



PLANNING COMMISSION MINUTES

Regular Meeting
October 6, 2014 at 7:00 p.m.
City Council Chambers
701 Laurel Street, Menlo Park, CA 94025

CALL TO ORDER – 7:01 p.m.

ROLL CALL – Bressler, Combs, Eiref (Chair), Ferrick, Kadvany, Onken (Vice Chair), Strehl

INTRODUCTION OF STAFF – Stephen O’Connell, Contract Planner; Thomas Rogers, Senior Planner; Corinna Sandmeier, Associate Planner

A. REPORTS AND ANNOUNCEMENTS

A1. Update on Pending Planning Items

- a. General Plan – Symposium #1 (September 23, 2014); Focus Group #1 (September 29, 2014; Mobile Tour #1 (October 1, 2014); Symposium #2 (October 8, 2014); Mobile Tour #2 (October 14, 2014)

Senior Planner Rogers noted activities for the General Plan update (ConnectMenlo) that had already occurred and those that were upcoming.

B. PUBLIC COMMENTS #1 (Limited to 30 minutes)

There was none.

C. CONSENT

C1. Approval of minutes from the September 8, 2014 Planning Commission meeting ([Attachment](#))

Commission Action: M/S Eiref/Ferrick to approve the minutes with the following modification:

- Page 8, 6th paragraph, 2nd line: Replace “Cogen” with “Cogan.”

Motion carried 7-0.

D. PUBLIC HEARING

D1. Use Permit/Fitton and Chowdhary/675 Woodland Avenue: Request for a use permit to remodel and expand an existing single-story nonconforming residence, including the addition of a second story, on a substandard lot in the R-1-U (Single Family Urban) zoning district. The proposed project would exceed 50 percent of the existing floor area (considered equivalent to a new structure) and would exceed 50 percent of the existing replacement value of the nonconforming residence in a 12-month period. The proposal includes a request to retain an existing front hedge with a height of approximately seven

feet to remain in the front yard, where four feet is otherwise the maximum fence/hedge height. ***Continued from the meeting of September 22, 2014.*** ([Attachment](#))

Staff Comment: Planner O'Connell said staff had no additions to the staff report.

Public Comment: Mr. Mike Fitton, property owner, said he and his wife wanted to add a second story to their home. He said they shared the architect's plans with their neighbors and there were no objections.

Commissioner Strehl asked if the uncovered parking space would be in front of the garage. Planner O'Connell said that no uncovered parking space was required but parking in front of the garage was allowed, noting that the parking was an existing condition and could be continued.

Chair Eiref closed the public hearing.

Commission Comment: Chair Eiref said he found the proposed project acceptable. Commissioner Strehl noted she liked the existing home and what was being proposed.

Commissioner Onken said it was not clear what they were doing with the top of the chimney. Ms. Heather Harrington, project architect, said the idea was to keep the chimney as it was charming and visible from the front. She said with the building code for the gas fireplace they would be using they would direct the vent out the brick on the rear side. She said otherwise the chimney would need to be higher than the second story to accommodate that vent.

Commissioner Ferrick noted the quality of materials and in particular the wood clad Anderson windows with simulated divided lights.

Commission Action: M/S Strehl/Onken to approve the use permit request as recommended in the staff report.

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") 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 subject to the following ***standard*** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by Heather Harrington on behalf of Michael Fitton and Nazima Chowdhary, consisting of nine plan sheets, dated received September 30, 2014, and approved by the Planning Commission on October 6, 2014 except as modified by the conditions contained herein, subject to review and approval by 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 by 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 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 the issuance of grading, demolition or building permits.
- g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.

Motion carried 7-0.

D2. Use Permit/Chris Kummerer/321 Laurel Avenue: Request for a use permit to demolish an existing single-story, single-family residence and construct a new two-story, single-family residence and a secondary dwelling unit on a substandard lot with regard to lot width in the R-1-U (Single-Family Urban) zoning district. ([Attachment](#))

Staff Comment: Planner Sandmeier said that an email had been received from Mr. Eric Doyle, 322 Laurel Avenue, supporting the project and use of the alley.

Public Comment: Mr. Chris Kummerer, CKR Architects, Menlo Park, project architect, provided a visual presentation of the proposed project, the project site, and the existing home and trees. He said their goal was to keep the heritage Live oaks and Locust tree in the rear. He said the project would have a detached garage with a secondary dwelling unit with access from the alley off Laurel Avenue. He said the layout was informed by the existing trees, solar access and rear garage placement. He said having the garage in the rear enhanced the front view of the home. He said the home was in a flood zone so it needed to be raised. He said they worked with the features of the contemporary design to reduce the bulk and mass of the house. He said they also increased the front setback five feet to 25-feet. He noted the large front porch and two planters on either side of the entry for minimizing the house size. He said maintaining privacy was important and most of the side facing windows had raised sill heights. He said an exception was the stair window that would look onto the neighboring property to the south. He said in talking to that neighbor they would use frosted glass on that side. He said relative to the

balcony on that side it looked at a solid wall on the neighboring property. He said the property owners had reached out to many of the neighbors about the design.

Commissioner Onken asked how the stucco wall would be capped at the top. Mr. Kummerer said he expected a sheet metal cap but his goal was to keep the line as proposed.

Chair Eiref asked about the logic for having guest parking in the front and resident parking in the rear. He also asked about the adequacy of the turning radius in the alley. Mr. Kummerer said there was 16-foot backup distance between the garage and alley, and the alley was 15-feet wide. He said typically 24-foot was needed for backup turn distance and that this was about 31 feet. Chair Eiref said it did not appear that cars used the alley. Mr. Kummerer showed a slide of the alley from Laurel Avenue which showed where two neighbors were parking in the alley, and several rear garages were being used. Chair Eiref asked if the Fire District would be comfortable with the 15-foot width of the alley for emergency access. Mr. Kummerer said they had quite a bit of dialogue with the Fire District about emergency access. He said the project needed to maintain a certain distance from a fire hydrant and that was accomplished without use of the alley.

Commissioner Strehl said she drove down Laurel Avenue and turned right into the alley, and then right again into the next alley, and found it to be a narrow area to turn because of some poles near the corner. Mr. Kummerer said he had driven it in a Prius and it seemed to be fine. Commissioner Strehl asked why the uncovered parking space in front of the house was delegated for the in-law unit parking and not the space off the alley. Mr. Kummerer said that the in-law unit required one uncovered space. He said the primary residence required one covered and one uncovered space, and that either uncovered space could be for the in-law and the other for the primary residence. Commissioner Strehl asked if they had done other designs like this one in the Willows area. Mr. Kummerer said there was a similar home on the corner of Laurel Avenue and Gilbert Street and one by Square 3 Design. He said they did not design those but they were close by and similar.

Commission Kadvany said several properties in this area have large old gates along the alley and asked about their purpose. Mr. Kummerer said he did not know the history but he imagined that access was useful for a number of things.

Mr. Mark Squires, Gilbert Street, said he was not opposed to the project and thought the design was very nice. He said his and his neighbor's concern were that their homes were perpendicular to the alley and his living space, kitchen and bedroom were located four feet from the alley. He said they were able to hear anything walking in the alley. He said when he moved to his property 15 years prior he had not known there was an alley there as it was so overgrown. He said in the last two weeks the alley had been leveled and gravel put in after the sewers were replaced. He said this was a precedent on the alley which was a t-juncture. He said he thought the architect could easily design the project to allow for a driveway from Laurel Avenue to the rear garage.

Mr. John Hargis, Central Avenue, said the alley for his property was parallel to the alley that had been bucolic until the sewer project happened. He said he had lived in his home since 1975 and during that time the alley has had blackberry bushes all across it until it was dug out by large equipment for the sewer project. He said regarding alley ownership that his understanding was he owned half of the alley. He said his expectation was someone would have talked to him

before paving it. He said he visited Planning and found something indicating that neither the City nor the property owners owned the alley. He said that raised the question of whether someone needed to ask him before paving the alley and whether the City had to approve that. He asked whether it would be his liability or the City's should someone trip and fall in the alley. He said he liked the house design but he also liked the bucolic nature of how the alley used to look. He asked for direction in finding answers on alleys.

Mr. David Soohoo said he owned the house north of the project property, and had lived there 37 years. He said he was thrilled that the sewer had been replaced as it was outdated and also pleased that the alley was cleared. He said previously it was very difficult for him to get down the alley for access to the back of his house. He said with the grading and gravel he was now able to have the utility value of the alley. He said he supported the project having the garage in the rear with access from the alley.

Chair Eiref closed the public hearing.

Commission Comment: Chair Eiref asked staff to address alley ownership. Senior Planner Rogers said the original subdivision dated to the early part of the 1900s when this area was part of unincorporated San Mateo County. He said this North Palo Alto subdivision was subsequently annexed to the City of Menlo Park. He said as explained to him by the City Attorney and Public Works staff, the original subdivision dedicated the streets to the County of San Mateo. He said the original subdivision also tried to dedicate the alleys but the County did not accept them. He said when the subdivision was annexed into the City of Menlo Park the City effectively accepted the streets but not the alleys. He said liability was a question for the City Attorney. He said the City Attorney and Public Works staff have confirmed that the alleys retain right of access for the properties that abut them, so no approval is necessary from the City for someone to use the alley to access their property. He said separately there was a Building Code requirement for applicants to provide for all-weather access to a parking space which means improving the alley up to the point of access. He said also in these cases the property owner has to enter into a maintenance agreement for ongoing alley maintenance. He said as more properties acquire access from the alleys there was more cost sharing for the maintenance of the improved alley. He said the purpose of an alley was to provide for service access.

Commissioner Strehl said her home was on an alley and she would be delighted for the sewer there to be replaced and the alley surface improved. She said the sewer district had laid gravel in the alley where they replaced the sewer. She asked if that was the level of improvement the City required or something greater. Senior Planner Rogers said he had just heard about the sewer improvement project today. He said that loose gravel usually did not meet the Building Code requirement but compacted aggregate at a Class 2 level could. He said the more typical materials were asphalt, concrete or interlocking pavers.

Commissioner Kadvany said he very much liked the design with the garage in the rear. He said he did not think one project doing this would impact the other properties whose owners had spoken. He said if there were six more such projects that might be a different story and it would be like living on a tiny cul de sac. He said the alley would have to have proper grading and paving and that should be addressed. He asked if there were future developments along the alley that wanted rear access whether those would come to the Planning Commission for the garages to be vetted. Senior Planner Rogers said all the lots in the area were substandard but

a one-story development proposal would not require Planning Commission review and approval. He said there have been rear garages in the Willows that have gone through the building permit process and the same maintenance agreement was required of those applicants. He said for this project, Attachment B2 showed the whole block and what would be improved with this project. He said this applicant was proposing to come off the side from Laurel Avenue as that part of the alley was already improved and the applicant would improve the area shown shaded in the bulb up to their property. He said the City would not require the applicant to improve the other segments of the alley.

Commissioner Onken said he thought the alley was there to be used. He said with the sewer improvement project the alley had gone from a very substandard condition to a semi-substandard condition. He said with this project's access improvement the future was better for the alley. He said he supported use of the alley and having fewer cars in the front of homes. He said he could support the project proposal.

Commissioner Bressler said he agreed with Commission Onken.

Commissioner Ferrick said she hoped it would comfort the neighbors on Gilbert Street that the part of the alley the applicant would most likely improve and access by vehicles was not the portion that went by their homes. She said although the project was close to the overall maximum floor area ratio that the secondary dwelling unit was only 229 square feet, which was really small. She said it was a thoughtful way to do a secondary dwelling unit and she thanked the applicants for working with their neighbors on the project.

Commissioner Strehl said this was a narrow lot. She noted her home is also on a narrow lot. She said to put access from Laurel Avenue to a rear garage would make it impossible to build a home that would accommodate this family's needs.

Commissioner Combs said he thought the neighbors' concerns were valid noting this was not a fully developed alley. He said he was concerned that the applicants and other vehicles might not only access this alley from Laurel Avenue but possibly from Gilbert Avenue as that was not something that could be mandated or controlled.

Commissioner Kadvany moved to approve the item as recommended in the staff report. He said he liked the upgrade to the alley and he thought the applicants would respect the neighbors and use the access as defined.

Commissioner Bressler said if other driveways were put in the rear that the alley would then be additionally upgraded.

Chair Eiref said gravel was not considered to be all weather access. Senior Planner Rogers said when the application was started, the alley had not been changed in a long time. He said condition 4.b required an alley improvement plan subject to approval of Planning and Building. Chair Eiref said there was a standard that had to be met for the alley access and would have to be met for any future alley access developments.

Chair Eiref said the City was really trying to support secondary dwelling units because of state housing requirements. He said there was also a Commission bias to get cars off the street and out of front yards. He said this was a very substandard lot in terms of width and would require a

massive redesign to run the driveway from Laurel Avenue. He said he understood the neighbors' concerns. He seconded the motion made by Commissioner Kadvany to approve as recommended in the staff report.

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

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") 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 subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by CKA Architects, consisting of 14 plan sheets, dated received September 23, 2014, and approved by the Planning Commission on October 6, 2014, except as modified by the conditions contained herein, subject to review and approval by 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 by 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 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 the issuance of grading, demolition or building permits.
 - g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.

4. Approve the use permit subject to the following **project-specific** conditions:
 - a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit an Alley Improvement Plan. The plan shall specify that an approved form of all-weather surfacing be installed between 321 Laurel Avenue and the bulb of the alley. The plan shall be subject to review and approval of the Planning and Engineering Divisions. Prior to final inspection, the applicant shall implement the required alley improvements, subject to review and approval of the Planning and Engineering Divisions.
 - b. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a draft Access Alley Maintenance Agreement for the portion of the alley between 321 Laurel Avenue and the Laurel Avenue entrance of the alley, subject to review and approval of the Planning Division. Prior to issuance of a building permit, the applicant shall submit documentation of the approved Access Alley Maintenance Agreement's recordation, subject to review and approval of the Planning Division.

Motion carried 7-0.

D3. Use Permit/Verizon Wireless (Chris Fowler)/460 Bayfront Expressway: Request for a use permit to mount six panel antennas in three sectors on an existing Pacific Gas and Electric Company tower and install associated equipment on a concrete pad at the base of the tower in the M-2(X) (General Industrial, Conditional) zoning district. ([Attachment](#))

Staff Comment: Planner Sandmeier said there were no updates to the staff report.

Public Comment: Mr. Chris Fowler said he was representing Verizon Wireless. He said they had been working on this project for some time. He said they had worked with General Motors when that company owned the property. He said the property was then sold to Facebook. He said they negotiated with Face book to install this equipment within the legs of the PG&E tower. He said Facebook signed an easement modification with PG&E and Verizon has agreement to put a concrete pad within the legs of the tower for the six panel antennas.

Commissioner Ferrick asked how this project would work with Facebook's office plans. Mr. Fowler said that Facebook had signed the easement modification. He said building was not allowed with a PG&E easement.

Chair Eiref closed the public hearing.

Commission Comment: Commissioner Onken moved to approve the project as recommended in the staff report. Commissioner Strehl seconded the motion.

Commissioner Kadvany commented on the prevalence of these antennas and towers and suggested the City consider ways to keep them from cluttering the landscape.

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

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current CEQA Guidelines.
2. Make necessary findings, pursuant to 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 safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of the proposed use, and will not be detrimental to property and improvements in the neighborhood or general welfare of the City. *(Due to the Federal Communications Commission (FCC) preemption over local law regarding concerns over health where the proposed facility meets FCC requirements, staff has eliminated the standard finding for "health" with respect to the subject use permit.)*
3. Approve the use permit subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by L.D. Strobel Co. Inc. dated received September 16, 2014, consisting of eight plan sheets and approved by the Planning Commission on October 6, 2014 except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
 - b. Prior to building permit issuance, the applicant shall comply with all County, State, and Federal 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 that are directly applicable to the new construction.
 - d. If the antennas or any portion of the antennas and associated mechanical equipment discontinue operation at the site, the antennas and associated equipment shall be removed from the site within 30 days.
4. Approve the use permit subject to the following **project specific** conditions:
 - a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans indicating that the fence will be painted the metallic color of the transmission tower.
 - b. This use permit shall expire at the end of 10 years from the date of use permit approval unless extended by the Planning Commission. If the applicant desires to extend the use permit, the applicant shall explore and implement, to the extent feasible, the available technology and/or alternative locations to reduce the size and/or visibility of the antennas and equipment.

Motion carried 7-0.

- D4. El Camino Real/Downtown Specific Plan – 2014 Plan Amendments/City of Menlo Park:** The El Camino Real/Downtown Specific Plan was adopted by the City Council in June 2012. The approved Plan includes a requirement for ongoing review, intended to ensure that the Plan is functioning as intended, as well as to consider the policy-related implications of various Plan aspects. To address this requirement, the Planning Commission and City Council held five meetings on the subject, starting on September 9, 2013 and finishing on November 19, 2013. At the conclusion, the City Council directed that staff prepare formal amendments for the following: ([Attachment](#))
1. Revise text to clarify that implementation of the “Burgess Park Linkage/Open Space Plaza” public space improvement is not dependent on the High Speed Rail project;
 2. Eliminate “Platinum LEED Certified Buildings” as a suggested Public Benefit Bonus element; and
 3. For new medical/dental office uses on El Camino Real, establish an absolute maximum of 33,333 square feet per development project.

Staff Comment: Senior Planner Rogers noted there some email inquiries had been sent to staff, the Commission and Council over the past weekend relating to clarification to information provided by the contract City Attorney on page 2 of the staff report. He said the contract City Attorney confirmed the statement that his legal opinion was that the medical office use could be undertaken by the Planning Commission and City Council to be done now, but if the pending Measure M was passed, to make that cap to medical office use would require voter approval.

Questions of Staff: In response to questions from Chair Eiref, Senior Planner Rogers said the review cycle for the El Camino Real/Downtown Specific Plan (Plan) was for an initial review one year after adoption which occurred in 2013 and then every two years after that which would next occur in 2015. He said the square foot cap amount under item 3 had not been a Planning Commission recommendation but had been a City Council recommendation. He said the Commission and Council had reviewed the Plan in detail last fall and City Council gave general guidance regarding the three bulleted items. He said the Commission was being asked to review Attachment B as to whether it accurately captured the Council's direction to implement the proposed amendments.

In response to a question from Commissioner Bressler, Senior Planner Rogers said the time that had lapsed since the Council's November 2013 direction until now was to develop the Negative Declaration. He noted the 30+ pages of the document and the level of detail involved as well as the impacts of the loss of a number of planning staff. He said that once a Negative Declaration was completed, it might be possible to use it as a base for a future project, but often the next project is different enough that though some text might be reused, considerable time and effort needs to be put into rewriting it. He said the state-required review periods also expanded the time schedule for accomplishing such environmental review documents.

In response to a question from Commissioner Ferrick, Senior Planner Rogers said he thought the email correspondents were saying that since the medical office use was capped more stringently with this proposed amendment than that in the ballot measure, that it should not be considered in conflict with the ballot measure. He said the contract City Attorney had replied that no intent was expressed in the ballot measure to encourage or favor one type of office use. He also said further that amending what the ballot measure had, which was a 100,000 square

foot limit on office spaces, to put stricter limits on square footage of certain types of office use, such as medical office use, would affect a voter adopted development standard. In response to a question from Commissioner Strehl to clarify that position more, Senior Planner Rogers said according to the City Attorney that if the ballot measure passed, amending the Plan to cap medical use square footage at 33,333 square feet per project would require voter approval.

Commissioner Combs said the Attorney's reply, for the record, did not cite any case law. Senior Planner Rogers said that the Attorney was offering his professional legal opinion, and it was possible that there didn't exist any case law on this exact subject.

Chair Eiref opened and closed the public hearing as there were no members of the public wanting to speak.

Commission Comment: Commissioner Ferrick said regarding the three points that the first was simple and made sense to push forward as part of the recommendations. She said regarding the second point that perhaps it would be possible under the next review to reconsider LEED Platinum again as a public benefit as that level of LEED really indicated a commitment to sustainability and the environment.

Commissioner Onken moved to recommend to the City Council to adopt the resolution to adopt the Negative Declaration and adopt the resolution to amend the Plan as specified. Commissioner Kadvany seconded the motion.

Commissioner Kadvany said this action by the Commission and future action by the Council demonstrated that the Plan was possible to change. He said there were two items not included in the amendments. He said one recommendation to the City Council by the Planning Commission was to tie the future pedestrian and bicycle tunnel near Middle Avenue on El Camino Real to development. He said the other item missing was proper City control of the process and that the Planning Commission and City Council should have a better defined negotiation process for large projects like the large ones in the Plan area that they were seeing.

Commissioner Strehl said she supported the motion. She said the Planning Commission and City Council were in the process of making changes to the Plan. She said the Council had provided direction to limit the size of medical office on El Camino Real to reduce resultant traffic.

Commissioner Bressler said some of the Commissioners tried to lower the bonus level and get it to a negotiating position for the City but that did not happen. He said the logic for setting the bonus level so high was made by the Fiscal Impact Report. He said Commissioners tried to argue that raising the bonus level would not prevent large projects from being undertaken. He said that was something which could be fixed during the next review.

Chair Eiref said he agreed completely with the point about bonus level. He said the point was being made that the Plan could be amended. He said that was a positive message.

Commissioner Strehl noted that the City Council had negotiated with the developer for the Stanford property and for the other large projects in the Plan area and part of that negotiation was not allowing medical office use for those projects.

Commissioner Combs said for the record that if the ballot measure passed that did not prevent the Plan from being amended. General discussion of the potential impacts of the ballot measure to the Plan and potential amendments ensued.

Commissioner Kadvany said that both the original project and revised project for Stanford property were well below the bonus level and yet there had been a lot of negotiation. He said not lowering the bonus level for negotiation had been a mistake.

Commission Action: M/S Onken/Kadvany to recommend that the City Council conduct the following actions:

1. Adopt a Resolution Adopting the Negative Declaration for Amendments to the El Camino Real/Downtown Specific Plan (Attachment C)
2. Adopt a Resolution Amending the El Camino Real/Downtown Specific Plan (Attachment D)

Motion carried 7-0.

E. COMMISSION BUSINESS

There was none.

ADJOURNMENT

The meeting adjourned at 8:55 p.m.

Staff Liaison: Senior Planner Rogers

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on November 3, 2014