse and some office space and there was no evidence that photo processing lab had been done there. Chair Fry asked about the rear rolling door. Mr. Bollinger said that the two rolling doors would remain. He said that there is another door for exiting. Chair Fry asked about the location of the handicapped parking. Mr. Bollinger said that it would be right in front of the building. Commissioner Fergusson asked what made the site attractive to Wellbound. Mr. Bollinger said that the company wanted a site to provide services to the greater San Mateo County area and the site was centrally located and attractive with a reasonable rent.

Commission Action: M/S Fry/Soffer to close the public hearing.

Motion carried, 7-0.

Commission Action: M/S Sinnott/Soffer to approve as recommended in the staff report.

1. Make a finding that the project is categorically exempt under Class 1 of the current State CEQA Guidelines.
2. Make a finding, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of a use permit, that the proposed use will be compatible with the surrounding land uses and will not be detrimental to the health, safety, morals, comfort and general welfare of the persons working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by Habitec Architecture and Planning, consisting of four plan sheets dated received by Planning on March 12, 2003 and approved by the Planning Commission on May 5, 2003, except as modified by the conditions contained herein.
 - b. Prior to building permit issuance, the applicant shall comply with all sanitary district, Menlo Park Fire Protection District, and utility companies regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. If required by state or federal regulations, or by the Building Division, construction safety fences shall be installed around the periphery of the construction area. A plan for safety fences necessary during construction shall be submitted to and approved by the Building Division staff prior to issuance of a building permit.

- e. Prior to issuance of a building permit, a utility plan showing the exact location of all meters, transformers, junction boxes, relay boxes, back-flow prevention devices, etc., that are being installed outside the building and provisions being made to screen such equipment from view, shall be submitted to and approved by the Planning and Building Divisions.
 - f. Prior to issuance of building permits, plans for on-site recycling and garbage facilities shall be submitted for review and approval by the City Environmental Program Coordinator.
 - g. Prior to installation of any new signage, the applicant shall submit a sign application for the review and approval of the Planning Division.
8. **Use Permit and Architectural Control/RHL Design Group, Inc./500 Willow Road:** Request for a use permit and architectural control to demolish structures associated with an existing gas station and car wash facility and construct new structures associated with a gas station that would be operate 24 hours a day and a 1,355 square-foot convenience store that would have limited hours of operation.

This meeting was continued to the meeting of June 16, 2003 prior to this meeting.

E. COMMISSION BUSINESS

- 3. Report from Commissioners Bims and Fergusson on the Developer Selection Committee process for the Hamilton Avenue Park and Housing Project.

Commissioners Fergusson and Bims presented a draft report for the Commission's review. Commissioner Fergusson said that Commissioner Bims and she had served on the developer selection committee for the Hamilton Avenue Park and Housing Project. The committee was given three proposals to review and then given an opportunity to interview the developers. She said that as the project moved forward it would be helpful for the Council and Commission to know what the neighborhood stances were. Commissioner Bims said that it appeared that residents do not want to see a lot of Below Market Rate (BMR) units and indicated that a 15-percent rate of BMRs was acceptable. He said that committee members were concerned about the impact on the value of their homes. He said that there is a great desire in Belle Haven to have a mix of housing not just entry-level housing. He said that they also wanted to have the park smaller than the one acre proposed. He said that the committee also wanted the Ravenswood School District to improve the quality of the school. There were a couple of ideas to funnel profit to provide 0% loans to buy local homes needing restoration in the same price range as the proposed BMRs or to use those profits to improve the school district.

Chair Fry asked what the price was for a BMR unit. Commissioner Bims said that it was determined by the size of the family and the median income within the County, but that each developer calculated the price differently. He said that one developer indicated the BMR cost was in the high \$200,000 and another in the high \$400,000. Chair Fry asked what discussion was there to not have deed restrictions on BMRs. Commissioner Bims said the thought was rather than buy a \$300,000 house with a deed restriction to buy a house at the same cost at 0% financing and improve the existing housing stock.

Assistant City Attorney Siegel suggested that on the draft summary report, Commissioners Bims and Fergusson should indicate who attended. He also suggested that they list themselves as having attended and indicate somehow that these ideas were not theirs but that of the committee. Chair Fry suggested removing some of the editorial remarks.

Commissioners Bims and Fergusson were thanked for serving on the Committee and for preparing the report.

4. Discussion of issues and ideas to be considered for presentation at the Joint Study Session with the City Council on May 6, 2003.

The Commission discussed items related to the agenda, meeting start time, and meeting location. Chair Fry reported on a phone conversation with Mayor Jellins and Mayor Pro Tem Duboc. Chair Fry asked if there were additional topics the Commission wanted to discuss with the City Council. There being no further discussion, the meeting adjourned.

ADJOURNMENT

The meeting adjourned at 11:15 p.m.

Staff Liaison: Justin Murphy, Principal Planner

Prepared by: Brenda Bennett, Recording Secretary

Approved by Planning Commission on February 23, 2004.