MINUTES OF A REGULAR MEETING OF THE PLANNING AND TRANSPORTATION COMMISSION OF THE CITY OF LOS ALTOS, HELD ON THURSDAY, MARCH 21, 2013, BEGINNING AT 7:00 P.M. AT LOS ALTOS CITY HALL, ONE NORTH SAN ANTONIO ROAD, LOS ALTOS, CALIFORNIA

ESTABLISH QUORUM

PRESENT: Chair BRESSACK, Commissioners BAER, CHIANG, JUNAID, and McTIGHE
ABSENT: Vice Chair MOISON and Commissioner BODNER
STAFF: Assistant City Manager WALGREN, City Attorney HOUSTON, Planning Services Manager KORNFIELD, Senior Planner DAHL and Assistant Planner GALLEGOS (to observe)

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

ITEMS FOR CONSIDERATION/ACTION

CONSENT CALENDAR

1. **Planning and Transportation Commission Minutes**
   Recommendation to approve the minutes of the January 17, 2013 regular meeting.

MOTION by Commissioner BAER, seconded by Commissioner McTIGHE to approve the minutes of the January 17, 2013 regular meeting as amended by Commissioner BAER to clarify that the Commission was concerned that Loyola Bridge was too wide. THE MOTION PASSED BY A 4/0/1 VOTE, WITH CHAIR BRESSACK ABSTAINED.

PUBLIC HEARING

2. **10-UP-04 – Union Presbyterian Church – 858 University Avenue**
   Amendment to an approved Use Permit to allow the private elementary school and preschool located at the church facility to expand from 100 to 120 students. *Project Planner: Dahl*

Senior Planner DAHL presented the staff report recommending denial of amendment to Use Permit 10-UP-04 subject to the listed findings.

Commissioner CHIANG asked for more information on the background of prior uses at the site and other areas of concern and noted that he was on the former Traffic Commission when it evaluated the original traffic report. Planner DAHL stated that no issues have been reported in the last two years. Commissioner McTIGHE asked how the project was given CEQA exemption, and Planner DAHL explained the qualifications. City Attorney HOUSTON stated that the CEQA study done in 2007 was for 120 students.

The school representative from Heritage Academy, stated that they wanted to have 12 kids per class and that K-12 grades met the existing conditions of approval. Moreover, the representative stated that the neighborhood uses the church property for walking the track, using the playground, and

that the students and parents visit Los Altos businesses. The school representative conveyed that about 20 percent of Los Altos families are enrolled at Heritage Academy and about 38 percent carpool to the school, when asked by Commission McTIGHE. City Attorney HOUSTON clarified that with this amendment to the use permit, all conditions of approval may be reconsidered by the Commission.

A former church building committee member spoke in support of the project and stated that the existing use was for 100 students. A neighborhood resident stated that traffic has increased and is still too fast with minimal police enforcement, and that the El Monte Avenue and University Avenue intersections are impacted during the AM peak time. A local resident associated with the church spoke in support of the project stating that the church is a good neighbor and the school's SAT scores have been above the state average for the past 3.5 years. A nearby resident submitted a letter stating that the noise and traffic has increased substantially since school started, that it takes three cycles to get through the El Monte/University Avenue intersection, that there is no basis to change from the 100 student limit, and that the school impacts the local area without benefit. There was no other public comment.

The Commission discussed the project and a majority gave their general support for the to the use permit amendment. Three Commissioners in support of the amendment made the following comments that: the El Monte Avenue traffic bottle-neck is an existing condition independent of the use permit, they have not heard any significant issues with the increased enrollment, and some of the correspondence received were from immediate residents in support with no significant traffic impacts, the project site can absorb the 20-student increase without impacts, and we should support increase to benefit school economy; and as a previous Traffic Commissioner, Commissioner CHIANG saw minimal impacts when it was originally approved and supported the use increase.

One of the Commissioners in opposition had the following concerns and comments that: based on their experience on the former Planning Commission when the project was approved the former neighborhood input from the residents were angry; the school got caught with an illegal increase of students; the neighborhood bought into area with a church, not a church and school use; the traffic study was not "dynamic" and should have studied the intersection's impacts with a "dynamic" model; and as a matter of policy, if they support the increase of enrollment with no basis, then it sends the message that an applicant can ignore the previous decision and ask a new City Council and Planning and Transportation Commission for a new determination and decision. Chair BRESSACK stated that: the El Monte Avenue and University Avenue intersection is one of the worst in the City, the school makes good use of the property and is "green" to add students, but in balance she could not support the use permit amendment. She further suggested that the school present a way for the City Council to increase enrollment and not increase traffic such as by increasing carpooling efforts.

MOTION by Commissioner McTIGHE, seconded by Commissioner JUNAID, approve application 10-UP-04 per positive findings, with the following change:

- Modify condition No. 1 to allow 120 students; and
- All other conditions remain in effect.

THE MOTION PASSED BY A 3/2 VOTE, WITH CHAIR BRESSACK and COMMISSIONER BAER OPPOSED.

3. <u>Capital Improvement Program (CIP)</u>
Annual review of the Capital Improvement Program for consistency with the General Plan. *Project Planner: Kornfield*

Assistant City Manager WALGREN gave the report recommending that the Commission finds that the current Capital Improvement Projects are consistent with the General Plan; and provides input to staff regarding the potential for new projects. The three staff recommended CIP projects included the Housing Element Update, Halsey House, and the redevelopment of the Citi Bank plaza. Chair BRESSACK commented that the Civic Plaza downtown should be larger to meet the "civic" need. Commissioner JUNAID suggested using tables in the civic plaza. Assistant City Manager WALGREN stated that the plaza function design expand to include kiosks and static water elements.

A resident referenced his March 15, 2013 email to the Commission, stated that the City needs a public restroom downtown and had "City Plaza" questions, and was concerned with Halsey House periodically flooding. There was no other public comment.

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner McTIGHE wanted a follow-up to the Woodland Plaza code amendment and reported that he attended the League of California Cities Planning Commissioners' Academy from February 27 to March 1, 2013 in Pasadena, CA where CEQA and Complete Streets were topics and City Attorney HOUSTON was a keynote speaker on CEQA. Commissioner CHIANG reported on the January 22, 2013 City Council meeting regarding the Safeway ceiling height change and Chair BRESSACK gave the March 12, 2013 City Council meeting report.

POTENTIAL FUTURE AGENDA ITEMS

Potential future agenda items discussed were the new Capital Improvement Program (CIP), traffic complaints online, discussion of the traffic at the intersection of University Avenue and El Monte Avenue, parking management of construction downtown, and a summary of League of California Cities Planning Commissioners' Academy that Commissioner McTIGHE attended February 27 – March 1, 2013 in Pasadena, CA.

ADJOURNMENT

Chair BRESSACK adjourned the meeting at 8:56 P.M.

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David Kornfield, AICP
Planning Services Manager