

DRAFT FAIRFAX PLANNING COMMISSION MEETING MINUTES  
FAIRFAX WOMENS CLUB  
THURSDAY, FEBRUARY 21, 2019

Call to Order/Roll Call:

Chair Swift called the meeting to order at 7:00 p.m.

Commissioners Present:                    Norma Fragoso  
    Esther Gonzalez-Parber  
    Philip Green  
    Laura Kehrlein  
    Mimi Newton  
    Michele Rodriguez  
    Cindy Swift (Chair)

Staff Present:                                Ben Berto, Planning Director  
    Linda Neal, Principal Planner  
    Janet Coleson, Town Attorney  
    Amanda Charne, Assistant Town Attorney  
    Kara Spencer, Assistant Planner

**APPROVAL OF AGENDA**

M/s, Kehrlein/Newton, motion to approve the agenda as submitted.  
AYES: Fragoso, Gonzalez-Parber, Green, Kehrlein, Newton, Rodriguez, Chair Swift

Chair Swift announced there were two vacancies on the Tree Committee and she encouraged residents to apply.

**PUBLIC COMMENTS ON NON-AGENDA ITEMS**

Mr. Lew Tremaine, Sir Francis Drake Boulevard, asked the Commission to remove the discussion on the cannabis issue from tonight's agenda since he and Lynette Shaw, owner of Marin Alliance for Medicinal Marijuana are both interested in the item and are not feeling well. Chair Swift stated the agenda has already been approved and she would keep it as is.

Ms. Pam Meigs, Cypress Drive, stated she is witnessing neighbors doing weird things in terms of fencing (using fabric) and she is worried about the fire issue. She asked the Commission to review the fence ordinance.

Planning Director Berto introduced newly hired Assistant Planner Kara Spencer. The Commission welcomed Assistant Planner Spencer.

**CONSENT CALENDAR**

There were no Consent Calendar items.

## PUBLIC HEARING ITEMS

### 1. 308 Cascade Drive; Application #19-01

**Request for a Use Permit for a 120 square-foot accessory structure for accessory living space (meditation, yoga, art studio) adjacent to an existing single-family residence; Assessor's Parcel No. 003-121-29; Residential Single-family RS-6 Zone; Hope Johnson and Enrique Aguirre Aves, applicant/owners; CEQA categorically exempt per Section 15301(4); 15303(e) and 15305(a).**

Principal Planner Neal presented the staff report. She noted the following correction to the staff report- it should reference Resolution No. 2019-02. She also recommended the addition of the following condition as #18: "A deed restriction shall be recorded for the accessory structure stating that the structure shall not be used as a separate dwelling unit unless the owners go through the process of legally converting it to an accessory dwelling unit".

Commissioner Green stated the title of the resolution should delete the reference to the rear setback variance. The word "no" (referring to electrical) should also be stricken. "Scenic Road" should be changed to "Cascade Drive".

Commissioner Green referred to the Ross Valley Fire Department's Condition #7 and asked if the installation of a sprinkler system referred to just the shed. Principal Planner Neal stated "yes".

Commissioner Rodrigues referred to the revised plans dated February 11<sup>th</sup>, page 2 at the bottom, and stated it shows no glass at the bottom center and bottom left but the doors themselves have glass. The photograph shows something different. She asked if it was a "glass face". Principal Planner Neal stated "yes".

Chair Swift opened the Public Hearing.

Ms. Hope Johnson, applicant, made the following comments:

- They have revised the plans to comply with the rear setback.
- They moved the structure away from the property line by two feet.
- The reorientation of the shed drops the height of the structure facing 302 Cascade Drive by about two feet.
- The structure will be rotated 90 degrees- this will reduce the visibility to the neighbors at 302 Cascade.
- They are including a trellis on the uphill side to block any reflection that might impact the neighbors above on Pine Drive.
- They believe they have fully addressed any privacy concerns for the neighbors..
- The original design included shielded sconces that point downwards (dark sky compliant).

The residents at 302 Cascade Drive made the following comments

- They still have privacy concerns even with the redesign.
- The building would be overbearing and imposing to their backyard.
- All they will see is the structure due to the slope. It will project above her six foot fence.
- They want clarification about how much the building has "dropped".
- They are concerned about soil stability on both sides of the property.
- Pivoting the structure will make two sides, not just one, visible.
- The glass is a problem.
- They asked the owners to move the structure to the other side of the property. They refused.
- He is concerned about his property values.
- They have an email from the neighbors that says that area was used as a garden and the slope is less stable on that side with looser soil and a lot more runoff.

Commissioner Green asked staff if soil stability was an issue. Principal Planner Neal stated there does not appear to be any instability but that would be handled at the Building Permit stage.

Chair Swift closed the Public Hearing.

Commissioner Gonzalez-Parber provided the following comments:

- Soil stability issues will be addressed at the building permit stage.
- She appreciates the rotation of the building.
- They took steps to stay out of the setbacks.
- There is enough screening with the Oak trees.
- The glazing is now facing 90 degrees to the west.
- She does not have a problem with the revisions and the application.

Commissioner Kehrlein provided the following comments:

- She agreed with the comments made by Commissioner Gonzalez-Parber.
- It is not clear in the resolution that the foundation needs to be submitted for review and approval by the Building Department. She would like to add this language.
- She pointed out an incorrect date in the resolution.
- The applicant is meeting the zoning regulations.
- She understood the concerns of the neighbors.

Commissioner Green provided the following comments:

- He thanked the applicants for pulling the building out of the setback and rotating it to eliminate the privacy issue.
- He could approve this application.

Commissioner Newton provided the following comments:

- She is sympathetic to the comments made from the neighbors at 302 Cascade.
- She could support the application given the overall nature of the application and the efforts the applicants have gone through.

Commissioner Rodriguez provided the following comments:

- She agreed with the comments made by the other Commissioners.
- She referred to the resolution, Condition #1, and stated she would like to add a use limitation for only yoga, meditation, and art. Condition #2 should be expanded to include a check on the foundation and soils stability as well as the maximum height.

Chair Swift provided the following comments:

- She could approve the project.
- She had a question about Commissioner Rodriguez's suggested limitation on uses. Principal Planner Neal stated it would be very difficult for staff to know how the structure was being used and to enforce a condition that specifies only certain permitted uses.

M/s, Gonzalez-Parber/Rodriguez, motion to adopt Resolution # 2019-02 to allow the use of the accessory structure for living space accessory to the main house with all the modifications and the following amendments: 1) Correction of the dates throughout; 2) Corrections to the Resolution title: Delete the reference to the rear setback variance; the word "no" (referring to electrical) should be stricken; "Scenic Road" should be changed to "Cascade Drive"; 3) Condition #2 shall be amended to include a review of soils stability and foundation function by the Building Official; 4) Addition of Condition #18, "A deed restriction to not use the building as an accessory dwelling unit".

AYES: Fragoso, Gonzalez-Parber, Green, Kehrlein, Newton, Rodriguez, Chair Swift

Chair Swift stated there was a 10-day appeal period.

**2. 200 Toyon Road; Application #19-03**

**Request for a Hill Area Residential Development, Encroachment, Excavation, Front Setback and Retaining Wall Height Variances and a Design Review Permit for a 2,750 square-foot single-family residence with an attached 597 square-foot, 2-car garage. The project also includes the extension of 35 feet of Toyon Road, a fire truck turn around and creation of 2 public parking spaces and an access path connecting with the existing public path to the Marin County Open Space land located southwest of the site; Assessor's Parcel No. 003-161-01, 003-171-01 through 08; Residential Single-family RS-6 Zone District; Jerry Frate, Architecture and Planning, applicant; Ben Ross, owner; CEQA Categorically exempt per Section 15301(a).**

Principal Planner Neal presented the staff report and made a PowerPoint presentation. She noted staff is recommending a continuance to give the Tree Committee and Open Space Committee an opportunity to review and comment on the project.

Commissioner Newton asked if the recent discussions regarding maximum house size included garages and decks in the calculation. Principal Planner Neal stated decks are not included in the floor area ratio or lot coverage calculations. Garages over 500 square feet are included.

Commissioner Rodriguez stated she spoke to staff about the possible future subdivision of the property due to the extended infrastructure. She also asked about any biological studies (protected status species, etc.). She referred to Plan C3 (grading) and stated the final finished floor compared to the natural topographic lines on the plan shows an eleven foot difference. She referred to Plan 4 (building elevations) and stated it shows the wall line coming all the way to the ground. She asked if there would be piers behind the wall or if it was simply a façade. Principal Planner Neal stated the Fire Department no longer allows a building to have stilts with openings- everything has to be finished to the ground and the foundation would be a drilled pier foundation. This property was merged into one piece of land and is zoned for one house. The new State regulations would allow one accessory dwelling unit (ADU). Subdividing the property would require the owner to file a Subdivision Map and prepare an Initial Study and possibly a Negative Declaration and/or a Focused Environmental Impact Report (EIR).

Commissioner Green asked if they could impose a deed restriction saying the building could not be used as a boarding house or hotel. Principal Planner Neal stated boarding houses are not allowed in this zone. Planning Director Berto stated this could be incorporated into the "Whereas" Section of the Resolution.

Commissioner Gonzalez-Parber asked if the proposed height of the building (33' 8") was from grade to the highest point on the downhill side. She asked about the height on the uphill side from grade to the highest point. Principal Planner Neal stated staff measures height from any point within the footprint- the hillside can "dip and dive". She referred to page 2 and stated they should look at the height of the story poles. Story poles indicate the height above grade of the exterior corners and the peak of the roof.

Commissioner Fragoso had a question about the front setback.

Chair Swift asked who would be responsible for maintaining the proposed graded pedestrian access path. Principal Planner Neal stated the owner would be responsible for maintenance of anything they construct in the public right-of-way (would be included in the Encroachment Permit). This includes the fire truck turnaround. Chair Swift had questions about visibility of the project and the

timing of the installation of a new fire hydrant if it is needed. Principal Planner Neal stated the RVFD would require that improvements be put in prior to the delivery of construction materials.

Chair Swift opened the Public Hearing.

Mr. Jerry Frate, project architect, made the following comments:

- Staff gave a thorough presentation regarding the changes in the old vs. the new design.
- The second design is different from the first design as follows: 1) 75% fewer trees removed with the new design; 2) 60% less soil will be hauled away with the new design; 3) 85% less driveway and retaining walls will be built with the new design.
- They have redesigned the project with the previous feedback in mind.
- He referred to Sheet 2, section through the house, and noted the entire structure is below the height limit of 35 feet. There is nothing higher than 33'8".
- They are extending Toyon Road 50 to 60 feet inboard- this will be used for a staging area and parking for the contractors.
- The new fire hydrant has to be installed prior to delivery of materials.
- The plate heights are nine feet. There will be a minimal crawlspace.
- The existing public trail is on the paper road of Toyon and not on the property. They will install a ramp to allow access to the trail. They are not doing anything to the trail.
- The lattice treatment on the side of the house is decorative.
- Green building features will be considered and incorporated into the design during the Building Permit phase.

Mr. Richard Behrons, Toyon Drive, made the following comments:

- He distributed some maps and photographs.
- The "elephant in the room" is the need to get access to the property.
- This section of Toyon Drive is not Town maintained. The neighbors repaved the road about five years ago at a cost of \$24,000.
- The road is 10'6" wide and very steep (71% slope).
- He is concerned about digging up a road that is very sensitive to sliding.
- The owners should post a bond for the road.

Dr. Michelle Perro, Toyon Drive, made the following comments:

- She lives next door to the proposed project.
- She is concerned about the length of the sewer line.
- She asked about the project's access to power lines.
- The road repair questions are important.
- She has concerns about the extension of Toyon Drive- it will change the look of the area.
- The existing hydrant has experienced low water pressure in the past.
- She asked if more homes could be built on this 11 acre parcel in the future.
- Everything about this project needs to be put in writing so there is no "wobble room".

Mr. Bruce McDermott, Ridge Road, made the following comments:

- This project will be visible to those on the south side of the ridge.
- He wanted to know what he would be staring at when it is all said and done.
- He asked the applicant to find ways to mitigate the effect of the façade (paint colors, landscaping, etc.).
- He discussed how noise travels across the ravine.
- He was concerned about construction noise that would occur for a long period of time.
- Construction should be limited to five days a week.

Mr. Brian McCarthy, Toyon Drive, made the following comment:

- He is concerned about the stability of the road.

- His house is 75 feet from the proposed construction. He is concerned about the noise.
- Dirt is slumping onto the fire road from his lot. He is concerned about widening the fire road. That ground is not stable.
- He is concerned about the removal of trees- it could cause more slumping.

Ms. Pam Meigs, Cypress Drive, made the following comments:

- She referred to the sewer and stated it is a long distance and they might need an easement.
- The property is precarious.
- She was concerned about access to the trails.
- There are underground springs under her property and there are drainage and sliding issues.

Chair Swift closed the Public Hearing.

Chair Swift provided the following comments:

- She asked if the road would be totally repaved after the utilities were installed. Principal Planner Neal stated there was a condition that addresses restoration of damaged portions of the road to pre-construction condition. Staff will ask the Town Attorney if the Town could require one owner to resurface portions of the road that they have not damaged.
- She asked for clarification regarding normal construction timeframes.

Commissioner Green provided the following comments:

- He would like to include a condition that prohibits construction during the weekend and requires that the colors blend in with the hillside.
- He would like to see alternative colors (greener, redder, or darker).

Commissioner Rodriguez provided the following comments:

- She asked staff to address the following topics in more detail in the next staff report: 1) Geotechnical and hydrologic issues; 2) Possible future subdivision.
- She asked how they could make conclusions about site stability if there were no test borings.

Commissioner Newton provided the following comment:

- She would like to ask the landowner to restrict the rest of the property with a deed restriction or donation to open space to ensure the preservation of the land behind the house.

Commissioner Kehrlein provided the following comments:

- She asked about the time limit on the application with respect to the Permit Streamline Act. Principal Planner Neal stated staff could ask the owner to sign the form requesting an extension of time for review if there is a need to continue the matter again from the next March 21, 2019 meeting.
- They have made a lot of progress since the last application.
- She would like the applicant to propose alternate colors- the proposed color board is unclear.
- The elevations show landscaping against the house and she would like more information. A natural landscape plan would be preferable.
- She asked for a copy of prior biological studies.

Commissioner Fragoso provided the following comment:

- The sketches on the plans are very different from the color boards.

Commissioner Gonzalez-Parber provided the following comments:

- She appreciates the improvements- it is a more modest proposal.
- She has concerns about the color palette- it is too light.
- She thanked Mr. Behrons for the road diagram. She shares the concerns about ingress and egress on such a narrow road.

- Maintenance and repair of the road should be included in the conditions of approval.
- She likes a five day work week as opposed to seven. However, this means a longer construction period.
- She would like more information on the landscaping.
- She referred to the fire road improvements and asked how adjacent properties could be protected. Principal Planner Neal stated any adjacent property owner would need to give permission for engineers to go on his or her property for soils testing. Planning Director Berto stated this could be done prior to any grading/cuts.

M/s, Green/Kehrlein, motion to continue Application #19-03, 200 Toyon Road, to the March 21<sup>st</sup> meeting and ask staff and the applicants to address the issues brought up by the Commission tonight.

AYES: Fragoso, Gonzalez-Parber, Green, Kehrlein, Newton, Rodriguez, Chair Swift

**3. 2020 Sir Francis Drake Blvd.; Application #19-04  
Request for a modification of a previously approve Conditional Use Permit (#17-32), to create a 779 square-foot outdoor dining area on the south side of the Splitrock Tap and Wheel restaurant/bike sales and repair shop; Assessor's Parcel No. 001-183-16; Highway Commercial CH Zone; Jason Faircloth, applicant/business owner; Naaim Karakabi, property owner; CEQA categorically exempt per Section 15301(a).**

Principal Planner Neal presented the staff report. She noted the Assessor's Parcel Number listed in the staff report was incorrect- the one listed on the agenda and public notice was correct.

Commissioner Green asked about the exterior concrete wall treatment. Principal Planner Neal stated the applicant's design professional should come up with a proposal that could be reviewed by the staff. Staff is open to anything other than a flat gray concrete.

Commissioner Kehrlein asked staff about rules from the Alcoholic Beverage Control Board (ABC) regarding barriers surrounding patios. Principal Planner Neal stated the regulations are more restrictive when the eating area is in the public right-of-way as opposed to private property. There has to be some type of separation between the area serving alcohol. Commissioner Kehrlein was concerned that the two foot high wall did not meet ABC requirements.

Chair Swift noted the resolution title does not address the Design Review Permit or the modification to the Use Permit.

Chair Swift opened the Public Hearing.

Mr. Jason Faircloth, applicant, made the following comment:

- He plans to extend his ABC license to the perimeter of the outside eating area.
- They would post exits with signs saying "No alcohol beyond this point". Alcohol would not be permitted beyond the outside patio area.
- The low wall could function as a bench. The railings should be waist high.
- Fairfax is lacking outdoor seating. The deck area will be an alternative to the inside seating.
- The corner separation between the two walls was an architectural decision- they could fill it in with a 45 degree return.
- He would prefer to have a color that is different from the Fairfax Market. He was thinking about a black and gray treatment.
- He is not sure about the height of the proposed fire pit since they have not chosen a product. It would probably be 12" to 16" tall. The flame would probably project above kthe patio walls.
- They plan to come back with a design including patio heaters and shade structures. This would be a part of Phase 3.

- The lighting will be simple, perimeter lighting that shines downward.
- Landscaping/vegetation and a trellis on that side of the building would be a good idea.
- They want to move through the permit process as quickly as possible.

Mr. Rick Hammer, Bolinas Road, made the following comment:

- He likes the idea of outdoor seating. The indoor environment is a bit loud.
- The outdoor hours should not extend beyond what is allowed by the Noise Ordinance- 10:00 p.m. every day of the week.
- He would like “No smoking” signs posted. It could become a smoking patio without these signs.
- He hopes this application goes forward tonight.

Chair Swift closed the Public Hearing.

Commissioner Rodriguez provided the following comments:

- She referred to the aerial photograph and was concerned the project would create a distraction.
- A more comprehensive design would help.
- They should close this section earlier in the evening.
- The bike parking should be replaced.

Commissioner Newton provided the following comments:

- She disagreed with the comments made by Commissioner Rodriguez.
- This business has “woken up” this side of Town.
- She supports the application.

Commissioner Green provided the following comments:

- He agreed with Commissioner Newton.
- This part of Town needs more life.
- This will be an attraction and not a distraction.

Commissioner Fragoso provided the following comments:

- There is a driveway on each side of the Fairfax Market monument sign which can be confusing.
- This project will be a good addition to the Town- she likes the energy.
- She is concerned about the “asphalt” look and feel of the proposal.
- She would like to see a few more interesting design elements.
- She would like to see some fencing or trellis work that changes the parking lot look and feel.
- A ten inch opening in a wall is not an architectural detail.

Commissioner Kehrlein provided the following comments:

- She supports the use- it is a great idea.
- She has more questions that need to be answered and she suggested a continuance.
- She would like to see the details of the wall around the patio, how it is connected to the existing parking lot given the hump, and the colors.
- The area as designed looks like a “part of the parking lot”.
- She could not approve the application tonight.

Commissioner Gonzalez-Parber provided the following comments:

- This is a great project. It will open up this building and make it more inviting.
- The project will bring some life to the area.
- She would support giving the Planning Director discretion on the design details for the wall.
- It is important to keep this application moving forward.

Chair Swift provided the following comments:

- She is concerned about the low wall in the front. She would like to see alternate barrier designs.



- She is concerned about the fire pit and its proximity to Sir Francis Drake Boulevard.
- She would like to see the details on the lighting.
- She would like to see this application come back with a more detailed plan.
- She could not approve the project tonight.

Commissioner Green provided the following comments:

- He loves the project.
- He would like to see the details of the wall.
- There are things that need to be clarified.
- Staff could review and approve the “look and feel” of the wall treatment.

Chair Swift asked the Commission if they were comfortable with the fire pit.

Commissioner Gonzalez-Parber provided the following comments:

- The output of these fixtures can be controlled and will be reviewed at the Building Permit phase.
- The applicant could provide the specifications.

Commissioner Green provided the following comments:

- He is not concerned about the visibility of the fire pit. It is controllable.
- He wants to see the details of the wall.

Commissioner Fragoso provided the following comments:

- She loves the idea of the outdoor space but could not approve the current design.
- She is not concerned about the fire pit but rather the monotonous look and feel of the concrete wall that does nothing to enhance the design.
- There are issues regarding the differences in the grade.
- She supported a continuance with more focus on the design and the integration of the entire site.

M/s, Kehrlein/Green, motion to continue Application #19-04, 2020 Sir Francis Drake Boulevard, to the March 21<sup>st</sup> meeting to allow the applicants to address the comments made by the Commission. AYES: Fragoso, Gonzalez-Parber, Green, Kehrlein, Newton, Rodriguez, Chair Swift

The Commission took a 10-minute break at 10:20 p.m.

Commissioner Kehrlein left the meeting.

## **REGULAR AGENDA ITEMS**

### **4. Discuss/consider local cannabis regulations and provide direction to staff**

Planning Director Berto presented a staff report and gave a PowerPoint presentation.

Commissioner Newton noted there was not a consensus on the buffer zone issue. She is not in favor of the buffer zones.

Commissioner Green asked how the Town definition of “school” differs from the State definition. Assistant Town Attorney Charne stated the Town’s definition is much broader and flexible. The State definition is “kindergarten through high school”.

Commissioner Rodriguez had a question about the definition of cannabis as it relates to allowed uses. She referred to Attachment 1, Section 17.110.020, “Definitions” (A) and stated it includes extractions, etc. but the body of the ordinance itself talks about retail or delivery of those products. She thought it would refer to the physical plant. This definition enables the business to do

extractions, etc. which the Commission decided not to allow. Planning Director Berto stated most retailers have products besides plants.

Chair Swift asked if these definitions followed the State code, word for word. Assistant Town Attorney Charne stated “largely, along with some clarifications staff made”. Chair Swift asked if the “Storefront retailer” definition applied to recreational and medical. Assistant Town Attorney Charne stated “yes”. Chair Swift referred to the definition of “youth center” and asked is this was the State definition. Assistant Town Attorney Charne stated “yes”.

Chair Swift noted there was a separate cultivation and dispensary chapter and she would like them combined into one. Assistant Town Attorney Charne stated this is something staff could present at the next meeting.

Chair Swift stated there was a small area outside of the buffers and there has been a desire expressed for competition. She asked if it would be feasible to have exception processes for sites that had parking, were outside pedestrian areas, such as via a Use Permit. Assistant Town Attorney Charne stated other cities have looked at allowing some flexibility in the buffers to allow for consideration of site specific factors. Staff would not recommend a Use Permit. Commissioner Green stated he would like Planning Commission review of these exceptions.

Assistant Town Attorney Charne presented a report and a PowerPoint presentation regarding Chapter 17.110, “Commercial Cannabis Uses”.

Commissioner Fragoso referred to the application process, Phase 1, “Pre-screening”, and asked about the minimum application requirements. Assistant Town Attorney Charne stated those were set forth in Chapter 5.56.060 (A).

Commissioner Green asked about the logic behind the phasing of the application process. He noted the criminal history criteria should be moved up in the process. Town Attorney Coleson stated staff wants to limit the number of background checks done by the Police Department.

Commissioner Fragoso referred to the application requirements and stated she did not see anything pertaining to “business experience”. Planning Director Berto stated staff could include this.

Planning Director Berto presented a report and a PowerPoint presentation regarding Chapter 17.138, “Personal Cannabis Cultivation”.

Chair Swift opened the meeting to public comments.

Ms. Cathy Cotton, Taylor Drive, made the following comments:

- She asked when the list of disqualifiers would be produced.
- She was thinking in terms of employees.

Ms. Brigit Clark made the following comments:

- She referred to the buffer zones and asked if the Commission would consider tutoring centers.
- The First Friends Montessori School on Mono Avenue includes a kindergarten program.
- The DUI issue is big in Marin County.

Ms. Patrice Bryan, Fairfax, made the following comments:

- She is a cannabis industry lobbyist.
- A lot of these complicated issues being brought up have already been decided by the State.
- She wants to move forward.

Ms. Jasmine Garrety, Fairfax, made the following comments:

- It is not about being able to run a fully functioning business- it is about what the business is and what products are being put in the business.
- Fairfax will be the first location in Marin that sells retail recreational cannabis- traffic will be insane.
- She is concerned about the THC potency levels.

Chair Swift closed the meeting to public comments.

Commissioners Gonzalez-Parber, Fragoso, Green, Newton, and Rodriguez provided the following comments:

- They would be available on March 14<sup>th</sup> for a Special Meeting.

Commissioner Green provided the following comments:

- He referred to Attachment #1, page 4 and 5, number of businesses, and stated he has supported two businesses all along (whether medical, delivery, or retail). This includes the existing business.
- He wants to move this forward.

Chair Swift asked the Commission to forward any questions to staff prior to the next meeting.

## **5. Election of Planning Commission Vice Chair**

M/s, Newton/Fragoso, motion to elect Commissioner Green as Vice Chair.

AYES: Fragoso, Gonzalez-Parber, Newton, Rodriguez, Chair Swift

ABSENT: Kehrlin

ABSTAIN: Green

## **DISCUSSION ITEMS**

There were no discussion items.

## **6. Minutes from the January 17, 2019 Planning Commission meeting**

Chair Swift stated this item would be continue to the March 21<sup>st</sup> Regular meeting.

### **Planning Director's Report**

Planning Director Berto stated he had nothing to report given the late hour.

### **Commissioner Comments and Requests**

Commissioner Green stated he was glad to see the work being done at the Parkade and had some questions about the scope of the project.

Commissioner Newton stated the button for the crosswalk lights across from the Hummingbird Café was covered by some temporary fencing. This is dangerous.

k

**ADJOURNMENT**

A motion was made, seconded and unanimously approved to adjourn the meeting at 11:30 p.m.

Respectfully submitted,

Toni DeFrancis,  
Recording Secretary