



PLANNING COMMISSION MINUTES

March 24, 2008

7:00 p.m.

**City Council Conference Room
First Floor, Administration Building
701 Laurel Street, Menlo Park, CA 94025**

CALL TO ORDER – 7:03 p.m.

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

INTRODUCTION OF STAFF – Deanna Chow, Senior Planner; Megan Fisher; Associate Planner; Bill McClure, City Attorney; Justin Murphy, Development Services Manager; Thomas Rogers, Associate Planner

A. PUBLIC COMMENTS

There were none.

B. CONSENT

There were no items on the consent calendar.

C. PUBLIC HEARINGS

There were no public hearings on the agenda.

D. REGULAR BUSINESS

1. Discussion on Negative Declaration for Oak Knoll School.

Chair Deziel said that this item was on the agenda after several members of the public asked under Public Comments at the meeting of March 10, 2008 that the Commission consider the environmental impacts of the proposed project and consider that the environmental document was inadequate. He said the consensus of the Commission had been to have the matter placed on this agenda. He noted that the Commission had received copies of an e-mail and letter at the dais.

Public Comment: Mr. Rich Rollins, Menlo Park, introduced Ms. Kristin Duriseti, Menlo Park, and said they were representing the Oak Knoll School Neighborhood Association.

Ms. Duriseti said there was a 30-day comment period on the Negative Declaration, which would end on April 9. She said the finding that there was no significant impact

onsite was flawed and there would be significant impacts offsite, which they considered to be within the City's domain. She said the proposed project would have an adverse impact on traffic flow, which would affect pedestrian and bicycle safety. She said the proposed project indicated there would be a curb cut on Oak Avenue, which concerned them because of the great amount of cut-through traffic on Oak Avenue. She said the project might have a curb cut off of Oak Knoll Lane which would be even worse, again because of the amount of traffic on that street. She said the proposal for an underground leach field meant to retain storm water would, because of the type of soil in the area, impact an already overtaxed storm drain system. She showed a PowerPoint with photos of the campus, the outlying neighborhood and streets, and creek. She said the bond measure that had been passed by the voters had shown the placement of the proposed multi-purpose room to the rear of the property, but now that building was proposed for an area they felt was inadequate. She showed where the parking lot was proposed to be located.

Mr. Rollins said the underground leach field would have an estimated 20,000 gallon storage tank and large diameter perforated pipes. He said the soil borings were done at five feet. He said the surrounding homes have sump pumps and the concern was that the water would migrate to those properties from the pipes.

Ms. Duriseti showed photos of current traffic conditions on Oak Avenue in relationship to where the proposed curb cut would be and the proximity of an existing speed bump. She said the letter received by the Commission was from a registered civil engineer, who had great concerns with the proposed location of the leach field. Mr. Rollins said the project proposed to remove a playground and a healthy majestic oak tree to accommodate a leach field and parking lot. He said the grade was three feet above Oak Avenue and the proposed building was estimated to be 33-feet high which would impact neighbors visually. He said this was a public negative impact but the Negative Declaration found no impact.

Mr. Dave Montague, Menlo Park, said the school was one of the largest schools in population in the surrounding areas but it was on one of the smallest lots. He said the K-2 population already exceeded the 2010 projection of the school board. He requested that impacts from school development and configuration be looked at citywide.

Mr. Charlie Bourne, Menlo Park, Transportation Commission, said he was upset that no Commission had an opportunity to comment on the environmental review of the proposed project. He said the area was laden with traffic problems already. He said the traffic consultant's report did not consider traffic created by the new attractions of the proposed project. He said the report excludes traffic impacts because of the Stanford development project. He said there was no consideration of the impact of the construction project itself; he said the streets were narrow and winding and not sufficient to hold large trucks and vendors trucks. He said he urged the Commission to do whatever it could to reject the Negative Declaration.

In response to a question from Commissioner Deziel, Mr. Bourne said the Transportation Commission had voted unanimously to recommend that the City Council review the Negative Declaration and comment. He said the item was scheduled for the Council's April 1 meeting.

Commissioner Bressler asked if anyone from the school district was present and whether they had been notified about tonight's meeting. They were not.

Commissioner Keith said initially the multi-purpose room was intended to be built toward the rear and asked when that was. Mr. Rollins said that was 2005. Commissioner Keith asked when the location changed. Mr. Rollins said about a year ago. He said that no neighbors were invited to participate on the committee created by the school district to look at changing the plans. Commissioner Keith asked why the plans had changed. Ms. Duriseti said mainly it was the desire for a playing field.

Commissioner Keith asked Mr. Bill McClure, City Attorney, what was within the purview of the City for the proposed project. He said matters of offsite improvements including drainage, curb cuts and grading plans.

Chair Deziel said the discussion should be separate on discretionary land use impacts and ministerial review that would be imposed on the project for drainage, storm water management and other engineering requirements the school district would need to meet. He said the items brought by the speakers were not within the Commission's review but would be within the engineering division's review. Mr. McClure said the neighbors were requesting the Planning Commission's comments/opinions on the adequacy of the Negative Declaration and review process. He said the Planning Commission had the ability to comment on the adequacy of the Negative Declaration, and if they did not think it was adequate they could comment such or recommend to the City Council that the Council make comments as to the adequacy of the document. He said City staff was reviewing the traffic analysis and hydrology report associated with the project from a technical perspective and would prepare their comments and opinions on that for the Council's review on April 1.

Commissioner Bressler said the Encinal School Development had an EIR, and asked why this project did not have an EIR. Mr. McClure said the Encinal School Development was an expansion of both numbers of classrooms and population which meant more traffic, less permeable surfaces and other impacts, which require a higher level of environmental review. Commissioner Bressler asked who determined the Oak Knoll School Development did not trigger a higher level of environmental review. Mr. McClure said it was the school board. Commissioner Bressler asked how that meshed with the areas the City had authority on for the project. Mr. McClure said the City has jurisdiction over drainage, street improvements and some grading improvements. He said that was not necessarily discretionary as there was no legislation related to grading or drainage permits. Commissioner Bressler asked what leverage the City would have with the school board. Mr. McClure said the Planning Commission had no jurisdiction over the drainage, grading and encroachment permits but the Council potentially did.

Chair Deziel asked if staff would be reviewing the improvements and commenting on the Negative Declaration. Mr. McClure said staff would be providing technical information on those matters to the Council, who might then comment on the Negative Declaration. He said Council had requested that comments should come from them because of the political sensitivity of the matter.

Commissioner Pagee asked if the City would need a Heritage Tree permit to remove the trees. Mr. McClure said the school district would be exempt.

Mr. Rollins said his neighbor's arborist believed the drainage plan proposed would damage the health of the Stone pines on the border of the property.

Commissioner Riggs asked about a statement that said the exemption does not cover non-classroom facilities. Mr. McClure said that the courts had interpreted such things very broadly; for instance that lights on a football field were considered classroom use.

Chair Deziel said the first concern presented by the public speakers related to traffic and the construction of a 22 car parking lot. He said that the school was not increasing student population, and he thought they were trying to balance the traffic to the site, and relieving the traffic on Oak Knoll Lane. Commissioner O'Malley said the proposed parking lot would increase parking at the school. Chair Deziel said that currently there were 711 students that already got on and off campus, and the population would not increase and the intensity of use would not increase. Commissioner O'Malley asked about extra activity. Chair Deziel said that would occur after school hours and would not be in peak traffic.

Commissioner Riggs said the change was the new event center, and while the population was intended to stay the same, more activity could be generated. He said the activity for just the soccer field would be very noticeable. He said the intensified activity was an issue perhaps greater than the traffic concerns.

Mr. Rollins said their specific concern was the curb cut and the danger of turning movements. He said that the school had indicated this gate would be shut and only used by employees. He said however parents would prefer to park on Oak Avenue rather than Oak Knoll Lane, because of its congested drop-off site and would go through that gate when it was open. He said it would also be access for after school events and would be unattended. He said the Neighborhood Association supported the additions of classrooms but were against the location of the multi-purpose room and the offsite impacts of the project.

Commissioner Bressler said there was considerable development in the area around the school that would increase traffic, and there had been no discussion about cumulative impact. He said also parents would be taking their children to other schools in different parts of the City and that would impact traffic. He said the process needed to be opened up for the community to look at and discuss.

Commissioner Bims said regarding question 15 of the Negative Declaration, items a, b, and g related to traffic increase, existing traffic load and capacity of the street system; service levels for designated roads; and possible conflict with services related to alternative transportation that an increase of traffic on Oak Lane might potentially have significant impacts in those areas.

Commission Action: M/S Keith/Pagee moved that the Planning Commission recommend that the City Council ensure an adequate review and analysis of potential impacts by City staff on the following topics:

- The expansion of programs related to the new soccer field and multi-purpose room as it relates to potential traffic impacts.
- Item 15a of the Negative Declaration – Would the proposed project cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
- Item 15b of the Negative Declaration – Would the proposed project exceed, individually or cumulatively, a level of service standard established by the County Congestion Management Agency for designated roads or highways?
- Item 15g of the Negative Declaration – Would the proposed project conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Motion carried 7-0.

Chair Deziel introduced the second issue related to traffic concerns because of the proposed expansion of a stacking lane on campus and relocation of sidewalks.

Recognized by the Chair, Ms. Duriseti said currently the population has the whole front of the campus along the street to use for drop off and pick up of children, and the creation of the stacking lane on campus would compact all of that traffic into a shorter expanse. In response to Commissioner Riggs, Ms. Duriseti said that the school had no traffic plan for getting children out of the cars onto campus or the reverse. She noted other schools that have traffic plans and at which impacts are minimal.

After discussion about the proposed drop off/pick up area, Chair Deziel did not think there was any comment that could be made.

Commissioner Bressler said the City's Bicycle Committee should have had an opportunity to review the proposal; and the proposed project should be considered in regard to the City's Safe Routes to School Program. Commissioner Pagee suggested that the Commission recommend to the City Council that they request that the environmental review take into account the Safe Routes to School Program.

Chair Deziel moved, and Commissioner Riggs seconded the motion, to make no comment on this section.

Discussion ensued that the Commission felt there was inadequate information.

Commissioner Bressler moved a substitute motion to consider the adequacy of the plan for the City's Safe Routes to School Program.

Chair Deziel dropped his original motion, and made another motion taking Commissioner Bressler's idea as the basis.

Commission Action: M/S Deziel/Bims to recommend that the City Council request that the environmental review take into account what is known about the Safe Routes to School Program.

Motion carried 7-0.

Chair Deziel introduced "Drainage Impacts." He said the City has control over this area. Commissioner Riggs said that the first step in the process was skipped over as there was no hydrology report.

There was discussion about what the City would require of the applicant and whether the Council could require the provision of more information. Commissioner Riggs said there was strong evidence that the hydrological assumptions of this project would not work and strongly encouraged that the hydrology report be done in concurrence with the environmental review. Commissioner Keith seconded the motion.

Commission Action: M/S Riggs/Keith that the Planning Commission encourages the City Council to request the preparation of a hydrology report as part of the environmental review document to address issues, including the evidence and observations stated in report prepared by A.C. & H Civil Engineers, Inc., dated March 14, 2008.

Motion carried 7-0.

The Commission agreed to not comment on the fourth issue related to the new multi-purpose room having activities that might violate the City's Noise Ordinance as the school was exempt from compliance with that ordinance.

Chair Deziel introduced the fifth issue of overall environmental impacts. Commissioner Riggs said that the City could not control the tree removal. Chair Deziel said the document presented by the neighborhood association indicated the playfield area was lost (5.2); he noted that a playing area was added elsewhere. Commissioner Bressler said the City had no jurisdiction over 5.3. Mr. McClure said the Commission could still pose an opinion that there was a potential significant impact of these things. Chair

Deziel said the second story was stepped back 50-feet from the property line. There was discussion on potential impact on solar access by the building's height. Commissioner Keith suggested that items 5.1 and 5.3 had potential significant impacts. Commissioner Riggs said that removal of seven trees might negatively impact the storm drainage. He moved to recommend that the City Council should comment that the removal of seven healthy heritage trees would be a potentially significant impact. Chair Deziel seconded the motion.

Commissioner Keith moved a substitute motion to recommend to the City Council to make comments that items 5.1 and 5.3 would have potentially significant impacts. Commissioner Bims seconded the motion.

Motion carried 4-3.

Commissioner Keith moved and Commissioner Bims seconded to recommend to the City Council to make comments that items 5.1 and 5.3 would have potentially significant impacts.

Commissioner Riggs suggested amending the motion to remove item 5.3 as he felt its inclusion would water down the concern about item 5.1. Commissioner Bressler said that item 5.3 was an important issue for neighbors.

Commission Action: M/S Riggs/Bressler to amend the motion to drop item 5.3

Motion carried 4-3.

Commission Action: M/S Keith/Bims to recommend to the City Council to make comment that item 5.2, the removal of seven healthy Heritage trees would have potentially significant impact.

Motion carried 4-2-1 with Commissioners O'Malley and Deziel opposed and Commissioner Keith abstaining.

Chair Deziel introduced item numbered six for discussion "Cumulative Impacts."

Commissioner Bressler said the reconfigurations of the schools including this one, Hillview and Encinal, had not been brought to the City for any public forum. He said the school district had been looking at getting buses for transportation to and from schools but there had been no result yet. He said there had been no traffic studies done. He said students from the west side would have to be transported to other schools as this school could not support all of the kindergarten-age children living on the west side. He said the community had no input on the lottery system of these schools and transportation to and from the schools, and the public should have an opportunity to comment on these cumulative impacts. He said he wanted the comment to be made that there be better integration between the School District and the City. He said that there needed to be an evaluation of the cumulative impact for traffic because of the

proposed design. He said there should be mitigations. He said he understood that the area was already congested but the environmental review did not take into account the transportation of students to other schools because of the non-increase of students at this school. Chair Deziel said they could make a motion to recommend to the City Council to ask the school to do a design that minimizes citywide impacts from the expected cross town transportation needs. Commissioner Bressler indicated he thought there would be more impact if the issue was tied to the environmental review.

Commissioner Keith moved to recommend that the City Council find that excess demand at this school site might create traffic impacts. Chair Deziel thought that there should be some mention of bussing. Commissioner Keith suggested adding to her motion "which could be mitigated by bussing." Commissioner Bressler said that really the school should make an effort to decrease the amount of cars with some type of transportation plan. Chair Deziel suggested a comment that considering the school's demand capacity imbalance across the City for the school district to consider bussing and other traffic reduction measures. Commissioner Bressler said that they should keep Commissioner Keith's motion and tie it to the environmental review.

Commission Action: M/S Keith/Bressler that the Planning Commission recommends that the City Council should determine that the excess demand at this school site may create significant traffic impacts which could be mitigated by bussing and other measures.

Motion carried 4-3 with Commissioners Deziel, Riggs and O'Malley voting in opposition.

Commission Action: M/S Deziel/Bressler to recommend that the City Council should request that the Menlo Park School District consider implementing bussing and other traffic reduction measures given the school demand/capacity imbalance across the City.

Motion carried 7-0.

2. Discussion on overall Planning Commission communication procedures.

Chair Deziel said the Commission had voted that he should represent the Commission at a Council meeting to address concerns with the presentation of the Commission's action on an item and someone questioned whether he had been authorized to do that properly or if there had been a violation of the Brown Act

Commissioner O'Malley thought that the Commission Chairman had a right to address the Council on his/her Commission's actions, indicating that on Council's agenda there was always a slot for Commission reports. In response to Commissioner O'Malley's question, Mr. McClure said the Brown Act required that an action to be taken by a Board or Commission needed to be agendized so that the public was aware of the action being considered. He said for the Commission to discuss sending someone on the Commission to address the Council and what was to be said should technically be an agendized item. He said there were specific exceptions to that requirement and there

were ways to bring things to the Commission for consideration that were not on the agenda. He said if the subject matter came up within the period of the 72 hours of notice and was something that needed to be acted upon before the Commission's next meeting then the item could be added to the agenda by motion and a two-thirds vote approval. He said the question asked about Commissioner Deziel's presentation before the City Council had to do with whether his presentation was approved by the Commission, and if that approval was on the agenda. He said whenever the Commission took an action by consensus or vote that the item had to be on the agenda unless it fell within one of the exceptions under the Brown Act. He said the Chair might bring up the topic of whether or not to agendaize an item, but there could be no substantive discussion on the topic. He said the Commission could vote to amend the order of the agenda, noting that some agencies have an item related to agenda amendments.

Mr. McClure said the Commission meetings are fairly long, and the Commission might consider reviewing procedures that might facilitate the process. He said one of the issues was what could be brought up under Commission Business, Reports and Announcements such as a Council meeting agenda and whether they could discuss sending the Chair; he said they could not really. He said the Commission should look at who was able to speak for the Commission. He said the Commission has a judicatory role like a judge and jury; he said when someone appeals it was not appropriate for the "judge and jury" to go before the Council and argue or advocate. . He said the Commission's representative could present the facts but not argue the merit of the process.

Commissioner Bressler said that Council receives a staff report that summarizes what the Commission's action was. He asked what if the Commission did not agree with what ended up in the staff report. Mr. McClure said in theory the Chair could speak on behalf of the Commission, and there should be one voice. Commissioner Bressler asked whether one of the Commissioners could address the Council as to what that person recalled of the action of the Commission. Mr. McClure said that if the Commission approved the minutes in which the action occurred that action could not be contradicted. He said the issue was who would have the authority to speak for the Commission.

Commissioner O'Malley asked about situations in which the staff report to the Council did not reflect the approved minutes, which was the case in the instance Chair Deziel addressed the Council. Mr. McClure said the Commission needed either an informal or formal procedure as to who had authority to speak for the Commission. Commissioner Bressler said as an individual he knew Council Members and that he could relay to them how he recalled an item was considered. He asked if that violated the Brown Act. Mr. McClure said it was not a Brown Act violation, but it was a due process issue. He said there had to be due process when the Commission was acting as a quasi-judiciary body. He said the public record needed to support the action taken as this was what the court looked at when someone challenged the Council's decision. He said if a Commissioner spoke extra-judicial or outside of the judicial process, and a Council

Member was relying on that information then the member should repeat that information for the entire body to know. He said the question was whether people would be able to speak to that information and if the minutes supported that information. He said lacking those things, the City could be placed in a compromised legal position.

Chair Deziel said it depended upon the nature of the error in the staff report to the Council. He said the Commission goes to great effort to come up with a collective thought and that does not always get presented to the Council. He said the Commission might want to send someone to represent the Commission and point out to the Council the error. Mr. McClure said that the Commission could agendize consideration of a Commission representative, for instance if there was an upcoming appeal. The Commission could review the staff report going to Council, and name someone to speak to Council as a representative of the Commission. In response to an observation by Commissioner Riggs about time limitations and availability of staff reports, Mr. McClure said there was notice made in advance of appeals on the Council's agenda. Several Commissioners indicated that they often only learn about an appeal the night before the Council meeting.

Mr. McClure said that noticing of items was done two weeks prior to the City Council meeting so the Commission would often have time to agendize consideration of having a Commission representative speak to the Council. He said if the Commission did not know about an appeal until after the 72-hour notice for its agenda that the Commission could vote with 2/3 majority of the body to agendize the item; or if less than 2/3 of the then the vote had to be approved unanimously. Chair Deziel suggested that Planner Chow's report on upcoming Council consideration of Planning Commission items could be listed on the agenda so that if necessary the Commission could take action.

Development Services Manager Murphy said staff was trying to improve the process and had suggested changes to the agenda. Mr. McClure noted that there had never been a staff report given to the Council that did not report what the Commission discussed to make its action. Commissioner Riggs said that one report indicated the Commission's discussion but the staff recommendation was the same as what had been made to the Commission and which was different from the Commission's recommendation. He said that people would not take the time to read the minutes, and staff probably did not have time to whittle the minutes to a more manageable document of five pages. Mr. McClure said with the 1906 El Camino project that legally the Council could not do what the Commission wanted it to do as that action would hand victory to the people making the lawsuits. He said that approving a project with a midstream change in policy was not following due process. Chair Deziel said the Commission had based its recommendation on policy. Mr. McClure said that it was both the policy and the way it was commonly applied by the City and surrounding areas that the court would look at and he said no agency gave traffic credit when a building had been vacant for more than a year.

Chair Deziel noted he had addressed Council twice; the first time because the staff report was lacking; the second time to express frustration at Council's decision. Mr. McClure said if there was a time limit issue then the matter could be brought up with a

2/3 vote that there was a need to act. He said if the Council acted on a Tuesday night and Commissioners knew what action was taken and wanted to discuss the issue, then the Commissioner should send an e-mail to staff to agendize it. He said if Commissioners were not aware what action Council took and first heard about it from staff at a meeting then using the process of the 2/3 vote they could agendize communication to the Council on the matter and authorize someone to speak for the Commission.

Discussion ensued about reconsideration of items. Mr. McClure said that when an item was agendized for reconsideration that the entire item was open for discussion. He said however that an item could not be reconsidered at the same meeting in which an approved motion was made for its reconsideration nor could there be any substantive discussion but the reconsideration and discussion had to occur at a future meeting otherwise the applicant would be denied due process.

Commissioner Keith asked if staff's report on upcoming planning items before the City Council might be shown on the agenda and if the Commission could then discuss them. Planner Chow indicated she would provide that information and Mr. McClure indicated the Commission might discuss those items.

Commissioner Bressler said the Commission would hear the Derry project in a week and noted there had been much negotiation between Menlo Park Tomorrow and the applicant. He said there was some confusion as to what the disposition of this was and this complex agreement, and that he had no interest in modifying the agreement at all. He asked if there was something different the Commission was supposed to do in its consideration of the project. Mr. McClure said the Commission might make any recommendation it wanted to on the project.

Commissioner O'Malley said he did not like that the Council went to a private party and negotiated an agreement in secret and that violated the Brown Act. Mr. McClure said it did not matter how the changed application was arrived at; the Commission had to consider that changed application. He said private parties could negotiate privately and the Brown Act applied to legislative bodies. He said the Commission's task was to evaluate the application before it.

Chair Deziel noted that persons raise issues under "Public Comment" that the Commission might want to follow up later. He asked if the Commission could vote to direct staff to bring back information; whether staff could report factually; and/or vote to agendize the item. Mr. McClure said all of those actions were permissible as long as discussion did not occur.

Recognized by the Chair, Planner Chow noted proposed modifications to the agenda format. She said the first suggested change was to move the minutes to the consent calendar. She said changes to the minutes would be e-mailed to staff prior to the meeting and those changes would be provided to the Commission at the meeting so that the minutes might remain as consent. She said if changes were needed and the

Commissioners could not get those changes to staff so they had sufficient time to provide the other Commissioners, then the suggestion was to table the minutes until the next meeting unless there were minutes that needed to get to the Council sooner than the next Commission meeting. The Commission agreed to these changes by consensus.

Planner Chow said staff also suggested separating "Commission Business" from "Reports and Announcements" so that if there were items the Commission wanted to discuss they could do so under Commission Business. She said those requests from the Commissioners should be e-mailed to staff by the Tuesday prior to the meeting for inclusion on the agenda. Discussion ensued as to authorizing submittal of items. The Commission agreed that individual Commissioners might request items and copy the Chair, but the Commission could agree either to discuss or not discuss upon majority consensus. It was the Commission's consensus that the planning items going before the Council would appear under "Commission Business."

Mr. McClure discussed instances in which discussion continues lengthily when there is a motion on the floor. He said that if a Commissioner called for the question, the Chair needed to either determine if there was consensus to call the question or request a second and vote on it. If it was approved, then discussion abated and the vote was taken on the motion which had been made on the agenda item. He said that if the Commission could seek staff's help for wording of a motion. He said the Chair might limit debate to five minutes; the Chair also could stop interruptions by the public into the Commission's discussions. He said that it was possible if discussion was lengthy to table the item until the next meeting.

Development Services Manager Murphy said meeting actions generally were released the week after the meeting. He requested that Commissioners review those. He said also the Council was now doing meeting actions. He said the Commission meeting minutes were a month out and that this increased the time between which the Commission received minutes and City Council meetings. He said if the Commission thought the staff report and the minutes given to the Council on a planning item were inadequate that he Commission could write comments.

Commissioner Keith asked whether the summary in the staff report to the Council be moved closer to the beginning of the report. Development Services Manager Murphy said it was under the "Background" section on page 2. Chair Deziel said he thought there should be a section called "Basis for Commission Action." Commissioner Riggs made the specific point that he understood the consideration of the Planning Commission takes an issue to "the next level" and thus should become the "current" report to the Council. Chair Deziel said the Commission's work needed to be more visible. Mr. McClure said it was the Council's policy to get both recommendations as they wanted both perspectives.

3. **Consideration of minutes from the February 25, 2008 Planning Commission meeting.**

Commission Action: M/S Pagee/Riggs to approve the minutes as modified.

- Page 7, 4th paragraph, 11th line: Replace the word “vibrate” with “reverberate.”
- Page 10, 4th paragraph, 8th line: Replace the word “architect” with “designer.”

Minutes were approved by consensus.

E. COMMISSION BUSINESS, REPORTS, AND ANNOUNCEMENTS

Review of upcoming planning items on the City Council agenda.

Planner Chow said an appeal had been made of the Commission action on 1010 Doyle Street based on parking and a request to have to have another level of approval added so that the Council would make the final decision on the project.

Development Services Manager Murphy said in the future staff will forward scanned copies of appeal letters to the Commission.

Planner Chow said there was some discussion by the applicant and appellant that staff prepare a clarification of language that would modify the Commission’s action and which could potentially cause the appeal to be dropped.

Mr. McClure said if the Commission wanted to consider what the applicant and appellant have discussed as a modified condition of approval it would be appropriate for the Commission to schedule this reconsideration for a future meeting.

1. Appeal of 1010 Doyle Street

Commission Action: M/S Keith/O’Malley to agendaize a reconsideration of the 1010 Doyle Street project on the March 31, 2008 agenda.

Motion failed 3-4 with Commissioners Deziel, Riggs, Pagee, and Bressler opposed.

ADJOURNMENT

The meeting adjourned at 11:35 p.m.

Staff Liaison: Deanna Chow, Senior Planner

Prepared by: Brenda Bennett, Recording Secretary

Approved by Planning Commission on April 21 2008.