



## PLANNING COMMISSION MINUTES

January 14, 2008

7:00 p.m.

City Council Chambers

701 Laurel Street, Menlo Park, CA 94025

---

**CALL TO ORDER** – 7:00 p.m.

**ROLL CALL** – Bims, Bressler, Deziel (Chair), Keith, O'Malley, Pagee, Riggs (Vice chair), (Absent)

**INTRODUCTION OF STAFF** – Deanna Chow, Senior Planner; Megan Fisher, Associate Planner; Thomas Rogers, Associate Planner

### A. PUBLIC COMMENTS

Mr. Clem Molony, Menlo Park, thanked the Planning Commission and staff for their recent efforts with the El Camino Real Visioning Project.

### B. CONSENT

There were no items on the consent calendar.

### C. REGULAR BUSINESS #1

1. **Use Permit and Variance/Pamela Culp/746-748 Partridge Avenue:**  
Request for a use permit to demolish one single-family dwelling unit and associated accessory buildings and to construct two single-family dwelling units and associated site improvements on a substandard lot with regard to lot width in the R-2 (Low Density Apartment) zoning district. Request for a variance to build an accessory structure in the front half of the property, 69 feet from the front property line where 93.75 feet would be required.  
***Continued from the meeting of November 19, 2007.***

Staff Comment: Planner Fisher said staff had no additional comments.

Questions of Staff: Commissioner O'Malley said that when the public outreach was done there was only one person who attended the previous hearing and was opposed to the project. Planner Fisher said that was correct. Commissioner O'Malley said he understood that attempts had been made to get other neighbors to the previous hearing. Planner Fisher said the applicant had sent invitations to the neighbors inviting them to the hearing, but only the one person attended.

Public Comment: Mr. Tim Murphy, project architect, said they had modified the roof line after speaking with the concerned neighbor and had materials board for the Commission to look at, noting that he believed they had addressed the Commission's and neighbor's concerns.

Commissioner Pagee said it appeared the front and rear elevations were changed but not the side elevations. Mr. Murphy said that was not the intent rather it was to modify the roof line on the side elevations. Commissioner Pagee said the roof line would be lower on the sides. Mr. Murphy said that was correct. Commissioner Pagee asked Mr. Murphy's experience with the rain chains and if he knew how they interacted with the materials behind them. Mr. Murphy said he had no experience installing them but had seen them on buildings for which it appeared they had functioned well for some time. . Commissioner Pagee confirmed with the applicant that a downspout could be installed should there be a problem with the use of the rain chains. She asked if clear glass could be used for the entry. Mr. Murphy said they planned a wood trellis with vines for the entry and there would not be any glass.

Chair Deziel closed the public comment period.

Commission Comment: Commissioner Keith moved to approve as recommended, noting that she had been in favor of this project previously. She said the applicant had addressed the concerns of the Commission. Commissioner Bressler seconded the motion.

The Commissioners reviewed the materials sheets. Commissioner O'Malley said the applicant had dealt with the concerns of the Commission and the neighbor; he called for the vote.

Commission Action: M/S Keith/Bressler to approve the item as recommended in the staff report.

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. Make the following findings as per Section 16.82.340 of the Zoning Ordinance pertaining to the granting of variances:

- a. The location of the heritage tree, the Fire District requirements, and the substandard lot width create a constraint to the design potential for the redevelopment of two residential units on the site with the required number and size of parking stalls without approval of the requested variance.
  - b. The proposed variance is necessary for the preservation and enjoyment of substantial property rights possessed by other conforming properties in the same vicinity, and the variance would not constitute a special privilege of the recipient not enjoyed by neighbors.
  - c. Except for the requested variance, the proposed construction will conform to all other requirements of the Zoning Ordinance. Granting of the variance 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 location of the structure will not be visible from the street, will allow a heritage tree to be preserved, will provide adequate on-site parking, and will meet the floor area limit, building coverage, height, and landscaping requirements per the R-2 zoning district.
  - d. The conditions upon which the requested variance is based would not be applicable, generally, to other properties within the same zoning classification since the variance is based on a lack of feasible parking alternatives that provide access and circulation while preserving the heritage tree and meeting the Fire District's regulations.
3. Approve the use permit and variance requests subject to the following ***standard*** conditions:
- a. Development of the project shall be substantially in conformance with the plans prepared by Architecture TM, consisting of 12 plan sheets, dated January 8, 2008, and approved by the Planning Commission on January 14, 2008, except as modified by the conditions contained herein, subject to review and approval by the Planning Division.
  - 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 project.

- d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by 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.
  - e. Prior to building permit issuance, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements for review and approval by the Engineering Division.
  - f. As part of the building permit application submittal, the applicant shall submit a Grading and Drainage Plan for review and approval by the Engineering Division. The Grading and Drainage Plan shall be approved prior to issuance of a grading or building permit.
  - g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.
4. Approve the use permit and variance requests subject to the following ***project-specific*** condition:
- a. As part of the building permit submittal, the applicant shall provide a plan showing a smooth transition for the proposed driveway to connect to the City standard driveway approach. This plan shall be subject to review and approval by the Engineering Division.

Motion carried 6-0 with Commissioner Riggs not in attendance.

2. **Architectural Control/Henry J. Kaiser Family Foundation/2480 Sand Hill Road**: Request for architectural control approval to enclose a 302-square-foot deck in the C-1-C (Administrative, Professional and Research, Restrictive) zoning district.

Staff Comment: Planner Rogers said staff had no additional comments.

Public Comment: There was no public comment.

Commission Comment: Commissioner Keith moved to approve as recommended, noting that the Commission and Council had reviewed the project previously and there seemed to be an understanding to allow the applicant to do this. Commissioner Pagee seconded the motion.

Commissioner O'Malley said the change would not create any impact. Commissioner Bims said he agreed. Chair Deziel said he noticed the property did not have many sidewalks, but quite a bit of landscape reserve. He said the tenants might want the site to be more pedestrian friendly as the area was hilly and just between the building and their cars, there might be safety issues for the tenants. He suggested that if the applicant came back with a larger proposal that they consider pedestrian improvements.

Commission Action: M/S Keith/Pagee to approve the item as recommended in the staff report.

1. Make a finding that the project is categorically exempt under Class 1 of the current CEQA Guidelines.
2. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:
  - a. The general appearance of the structure is in keeping with the character of the neighborhood.
  - 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.
  - d. The development provides adequate parking as required in all applicable City Ordinances and has made adequate provisions for access to such parking.
3. Approve the architectural control subject to the following **standard** conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by API Design, consisting of six plan sheets, dated received January 7, 2008, and approved by the Planning Commission on January 14, 2008, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
  - b. Prior to building permit issuance, the applicants 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 applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
  - d. 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 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.

- e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for the review and approval of the Engineering Division.
- 4. Approve the architectural control subject to the following **project-specific** conditions:
  - a. The applicant shall maintain a minimum of 871 off-street parking spaces, of which 214 parking spaces are in landscape reserve. Should landscape reserve parking stalls be needed in the future, either the applicant or the City can make a request, which is subject to review and approval of the Planning Division.

Motion carried 6-0 with Commissioner Riggs not in attendance.

#### **D. PUBLIC HEARING**

1. **Use Permit/Tioga Lassen LLC/1080 Lassen Drive:** Request for a use permit to construct a new two-story, single-family residence on a lot that is substandard with regard to lot width and lot depth in the R-1-S (Single-Family Suburban) zoning district.

Staff Comment: Planner Rogers said that photos of the proposed stone work for the residence had been distributed to the Commissioners. He said that the floor plan on sheet A.4 indicated the ceiling was flat at a height of 9-feet 1-inch, which was inaccurate. He said the ceiling was accurately shown on the section plan on A.8 and the ceiling was 10-feet 4-inches in height for most of the second floor except at the ends where it sloped down. He said a labeling error had been made on the floor plan.

Questions of Staff: Commissioner Pagee asked if the 10-foot 4 inches applied to bedrooms 2, 3, 4, the laundry room and master bath. Planner Rogers suggested the question be posed to the applicant.

Public Comment: Mr. Christian Wallenberg, Dahlin-Wallenberg Planning, said that Commissioner Pagee was accurate about the ceiling height and corresponding rooms.

Mr. Al Borel, Dahlin Group Architects, Pleasanton, said they had a brief presentation. He said the lot exceeded the minimum lot size by 4,600 square feet so there was plenty of room to build. He said they had provided 20-foot setbacks on all sides of the house and focused on four-sided design. He said they combined a one-story and two-story profile with the family room on the west side being one-story. He said the garage would be side-facing. He said they would retain a bank of foliage along Lassen Drive and would further improve the landscaping for screening. He said the design provided a significant horizontal distance from any other properties. He said they coordinated with the neighbor to the east who approved their project.

Commissioner Pagee confirmed that they were using a concrete slab for the foundation. Mr. Borel said that the soils report recommended that and also they were trying to keep the project as low as possible. Commissioner Pagee asked where the furnace was. Mr. Wallenberg said there would be one in the attic and one in the garage above where the cars parked. Commissioner Pagee said the plan provided for parking which she appreciated.

Commissioner O'Malley asked how much interaction they had had with the neighbors. Mr. Borel said the house behind was a new house and they had spoken with several neighbors.

Chair Deziel asked how the stove would be exhausted. Mr. Borel said it would be hooded.

Mr. Borel circulated a photo of landscaping along Lassen.

Chair Deziel closed the public hearing.

Commission Action: M/S Keith/O'Malley to approve the item as recommended in the staff report.

1. Make a finding that the project is categorically exempt under Class 3 of the current 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 revision subject to the following **standard** conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by Dahlin Group, consisting of 11 plan sheets, dated received December 20, 2007, and approved by the Planning Commission on January 14, 2008, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
  - b. Prior to building permit issuance, the applicants 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 applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.

- d. 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 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.
- e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for the review and approval of the Engineering Division.
- f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to issuance of a grading, demolition or building permit.
- g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.

Motion carried 6-0 with Commissioner Riggs not in attendance.

- 2. **Tentative Parcel Map Extension/Yahya Hamadani/135-139 O'Connor Street**: Request for a two year extension of a previously approved tentative parcel map for the subdivision of one existing parcel into two conforming R-1-U (Single-Family Urban) residential parcels located in the R-1-U zoning district.

Staff Comment: Planner Chow said staff had no additional comments.

Questions of Staff: Commissioner Pagee said that neighbors had made comments about drainage. Planner Chow said that the next door property had been developed with a vertical curb and gutter and this project would match that. Commissioner Pagee said she thought the concern was from drainage from this property. Planner Chow said she recalled that neighbors had wanted valley gutters.

Commissioner Keith asked for verification as to whether she needed to recuse herself. It was confirmed that her property was not within the 300-foot radius of the project.

Public Comment: Mr. Jim Hamadani, property owner, said the concern was the drainage at the street. He said the neighbors did not want gutters but the City was requiring them.

Chair Deziel closed the public hearing.



Commission Comment: Commissioner Pagee moved, and Commissioner Keith seconded the motion, to approve as recommended in the staff report.

Chair Deziel said he noticed in the driveway easement there was temporary protection for the tree in the driveway and interlocking pavers in a half circle. He asked what was in the other half of the circle. Planner Chow said condition “g” required that any paved surface within five feet of the root crown of Tree #1 (coast live oak tree in driveway) would be pavers or other suitable permeable material. .

Recognized by Chair Deziel, Mr. Hamadani said that there was dirt and fencing behind the tree. Chair Deziel said that he thought the condition should show on the map. Planner Chow said it was not needed to be shown on the map.

Commission Action: M/S Pagee/Keith to approve the item as recommended in the staff report.

1. Make a finding that the project is categorically exempt under Class 15 of the current State CEQA Guidelines.
2. Make findings that the proposed minor subdivision is technically correct and in compliance with all applicable State regulations and City General Plan, Zoning and Subdivision Ordinances, and the State Subdivision Map Act.
3. Approve the minor subdivision subject to the following **standard** conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by Arcturus Surveys, dated August 25, 2005 consisting one sheet and approved by the Planning Commission on January 14, 2008, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
  - b. Prior to recordation of the Parcel Map, 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 recordation of the Parcel Map, 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 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 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.

- e. Heritage trees in the vicinity of construction shall be protected pursuant to the Heritage Tree Ordinance. Prior to issuance of a demolition permit, the applicant shall implement the tree protection plan and recommendations in the Arborist Report for all applicable heritage trees for review and approval by the Building Division.
4. Approve the minor subdivision subject to the following ***project specific*** conditions:
- a. Prior to recordation of the Parcel Map, the applicant shall label the Final Map to show a five-foot wide Public Access and Public Utility Easement along the entire street frontage. The required dedication of the easement shall be reviewed by the City Council prior to recordation of the parcel map.
  - b. Prior to recordation of the Parcel Map, the applicant shall install a new curb, gutter, and sidewalk per City standards along the entire property frontage or post an equivalent bond subject to review and approval of the Engineering Division. The applicant shall obtain an encroachment permit prior to commencing any work with the City's right-of-way or public easements.
  - c. Simultaneous with the submittal of a complete Parcel Map application, the applicant shall label the Final Map with the proposed six-foot easement adjacent to the driveway and the oak tree as a "heritage tree preservation easement," subject to review and approval of the Planning and Engineering Divisions.
  - d. Simultaneous with the submittal of a complete Parcel Map application, the applicant shall submit construction details showing pavers or another all weather driving surface. The material, placement, and construction detail shall be reviewed by a certified arborist, and is subject to review by the Planning Division and Menlo Park Fire Protection District.
  - e. Prior to recordation of the Parcel Map, the existing second residence in the rear and work shed shall be demolished. Prior to demolition of any structures, the applicant shall obtain the appropriate demolition permits from the Building Division.
  - f. Prior to issuance of a demolition permit for the detached garage, the applicant shall 1) provide replacement parking to meet the Zoning Ordinance requirement or 2) post a bond with the City for the construction of conforming parking on the front lot within 24 months of demolition of the detached garage. The value of this bond shall be determined by Planning and Building Division staff.

- g. Any paved surface within five feet of the root crown of Tree #1 (coast live oak tree in driveway) shall be pavers or other suitable permeable material subject to review and approval of the Planning Division.
- h. Concurrent with the submittal of a complete Parcel Map application, the applicant shall submit for review a deed restriction for Parcel B (rear lot) stating that any construction within 10 feet of Tree #2 (coast redwood tree) would require a use permit subject to review and approval of the Planning Commission. The language is subject to review and approval of the City Attorney. Concurrent with the recordation of Parcel Map, the deed restriction shall be recorded.

Motion carried 6-0 with Commissioner Riggs not in attendance.

## **E. REGULAR BUSINESS #2**

1. **Commission discussion of City Council Project Priorities for Fiscal Year 2008-09 and Input Regarding Green Ribbon Citizens' Committee Proposals.** *Continued from the meeting of December 17, 2007.*

Chair Deziel distributed a one-page handout in which he proposed a method of ranking projects for priority. He said that Planner Chow compiled from all the different lists the projects that staff wanted the Commission to prioritize and the projects were numbered for reference. Chair Deziel confirmed the Commission would use the ranking method he proposed.

Chair Deziel turned to page 5 of 6 of the report and asked if there were any projects that Commissioners wanted to add beginning with line 32. He said he thought Commissioner Bressler had raised an issue a few months ago about residential development. Commissioner Bressler said he did not understand how the Commission's priorities meshed with the Council's. Chair Deziel said the overall priorities for the City for the year were set by the Council, but the Council sought input from various Commissions and citizens. He said that if input was received that existing priorities ranked low there was the possibility those priorities might be dropped and others put in their place.

Commissioner Bressler said that when they had talked about redoing the residential guidelines there had been a lot of discussion and a sense that it was beyond doing because of the divisiveness. He said he would like to add this to the list. Chair Deziel suggested they add #32 as "update the single-family residential zoning ordinance with guidelines." Commissioner Bressler said that numerous people had commented that the process was so different for standard and substandard lots and something needed to be done. Chair Deziel suggested that it read "Update single-family zoning district regulations to make the process for substandard and standard lots more consistent." Commissioner O'Malley said he thought people wanted more control over projects that

Planning Commission

Minutes

January 14, 2008

did not come before the Planning Commission. Commissioner Bressler said that would be part of the discussion and a whole process that would need to occur to get consensus. He said he would rank this below the El Camino Visioning project. Commissioner Pagee said at one meeting this concern had become apparent by neighbors' comments that although that project on Garland had to come before the Commission other projects in the neighborhood had not.

Commissioner Keith said there was such an exhaustive list of projects set that she did not think their input would change the priorities. Chair Deziel said the Haven Avenue Land Study was set as a priority but if input bumped it from priority that might free up the budget for another project.

Commissioner Bims said he saw a number of duplications and asked how that should be handled. Chair Deziel suggested adding a column indicating the source. He said items 1, 2, 3 overlapped with items 4, 5, and 6. He suggested eliminating items 1, 2, and 3 and start the ranking with items 4, 5, and 6.

Planner Chow said she had prepared a spreadsheet and was able to take the Commissioners' ranking now.

Chair Deziel said that Commissioner Riggs would be able to get his ranking to Planner Chow by January 20. Planner Chow indicated that if Commissioner Riggs' input was received in time, it could be included.

Commissioner O'Malley asked if the rankings would be averaged. Chair Deziel said either the average or the raw data, but he thought the average would have more meaning to the Council.

Chair Deziel said in the second item for the green section, #39, the last two sentences seemed to be dangling and perhaps should be deleted.

Chair Deziel said #17 did not have much explanation about commercial streamlining whereas #8 did. He said however #17 was the third phase of commercial streamlining and would update the permitted and conditional uses in a district. He suggested making #17 "commercial streamlining and updating commercial development process."

Commissioner Bressler said there were redundant projects and he thought the duplications should be removed. Chair Deziel said the items that were exactly equal could be given the same rank. Commissioner Pagee suggested the list should be simplified. Chair Deziel said in certain circumstances it was impossible to delete one of two items even if there was overlap. Commissioner Pagee said every year the Commission looked at this list spending hours setting the priorities and then the list did not get reviewed. Chair Deziel said he thought this ranking would be a formidable tool as it would be the most detailed articulation ever produced by a body in the City.

Chair Deziel said that both #8 and #17 should be kept on.

Planner Chow said there was an error on the project description list as it had a #15 and below that were two unnumbered items that were not part of #15 and should have been numbered. Commissioners adjusted their rankings based on this new information.

While Planner Chow was calculating the rankings, Commissioner Pagee said she had asked Planner Chow about the height of the Linfield development. She said she recently that the 75 Willow Road project was elevated higher and still had those plans. She said the renderings indicated the homes would be the same height as the surrounding homes, yet they were built about two-feet off the ground. She said her concern with raised grade in developed projects was the drainage as water would not stay on site but would run to the street and the storm drains. She said the Commission needed to ask more questions. Commissioner Bressler said the artistic rendering for the project was misleading and showed the homes at the height of the neighboring projects but the plans did indicate the higher height for the floor plate. He said that the developer should be fined because they had been deceitful and this feature only benefited the developer and not the City. Commissioner Keith suggested that floor plate height should be shown on the first page data table of the staff report. Chair Deziel said that after the grading for the street and sidewalk improvements was done on Linfield Drive that the appearance would be different and that the Building Department was tasked to get a drainage plan from the applicants. Commissioner Pagee said that a remodel at the end of Linfield had also been built higher and had a retaining wall. She said there the sidewalk was remaining the same but the slab was two-and-a-half feet higher than it was.

Commissioner Pagee said that when the City renewed its agreement with the street sweeper company, they should be aware of a hole in the service. She said that the company did not pick up leaves piled higher than six-inches. She said they left higher piles of leaves on the street and then a City vehicle comes by for those remaining leaves. She said that they should tell the Council when this agreement came up for renewal that it was either all the leaves or none.

Commissioner Keith said that the plate height for 75 Willow Road did not have the explanation of street and sidewalk improvements which the Linfield Project did. Commissioner Pagee suggested showing floor plate above natural grade in the data table. Chair Deziel said that it would not be a one-item measurement for a large parcel because of the way natural grade was calculated. Planner Chow said that Planning through the review process verify that the application adheres to the zoning ordinance or to special modifications in a CDP. She said the 75 Willow Road project's CDP said height was measured from grade but grade varied from existing grade. She said regarding 110 and 175 Linfield that she had reviewed those plans for consistency with what went through the Building Department. She said she would respond by e-mail to the Commission this week regarding her findings. Commissioner Pagee said the Commission had to do due diligence and they needed to ask questions and clarify to prevent such discrepancies.

Planning Commission

Minutes

January 14, 2008

13

In response to a question from Chair Deziel, Planner Chow said that when a building permit is submitted, it is reviewed by planning staff for conformity with the approval; during construction the building inspectors determine that it conforms to the plan set. She said the City receives certificates of pad elevations, and there are checks and balances throughout the process.

Chair Deziel suggested that the Commission wait to get Planner Chow's findings before deciding whether or not this issue needed to be placed on an agenda.

Planner Chow read the rough results of the ranking. Chair Deziel confirmed with Planner Chow that the Commission would receive the results at the next Commission meeting.

## **F. COMMISSION BUSINESS, REPORTS, AND ANNOUNCEMENTS**

Commissioner Bressler said the building activity for the Linfield project was blocking the sidewalk and asked if that was allowed by the use permit. Planner Chow said when she checked on the other items with the Building Department she would check on this item as well with the Transportation Division.

1. Review of upcoming planning items on the City Council agenda.

Planner Chow provided the Commission with a review of upcoming planning items on the City Council agenda and recent actions by the City Council including the overturn of the appeal of the 1906 El Camino Real. The Council supported staff's recommendation for the project with an added condition to widen the sidewalk on Watkins Avenue to five-feet and requiring the applicant to post a bond or open an escrow for \$100,000 related to potential traffic improvements. Commissioner Keith asked about the exit onto Watkins from the project site. Planner Chow said the Council had approved a right turn only from the project site onto Watkins Avenue.

Discussion ensued related to the Commission recommendation being overturned. The general consensus was that the Commission had put a lot of effort and thought on the traffic analysis in making their recommendation to allow a left turn onto Watkins. Chair Deziel said he would go to the Council to express the Commission's consensus opinion related to the Council's condition of approval.

## **ADJOURNMENT**

The meeting adjourned at 9:15 p.m.

Staff Liaison: Deanna Chow, Senior Planner

Prepared by: Brenda Bennett, Recording Secretary

Approved by Planning Commission on February 11, 2007.

Planning Commission

Minutes

January 14, 2008

