

**REGULAR MEETING MINUTES  
SAN RAFAEL PLANNING COMMISSION  
JANURARY 9, 2007**

**ROLL**

**UNAPPROVED**

Commissioners Present: Chair Atchison, Colin, Kirchmann,  
Lang, Mills, Paul, Pick

Commissioners Absent: None

Community Development: Bob Brown, Community Development Director  
Bill Meeker, Principal Planner  
Katie Korzun, Economic Development Coordinator

**AGENDA**

**CONSENT CALENDAR**

**RECOMMENDED ACTION**

1. Minutes, December 12, 2006

**PUBLIC HEARING**

2. **540 Francisco Boulevard West (RAB Motors)** – Request for a Zone Change, Environmental and Design Review Permit, and Use Permit Amendment in order to: 1) change the zoning designation from Planned Development (PD 1497) to Francisco Blvd. West Commercial (FBWC); 2) to reconfigure the front of the lot to adjust for the area removed by the Highway 101 Widening Project; and 3) establish a Master Use Permit as an auto dealership; APN's: 013-051-33 & portion of 24, 013-041-53, 56 and a portion of 50; Roland and Beverly owner; Anne Moore Consulting, applicant; File Nos.: ZC06-007, ED06-099, and UP06-048.

**Project Planner: Katie Korzun**

**Environmental Review: Categorically Exempt**

**DISCUSSION ITEM**

3. Discussion on Public Meeting Procedures
4. Annual Review of Planning Commission Rules and Procedures
5. Election of Officers

**DIRECTOR'S REPORT****COMMISSION COMMUNICATIONS**

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**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**APPROVAL OR REVISION OF ORDER OF AGENDA ITEMS**

<b>AYES:</b>	<b>Commissioners:</b>	<b>Chair Atchison, Colin, Kirchmann, Lang, Paul, Pick, Mills</b>
<b>NOES:</b>	<b>Commissioners:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Commissioners:</b>	<b>None</b>

**PUBLIC NOTIFICATION OF MEETING PROCEDURES**

Chair Atchison explained for the benefit of the audience the Public Hearing procedures to be followed.

**URGENT COMMUNICATIONS**

There were no urgent communications.

**CONSENT CALENDAR****RECOMMENDED ACTION**

1. Minutes, December 12, 2006

The Commission noted and submitted a few corrections to the December 12<sup>th</sup>, 2006 minutes to staff.

Chair Atchison asked for a motion.

**Commissioner Paul moved and Commissioner Pick seconded, to approve the December 12, 2006 minutes as amended. Motion carried unanimously.**

<b>AYES:</b>	<b>Commissioners:</b>	<b>Paul, Pick, Chair Atchison, Colin, Kirchmann, Lang, Mills</b>
<b>NOES:</b>	<b>Commissioners:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>Commissioners:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Commissioners:</b>	<b>None</b>

## **PUBLIC HEARING**

2. **540 Francisco Boulevard West (RAB Motors)** – Request for a Zone Change, Environmental and Design Review Permit, and Use Permit Amendment in order to: 1) change the zoning designation from Planned Development (PD 1497) to Francisco Blvd. West Commercial (FBWC); 2) to reconfigure the front of the lot to adjust for the area removed by the Highway 101 Widening Project; and 3) establish a Master Use Permit as an auto dealership; APN's: 013-051-33 & portion of 24, 013-041-53, 56 and a portion of 50; Roland and Beverly Bacci, owners; Anne Moore Consulting, applicant; File Nos.: ZC06-007, ED06-099, and UP06-048.

**Project Planner: Katie Korzun**

**Environmental Review: Categorically Exempt**

Katie Korzun, Economic Development Coordinator, summarized the staff report and recommended that the Commission take the following action:

1. Adopt a resolution recommending that the City Council adopt an ordinance approving the proposed Zone Change from PD (PD-1497) to Francisco Blvd. West Commercial (FBWC).
2. Adopt a resolution recommended that the City Council approve the Environmental and Design Review Permit and Use Permit.

Coordinator Korzun noted a change to Use Permit Condition No. 6 in regard to a reference to "one year" and the initiation of the Change of Zone will not be a year, so it is a clarification to read as follows "*The effective date of the Use Permit shall be the effective date of the ordinance adopted for the Change of Zone until January 9, 2008, unless the front lot area adjustments approved herein have been installed, or a time extension is granted.*"

Commissioner Paul asked staff to clarify the map recordation mentioned in this staff report. Coordinator Korzun responded that the issue was settled. The applicant was required to make the FAR on Site A be at least .32. The applicant received a lot line adjustment approved through the City. The applicant did not record the lot line adjustment, but recorded a grant deed for a larger area, which provided an acceptable FAR.

Commissioner Paul commented on Parcel C that has a tremendous amount of parking, which is some of the required parking for the public and employees and asked staff to explain. Coordinator Korzun stated that the submitted site plan indicates that Parcel C is employee parking, not auto storage. If that lease is terminated, the applicant could lease a different lot or use part of Lot A or Lot B and use some of the storage spaces and mark them employee parking. Staff noted that there are a number of alternatives such as extending the term of the lease. Staff further noted that if adequate parking is not demonstrated, then the applicant would come back before the Commission and ask for a variance to reduce the amount of onsite parking.

Commissioner Mills commented on Use Permit Finding No. 3b that stated “*the project would comply with the development standards required within the FBWC District including height, lot coverage, floor area ratio, and setbacks,*” in her view it does not comply because it only meets half of the requirement in terms of landscape. Coordinator Korzun responded in the affirmative. Staff explained that the reduction in landscaping is not through any action of the applicant. When they improved Lot B, the applicant was approved with approximately 8% landscaping and that was found to be in substantial conformance at that time. On Francisco Boulevard, the landscaped area was reduced by action of Caltrans. In trying to determine how much more landscaping could be added, since the applicant did not cause this difficulty, staff felt it was not necessary to ask for additional landscaping.

Commissioner Paul clarified with staff that by changing the zone to Francisco Boulevard there are no yard requirements. Coordinator Korzun responded in the affirmative. Staff explained that Francisco Boulevard focuses on the use and making sure the use orients towards the freeway. There are no required setbacks. The Planned Development Permit was approved in 1984 before the City had this emphasis on use. Since the emphasis now is not on yards or setbacks, the emphasis is on use that is why staff felt Francisco Boulevard designation is the more appropriate. Commissioner Paul asked staff if there are any potential problems foreseen in the future with further development on that site with the change in zoning. Coordinator Korzun did not foresee any problems. The applicant has been very careful about additions and appearance. Also, they are coming fairly close to their FAR on Lots A and B. In the future, if the use were to change, it must be demonstrated to be high income or high tax generating regional base, and would be reviewed very stringently by the Commission.

Robin Bacci, owner, R.A.B. Motors, thanked staff for working so closely with their consultant and architect in developing a solution to the reconfiguration of the front of R.A.B. They have a long history of being a part of the San Rafael business community. They are present tonight to receive permission from the Commission to continue to run their business. First and foremost in a way that will enhance their business and allow them to stay competitive in new and pre-owned automotive sales and continue to provide outstanding architecture in the City of San Rafael. Planting annuals three times a year for the last 20 years, building additions designed by the original architect appearing as if they were part of the building from day one, they have never done any project poorly or with lack of pride or enthusiasm. Nor have they ever presented or endorsed a design that might tarnish the City of San Rafael. 20 years ago, there were a few members that did not understand the design of the building, but it turned out to be the project that all wanted to be associated with and just like no one new the extent of the Caltrans “take” or how it would appear or impact the businesses along the frontage road, R.A.B did not anticipate the growth of their pre-owned business. Of course, all have benefited from the growth of sales in this area, the City as well as their business. She noted that the display in front of their building helped increase those sales over the years. One year ago, they sold 577 pre-owned vehicles. Exactly one year later after the Caltrans “take” and construction with no display area they sold 391 units. Their pre-owned sales is off by 32% and compared to the national increase of 8% for pre-owned sales, all areas of their business suffered

significantly last year. They have a beautiful, if not the most beautiful building in the City and it seems a shame to camouflage it. Trees are appropriate additions to parking lots that front a building. All must recognize and respect the extraordinary building and allow those to enjoy it. She has a substantial business to rebuild. Cars are big, have four wheels and clients must be able to be drive the cars, they have to be maintained and seen. Not only are trees not necessary, but also they will hide their inventory, the building and their sign. If people cannot easily find their dealership, then their business will be in trouble.

Anne Moore, planning consultant, discussed the zoning at the time in the early 1980s when there was only the planned development zone. They had Caltrans plans back then and the “take” is essentially very close to what those plan were in this area. What changed was with the way barriers are constructed and size of lanes. They took out Francisco Boulevard West space, so there are no parking lanes and much less space than before, which is a substantial change. They used those plans from Caltrans to look at projects and imaged what they would be and appear after the “take.” They all got use to all that parking out in front that worked well for the pre-owned sales business. The original project design anticipated what is recommended tonight. The DRB discussion focused on the trees and they were not concerned about the parking and understood the circulation drive in front. There is a very definitive delineating line. The front is public accessible and the back is employee only. They have one-way circulation through the back, which is very efficient. This site does present to the street and has always been intended too, so there is not parking out front. In regard to parking, staff describes the project as not being in compliance with the parking required. 499 spaces are required, and it comes down to how those spaces are managed. The service center works very well. It is really like a valet service. The cars are moved in back to storage spaces very quickly. Much of that queuing space was lost with the “take”. The driveway across the front substitutes for that queue and for the missing lane on Francisco Boulevard for employees to move vehicles from one side of the showroom to the other. Francisco Boulevard East and West are frontage roads, and were never envisioned it to be a boulevard, but in fact streets that would showcase the best and most valuable to the owners retail space along the highway frontage property. Most other dealerships old and new along Highway 101/I-580 corridor show vehicles, no berms or street trees. Also, visibility of the sign is very important and their recommended landscaping alternative interacts with the signage. Many are first timers trying to figure out how to get to Francisco Boulevard West, so the sign is very important. They believed the landscaping alternative they are requesting is more sensitive to the signage. This sign became the standard for Mercedes-Benz after this project was built. This is not a multi-tenant shopping center and landscaping standards changed significantly since the 1980s approval, so while it is nonconforming by current standards, it was not anticipated to become nonconforming in that way. By not being a project with a large parking lot in front that needs to be landscaped or screened from view, they believe conditions are different. Most of the property is out of sight. She further noted that this dealership set the standard throughout the Bay Area.

Peter Dodge, architect, explained the original design concept was that the building should have a very strong recognition and the building should symbolize the product and they came up with this design finished with materials very much like automobiles along with

curved surfaces. The big showroom window was thought of addressing traffic on the freeway as a theater would with the freeway traffic being the audience. He addressed the two proposals about trees and explained that the DRB wanted to have 5 or 6 trees along the front. Their proposal shows six trees, two in front and four along the side. They suggested maples that are bigger and taller trees rather than the pear trees that exist. The trees would frame the building, but not obscure the building. He provided a photograph approaching Francisco Boulevard traveling northbound with maples on the north and south side. DRB asked that a couple trees be moved over in front of the building and to accommodate that request they must move the sign because the trees desired would obscure the building and sign to some degree. They believe the alternative landscape proposal before the Commission meets the criteria that the building address itself to the freeway versus DRB's recommendation.

Commissioner Paul asked the architect the number of handicap parking spaces provided onsite. Mr. Dodge responded that only one handicap space is required, which is provided. Coordinator Korzun pointed out that they actually provide two handicap parking spaces. Commissioner Paul expressed concern for the parking configuration and suggested that the applicant carefully review their parking configuration.

Commissioner Mills discussed a third alternative. During her site visit she was traveling north on Francisco Boulevard West and noticed the back warehouse area really detracted from the beautiful building in front and wondered if a tree line could extend on Plan A and go back to the end of Site A to disguise and hide those back buildings. As she approached this area, she found the back buildings objectionable.

Chair Atchison opened the public hearing on this item.

Bill Liskamm, San Rafael resident/architect, help found the first DRB in San Rafael and was very honored when asked by the State of California to write the first design review proceedings in the State for the State Board of Architects. They were all excited in those days about design review because it offered a performance approach to a planning issue rather than a prescriptive approach. A bad example of prescriptive planning was the Sunset District in San Francisco, which is mind numbing sameness. They were excited about design review because it offered policy makers all over the Bay Area an opportunity to have some discretion. He asked the Commission to use that discretion wisely. This is an icon building and an award winning building and should not be screened, but showcased rather than having a prescriptive plan of "*one size fits all.*" He further asked the Commission to use their heads and use their discretion rather than the "cookie cutter" prescriptive approach.

There being no further public testimony on this item, Chair Atchison closed the public portion and brought the matter back to the Commission for discussion and action.

Commissioner Colin had no questions or comments in terms of the zone change. She felt it is very straightforward. She then discussed trees and then have talked about a consistent landscape along Francisco Boulevard. Building must take advantage of the

freeway proximity and being able to present is really integral to the business, especially to the bottom line. She liked the polished look of the building and DRB's recommendation would adversely screen the building. She would support the alternate landscape plan that R.A.B Motors proposed.

Commissioner Pick appreciated the marvelously eloquent public speaker (Bill Liskamin). He was the liaison for the Commission at the DRB meeting and confessed he left that meeting angry because he did not understand what happened. It was almost arbitrary and capricious and what occurred was wrong in his view. He did not hear any good reasons why trees should be placed in front of those buildings, except comparing it with the large parking lot next door. The architect did a great job on this building and it was well done. A few trees to frame the property to center some focus on the façade is acceptable, but to arbitrarily desire and require trees to be placed in front is wrong. The landscaping in front forms a plinth for this simple and clean "temple like" form and it is wrong to break up those horizontal lines. He thinks the Commission should encourage the idea that not every commercial/retail building has to be hidden behind a parking lot. The Marin Home Center is a parking lot and R.A.B is a fine piece of architecture. There will not be a shoulder or parking along the street, but a tight congested Francisco Boulevard and adding plantings will reduce visibility and made no sense from a practical or safety standpoint. In design, he learned that a big idea about a design drives quality. There was a big idea, creating a sense of theater and display the cars as if they were actors and time has shown that it works.

Commissioner Lang felt the applicant demonstrated a compelling business need to arrange the trees in this fashion. She is intrigued by Commissioner Mills idea to accommodate additional plantings at suitable locations on their site.

Commissioner Kirchmann asked staff if Council adopts the proposed zone change, this site would be legal nonconforming. Economic Development Coordinator Korzun responded in the affirmative. Commissioner Kirchmann asked staff if it would be necessary to add a condition that any change in use or intensification would require review again of the landscaping requirements and compliance with the current landscaping requirement. Coordinator Korzun noted that if desired, the Commission could include a condition. Staff then presented the Commission with a draft Use Permit condition for their review as follows: *"Site A, as shown on Sheet A1.10 has a landscape area of 10,635 sq. ft. or 7.6% of the parcel total, which resulted from the 2005 removal of the front landscape area for the relocation of Francisco Boulevard West. At such time as the auto dealership is changed to a new use, the Use Permit for the new use shall evaluate the potential for increasing the landscaping area to the 15% required by the 2007 provisions of the FBWC zoning district."*

Commissioner Kirchmann expressed concern for the rail line and encouraged the applicant to consider adding landscaping if there is an opportunity to add screening trees toward the back of the site and he would recommend that Council carefully consider that suggestion. In regard to street trees, he is not as moved as his colleagues about the business justifications for not having trees. He personally is not very fond of Alternative

B that has three pairs of trees because it is not a pleasing approach in his view. He has great respect for DRB's recommendations, but he is also supportive of Alternative A.

Commissioner Paul supported Alternative A as proposed as well. He did not buy the business reasons behind the need for street trees. It is more important in his view that this iconic nature of the building not be disguised. This building set a real standard for San Rafael and Marin County and it should be showed off. Adding trees in front did not make much sense and agreed having three pairs of trees is odd. The palette developed along Francisco Boulevard is prescriptive to have when areas are being redeveloped to provide some type of unification assuming not great architecture, but R.A.B must not be disguised. He agreed with Commissioner Mills's suggestion of adding some additional trees to be planted on the side would help tremendously. Landscaping would soften the amount of paving. Also, there is an additional lighting plan and expressed concerned for the average foot-candles and asked staff if the lighting would be comparable to what exists currently. Economic Development Coordinator Korzun responded that the DRB complimented the applicant on the quality of the lighting and level and it would be a continuation of that and the light standards will remain the same.

Commissioner Paul is concerned about the parking issue and if the lease on Site C is not renewed there will be a deficiency in parking. If there is 128 parking spaces required there should be 128 shown, even if not all used. There should be more than one or two disabled parking spaces. He encouraged the owner and architect to review that matter carefully because it is an issue in his mind. Also, disabled parking for employees should be provided as well. Principal Planner Meeker stated that the Building Department would confirm that the parking configuration complies with all ADA requirements.

Commissioner Mills expressed concern for the trees and parking and wanted to make sure 128 spaces are addressed. She then asked staff when that demonstration in regard to parking would occur. Economic Development Coordinator Korzun responded that if the lease were to expire and the lot eliminated the City would be aware of that situation and the applicant would come forward and propose a replacement and that must be reviewed by staff, Zoning Administrator or possibly the Commission, so the applicant would demonstrate how parking would be replaced. Commissioner Mills agreed with Alternative A, but asked that the trees along the south side or left side of the lot line go all the way to the back to echo Toys R us and the Marin Home Center. She wondered if that could be added as a condition. Principal Planner Meeker noted that the Commission could modify or attach an additional condition in that regard.

Chair Atchison noted surprise when reading the staff report in regard to the two trees in front of this building, which is the oddest placement. He also is he supportive of Alternative A. He also supported the idea of some additional trees as well as the appearance from the rail lines to continue that fine, clean look that is occurring. He had no issues with the "housekeeping" items. Also, in his view parking is not a concern because there is enough parking spaces onsite, it is just a matter of semantics.

Commissioner Colin felt screening the side, if the applicant were willing she would

support, but she would not agree with a condition of approval in that regard. This is an auto dealership, so more trees in her view is not necessary. Commissioner Pick did not view more trees being a benefit and would not support a condition in that regard. Commissioner Kirchmann would not be in favor of a line of trees, but more in favor of clustering trees at appropriate locations. He further suggested that the applicant consider developing an enhanced landscape plan to be presented to Council.

Commissioner Mills agreed with the idea of a cluster of trees. On the map there is a strip of landscaping designated, which was the 1984 landscaping strip no longer used that seems to be a good idea because of the tone of the back and that could easily be brought into conformity with the front. She felt trees in back would soften that back area.

Commissioner Lang stated that the landscaping is half of what it should be, so if there is a reasonable opportunity to provide some additional trees, so she supported Commissioner Kirchmann's suggestion of encouraging the applicant to present an enhanced landscaping plan that moves toward the 15% requirement to Council in a way that best meets the business needs of the applicant. She wanted the site to comply with whatever is the applicable standard.

Commissioner Kirchmann asked staff if the Commission did not include an additional condition in the Use Permit, intensification of the use or change in use require compliance with the current 15% landscaping. Economic Coordinator Korzun responded that it would require that it be addressed, but they may not be able to comply in which case they would request a variance. Staff pointed out that there are 499 parking spaces, the use were to change the required parking would drop down to 100 or so and they would be area to add landscaping. The difficulty now is that 499 cars cannot be accommodated along with landscaping. Commissioner Kirchmann did believe the additional proposed condition is necessary.

Commissioner Pick stated that if this was a variance application in front of the Commission tonight, he did not believe it would be hard for this project to meet the findings for a variance.

Chair Atchison asked for a motion.

**Commissioner Kirchmann moved and Commissioner Colin seconded, to adopt a Resolution recommending that the City Council adopt an ordinance approving the propose Zone Change from PD to Francisco Boulevard West Commercial; and adopt a Resolution recommended that the City Council approve the Environmental and Design review Permit and Use Permit along with the change to proposed Use Permit Condition 6 to delete the words, "or one year" to read "shall be valid until January 9 2008."**

Commissioner Pick recommended an amendment to Item 2 under the Environmental and Design Review Conditions that "Alternative B Sheet A2.4" should be changed to "Alternative A." Commissioner Kirchmann accepted that change.

Commissioner suggested adding additional trees to the south lot line similar to Toys R us tree line. Commissioner Kirchmann encouraged the applicant to present a more robust landscaping plan for Council's consideration, but in terms of the motion, he would not incorporate a condition in that regard.

**Motion carried unanimously.**

<b>AYES:</b>	<b>Commissioners:</b>	<b>Kirchmann, Colin, Chair Atchison, Lang, Paul, Pick, Mills</b>
<b>NOES:</b>	<b>Commissioners:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>Commissioners:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Commissioners:</b>	<b>None</b>

**DISCUSSION ITEMS**

3. Discussion on Public Meeting Procedures

Commissioner Colin is a linear thinker and noted her frustration with current procedures and desired to get all clarification out first and then start deliberating in order to be more productive as a commission.

Commissioner Paul is a big fan of time limits. It would help to impose time limits on both applicants and public. It would be great to have a short presentation by the applicant and more time spent on Commission questions and/or concerns. Also, with the public, they should be well-organized and think ahead of time and be very relevant and succinct in their testimony. He desired time limits, even if generous, in order to have a definite understanding of the process with the applicant and public.

Chair Atchison agreed to have some uniformity in speaking time. He stated that applicants at times take too long. Commissioner Lang stated that applicants should provide new information or walk through visual aids, not read the staff report. Time limits for applicants/appellants are important. She desired feedback from staff on their preparation and pre-meeting consultation with staff. She asked if phone calls are acceptable. Principal Planner Meeker responded that staff prefers questions to be asked upfront, so it is advantageous from a staff standpoint to contact staff in advance of the meeting. Commissioner Lang stated that if the Commission created more of an emphasis on contacting staff ahead of time, then they could possibly combine the question and comment period if the Commission accepted staff's invitation of asking questions off the record.

Chair Atchison recommended having self-limiting questions such as procedural questions to occur first.

Commissioner Mills recommended educating the public in terms of process. Also, in her view it would be helpful if there were sheets available that provided the public the

procedural process. Director Brown is committed to work on the website this year and provide more public information such as tips for effective public hearing presentations and what to expect at a public hearing and provide that same information to applicants in advance of the meeting. Also, the public receives staff reports on Friday and their opportunity is to submit information by Monday, and if not, their best is to bring that information to the Tuesday night Commission meeting. Staff added that legally, the public could provide as much information as they like at a public hearing.

Commissioner Paul recommended sending out the staff report earlier than Friday, possibly by Wednesday. Commissioner Pick understood staff's workload, so he recommended possibly sending out the staff report earlier on contentious items.

Principal Planner Meeker stated that from experience with other jurisdictions, most cities have a 10 minute time limit for the applicant/appellant and a 3 minute time limit for the public, but always at the discretion of the Chair.

#### Discussion items of the Commission:

- Commission expressed concern for material being submitted the night of the meeting.
- Possibly sending out the staff report earlier on contentious items.
- Possibly consider 10-minute time limit for applicants/appellants, including their team, and 3 minute time limit for members of the public. Chair always has discretion in regard to time limits, but structured time limits would make the process easier.
- Applicants/appellants/public should not repeat information in the staff report, or repeat information already discussed or discuss irrelevant topics.
- Have the DRB Liaison report back findings to the Commission first.
- Remind all to turn off their cell phones before entering the Chambers.
- Add procedural information to the website for the public and make that information available at the meetings in order to better educate the public.
- Remind public that all comments should be addressed to the Commission and all questions should be addressed to the Chair, not staff.
- The Commission should have ample time to discuss, explain and acknowledge their decisions.
- Chairperson should better anticipate disgruntled members of the public in order to move on to the next speaker.
- Thank applicants and public when questions are answered to avoid long answers that are not needed.
- Contact staff ahead of time for questions about projects in order for the meeting to run smoothly. If at times a Commissioner contacts an applicant about a certain project that must be disclosed at the meeting.
- When entering the Chambers everyone is to be treated with respect.
- Continue to improve relations with the public.
- Consider rules of decorum in regard to activities in the Chamber.
- Consider providing Robert's Rules of order to Commissioners.

#### 4. Annual Review of Planning Commission Rules and Procedures

Bill Meeker, Principal Planner, summarized the staff report and recommended that the Commission provide direction to staff regarding changes to the Planning Commission ‘s “Rule’s and Procedures,” if so desired. Once any changes are made to the document, a resolution memorializing the changes will be placed on a future Planning Commission agenda for formal adoption.

Commissioner Lang discussed page 6 under “*Rules of Testimony No. 1,*” and added a sentence to state, “*3 minute time limit for public presentation.*” Under Section E she felt guidelines should be provided. Principal Planner Meeker suggested stating, “*time limits shall be limited to 10 minutes unless an extension of time is granted by the Chair.*” Staff explained that would be including the entire team of the applicant/appellant.

Commissioner Lang expressed concern for the content, so only new information should be presented. Director Brown agreed to work on the guidelines and bring them back to the Commission for review and approval at a future meeting. Commissioner Lang encouraged staff to focus on the applicant, not the public.

Commissioner Lang proposed deleting No. 2 under C “*Order of Speaking*” and delete No. 5 regarding “*Commissioners ask questions of the applicant.*” She appreciated No. 7 regarding “*The Commission obtain final facts or clarification from staff, the applicant or the public.*” Commissioner Paul was not comfortable eliminating No. 5. He felt careful clarification of questions at that time is more appropriate and believed it is better to have clarification upfront. Chair Atchison stated that clarification should occur ahead of time by staff. Commissioner Lang stated that if it is a rare circumstance or new issue, the Chair could use discretion.

Commissioner Mills discussed meeting procedures and thanked staff for their reports. She then asked the Commission to consider adding an alternate member to the Commission with the DRB. The Commission objected to that suggestion.

Commissioner Mills asked staff to post the agenda in the library in addition to City Hall.

Commissioner Paul thinks it is important for controversial projects to provide the applicant an opportunity to rebut, so make it more formal rather than at the discretion of the Chair. Commissioner Lang believed the Chair has discretion, and if added to the rules, then a second presentation will be provided and then the public cannot comment. Commissioner Paul believed an applicant should have the “right” to rebut. Commissioner Lang felt it works to be discretionary and did not desire change. Commissioner Kirchmann felt it is important to invite an applicant to respond to matters raised in the course of the testimony, not a new summation or closing argument. Commissioner Lang stated that the system is not broken, so why modify.

Commissioner Paul discussed page 6 under No. 3 and recommended changing the “*witnesses*” to “*speakers.*” The Commission and staff agreed.

Commissioner Paul requested that the applicant provide the Commission with larger plans, even if just available at the meeting. Also, it would be beneficial to have contextual maps of projects. It would be helpful to see properties immediately around the project. Commissioner Kirchmann preferred the 11 x 17 size plans. Staff agreed to always have a full size set available. Commissioner Pick recommended stating, “*legible*” rather than specifying a size. Also, if certain standards are desired, then those requirements should be spelled out to the applicants to know what the Commission is requesting. Commissioner Kirchmann recommended asking applicants to submit a different size to the Planning Commission. Also, insist on getting the plans before the DRB hearing. Commissioner Mills preferred the larger plans. Commissioner Paul desired legible plans. Principal Planner Meeker stated that regardless of the size, they will make sure the plans are legible and have one set submitted at 11 x 17 rather than keep a mental note of who wants a full size and who does not.

Commissioner Kirchmann desired a graphic scale as well in order to get a sense of dimensions. Also, applicants must pay attention to submittal requirements.

Commissioner Mills asked staff to provide the “*Rules and Procedures*” to the public as an educational tool. Director Brown recommended tailoring them more to the general public, but this could be added to the website, if so desired by the Commission. Chair Atchison stated that if Robert’s Rules of Orders are to be used, they must have a boilerplate to avoid future problems. Also, he did not believe the “*Rules and Procedures*” should be widely circulated.

Chair Atchison discussed “*Organization*” and expressed concern for the term “*unjustifiable*” in regard to absences and felt it should be better defined. Commissioner Colin recommended stating, “*unexplained*” absences instead. Chair Atchison recommended stating, “*may recommend*” rather than “*shall recommend*” under that same section.

*The Commission directed staff to come back at a later date for adoption. Staff agreed.*

## 5. Election of Officers

Chair Atchison appointed Commissioner Colin to serve on the Citizen of the Year Committee.

Chair Atchison appointed Commissioners Lang and Pick to attend four or five meetings in regard to design discussions.

**Commissioner Lang nominated Vice Chairperson Colin as Chair of the Planning Commission for 2007. Commission unanimously agreed.**

**Commissioner Pick nominated Commissioner Kirchmann as Vice Chair of the Planning Commission for 2007. Commission unanimously agreed.**

## **DIRECTOR'S REPORT**

Director Brown thanked Commissioner Atchison for doing such an admirable job chairing the Commission for 2006. Chair Atchison appreciated his opportunity to serve as Chair of the Commission and felt continued communication amongst Commissioners and staff is beneficial and believed an open forum is very important.

Director Brown noted that Council committed this year to meet with each board and commission. He announced that a joint session would occur with both the Planning Commission and DRB. It is important for Council, DRB and PC to have an opportunity for some informal feedback and discussion. Possible topics for discussion might include design issues, the Green Building Program and changes in the Building Division.

Commissioner Lang would love to hear from Council regarding second story additions. Commissioner Pick wanted to have a serious discussion on the whole idea of development, redevelopment or no growth. Commissioner Lang believed it would be helpful for the Commission to know the Council's priorities regarding housing.

Director Brown then announced that staff received an application from Target on Friday. Also, the Loch Lomond Final EIR is very close to being released. The project is being modified and the applicants removed a couple of units and pulled units back from the wetlands area. They will submit an architectural package for that plan next week. Staff then announced that the League of California Cities is having their Planners Institute in San Diego this year and anyone interested should contact staff.

**COMMISSIONER COMMUNICATIONS** - None

## **ADJOURNMENT**

BY ORDER OF CHAIR COLIN, THE MEETING WAS ADJOURNED AT 10:10 P.M.

Respectfully submitted,  
Jessica Woods, Recording Secretary