



REGULAR MEETING MINUTES

Date: 6/8/2020
Time: 7:00 p.m.
GoToWebinar.com – ID #968-757-107

A. Call To Order

Chair Andrew Barnes called the meeting to order at 7:00 p.m. He summarized the Chair's role in conducting the online meeting.

Leo Tapia, Clerk, said that the program being used for the online meeting supported a maximum of six webcams at a time. He outlined how meeting attendees could participate in the meeting at appropriate places on the agenda process.

B. Roll Call

Present: Andrew Barnes (Chair), Chris DeCardy, Michael Doran, Larry Kahle, Camille Kennedy, Henry Riggs (Vice Chair), Michele Tate

Staff: Chris Lamm, Assistant Public Works Director; Ori Paz, Associate Planner; Matt Pruter, Associate Planner; Corinna Sandmeier, Senior Planner; Chris Turner, Assistant Planner

C. Reports and Announcements

Senior Planner Corinna Sandmeier said the City Council at its June 9, 2020 meeting would consider appointments to various City commissions including the planning commission and an update to the City's response to Covid-19 including possible street closures such as portions of Santa Cruz Avenue and other downtown streets for safety reasons to support outdoor business operations. She said at this time all building permit application types were being accepted with an added pre-application process.

Replying to Commissioner Chris DeCardy's question of when the City would review its General Plan, Ms. Sandmeier asked whether he wanted to know about specific elements of the Plan to be updated. She noted that she did not have any specific dates now but would look into it. Commissioner DeCardy said he would like the Commission to review elements well in advance of scheduled updates in a study session to understand changed circumstances in the community from Covid-19 and long-term implications for public spaces and public use because of the recession and increasing inequity. He said he did not think the Planning Commission had ever discussed the long history of redlining and discrimination in zoning policies in Menlo Park, which had recently been highlighted in a series in The Almanac. He said he thought it was important to make time to hear from the community and all interests and have an educational opportunity as a Commission.

Commissioner Henry Riggs said at the May 4 meeting that the Dumbarton Rail Corridor was discussed with a Facebook representative. He said they first learned that Facebook had some hesitancy to pursue that project and had asked questions for which the Facebook representative did

not have answers. He said Fergus O'Shea, Facebook, indicated he would follow up with information to the Planning Commission. Planner Sandmeier said she believed that Facebook had met the terms of the development agreement as it related to the Dumbarton Rail Corridor. She said the City Council would be responding on the whole process and project of the Dumbarton Rail Corridor.

Commissioner Riggs said two Commissioners on May 4 had specific questions and asked about Facebook's commitment to complete that study underway outside of the Facebook Building 22 approval. He said Mr. O'Shea indicated some doubt and that concerned some Commissioners given that the Dumbarton Rail Corridor was potentially the most important transportation issue for the South Bay and for decades or more. He said Mr. O'Shea promised to return with information to confirm commitment to the study. He said if it was more appropriate for the Commission to work through the City Manager's Office regarding this to let them know. Planner Sandmeier said she could coordinate with Planner Kyle Perata, the Facebook project manager, but she believed that Facebook had met its obligation relating to funding the study.

Commissioner Camille Kennedy said she supported Commissioner DeCardy's request for a study session and discussion around the long history of redlining and disinvestment in neighborhoods of color. She referred to resources being put into the Bayfront area that tended to circumvent the core aspect of the Belle Haven community. She said that looking at what the City was layering over in the area was a priority topic.

Commissioner Michele Tate said she would like the discussion referred to by the previous two commissioners to be a priority as well. She requested that it be on the Commission's agenda sometime soon to give time for the Planning Commission to think and to identify whether they needed to bring it back so more community members might participate and learn also.

Planner Sandmeier asked if the request for a study session on redlining would be related to an update to the Housing Element of the General Plan. Commissioner Kennedy said yes to housing; she said it went generally to the many lenses through which they were looking at Belle Haven at the moment. She said the area became a prime target of investment and was fortuitous for Menlo Park as a whole.

Commissioner DeCardy said he believed it was the Housing Element and any other related Element of the General Plan that would be coming back but it was important to begin the process of understanding from the community and key constituents that work with the Planning Commission regularly how they see this community as it would forever change because of the multiple elements that had happened now. He said they needed to begin the process of being able to understand that and be educated as a Planning Commission to better serve the community and all of its constituents. He said he appreciated Commissioner Tate's comment about doing this soon. He said he understood the Commission and staff had a lot going on, but this was likely to be more than one session over a period of time.

Commissioner Tate said she would like the Commission to take a look at how all of this fitted in with the Specific Plan because if they were looking at the history of the community and redlining it was important to understand the Specific Plan and how that fit into ConnectMenlo. She said she would like to see that added for the Commission to study.

Replying to Chair Barnes, Planner Sandmeier said she would need to coordinate with Planning management and see how the suggested item would fit within staff's workload and what the City Council was working on, but she would get back to the Commission with a response.

D. Public Comment

Commissioner Larry Kahle said he would like to comment as a member of the public. He referred to the matter raised by Commissioners DeCardy, Kennedy and Tate and the peaceful protest all had been seeing that was calling for a change. He said the point of the protests were to put pressure on the leaders. He said as Planning Commissioners they did not have much authority to make changes, but they have a de facto leadership role. He said it was important that he lend his voice towards making those changes. He said to that end he wanted to voice his support for the peaceful protest and to encourage police reform including a national standardization of police policies and demilitarization of police forces. He said he would also like to see a reallocation of tax dollars first to meet public safety requirements but second to provide adequate funding for community resources that would address root causes of their problems and that included housing, mental health services, and most importantly education at the city, state and national levels. He said he saw something today that summarized it fairly well: *Law and order is not achieved by law enforcement but by education, jobs and mental health*. He encouraged their elected leaders towards meaningful reform and encouraged people to vote like their life depended upon it and vote like their country depended upon it.

Chair Barnes closed public comment.

E. Consent Calendar

- E1. Approval of minutes from the May 4, 2020, Planning Commission meeting. ([Attachment](#))

At Commissioner DeCardy's request, Chair Barnes pulled item E1 from the Consent Calendar.

Commissioner DeCardy said page 11 of the May 4 minutes had a summary of the Commissioners' feedback on the proposed Transportation Impact Analysis Guidelines. He said the summary going to the City Council on June 9 was not the same as that in the May 4 minutes and did not draw some of the distinctions that Commissioners Barnes and Riggs and he had made on a couple of the items. He asked if it was possible to take the bulleted summary from the May 4, 2020 minutes as a more accurate representation than the more truncated summary in the City Council's agenda packet.

Planner Sandmeier said that staff report was written by the Transportation Division staff. She said she would follow up with them to see if they could provide an update to the City Council based on the information in the Commission minutes.

- E2. Approval of minutes from the May 18, 2020, Planning Commission meeting. ([Attachment](#))

ACTION: Motion and second (Riggs/DeCardy) to approve the Consent Calendar consisting of the minutes of the May 4 and May 18 Planning Commission meetings; passes 5-0-2 with Commissioners Kennedy and Tate abstaining.

Chair Barnes reviewed how he would conduct the public hearing items.

F. Public Hearing

- F1. Use Permit and Variance/Mark & Susan Reinstra/2312 Warner Range Avenue:
Request for a variance for a front setback of 12 feet, where 20 feet is required, in order to construct an attached accessory dwelling unit at an existing two-story, single-family home in the R-1-S (Single Family Suburban Residential District). The front setback is measured on Crest Lane, which is the shorter of the two street-facing property lines. The project also includes a one-story addition at the functional rear of the main residence. The proposal includes a request for a use permit to construct a new seven-foot fence within the front setback. As part of the proposed development, one heritage magnolia tree is proposed for removal. ([Staff Report #20-027-PC](#))

Staff Comment: Assistant Planner Chris Turner said he had no additions to the staff report.

Questions of Staff: Commissioner Michael Doran referred to a discussion on page 4 of the staff report about which lot line was the front and which was the side. He said the applicant in the application claimed that the zoning ordinance was modified after the house was built, which had been built in 1962. He asked if staff could confirm or deny when the zoning ordinance declaring Crest as the front line was enacted. Planner Turner said he was unsure when the zoning ordinance was amended to allow for the lot line election. He said the zoning ordinance in effect today was the applicable zoning ordinance for projects.

Commissioner DeCardy asked if there was a page in the materials where staff could indicate visually how much an encroachment there was if the front were on the longer side rather than the shorter side. Planner Turner referred to the survey that showed the actual dimensions from the lot line to the garage. He said the applicants had a presentation with pictures that might better show how much of a difference that would be.

Applicant Presentation: Mark Reinstra said he thought the survey on D4 would best show the encroachment noting that the distance was 14-inches on the corner of their garage property. He said they wanted an accessory dwelling unit (ADU) on the first floor and contiguous to the existing house noting aging parents and other future family uses for the ADU. He said they designed it to fit within the setbacks of Crest Avenue, which were 12-feet as a side setback but if counted as the front setback, it needed 20 feet. He said they could not build the ADU as configured unless the designation of Crest Avenue as the front was changed to Warner Range as the front or they obtained the variance they were requesting. He said because a corner of their garage encroached by 14-inches into what would be the front setback of Warner Ranger they were unable to obtain that adjustment. He said their choice was to tear down the garage and move it back 14 inches or obtain the variance. He said the Planning Department considered that the variance they were requesting was to encroach in the front setback eight feet and they believed they were requesting a variance for a 14-inch encroachment by the corner of their existing garage. He showed a photo of what was considered the front of their house on Crest Avenue that was heavily wooded and a photo of what was considered the side of their house on Warner Range that was the entrance to their home. He said they designed the ADU to be attractive and practical. He said it would not be visible from either Crest Avenue or Warner Range.

Mr. Reinstra said the Planning Department suggested two alternatives that were feasible, but they did not consider them reasonable, practical or desirable. He said one was to put the ADU to the left of the garage, which would require them to move a retaining wall they had built a number of years ago. He said also that the ADU occupants would have to walk outside either through the backyard or around and through the front yard to get into the main house noting challenges if occupants were

aging parents. He said it was a 11 ½ -foot slope from where the building pad would be and where they believed the retaining wall would have to be built. He said they did not think that alternative would be architecturally compatible with the main house and the neighborhood. He said area neighbors had been thoughtful and were not building McMansions. He said an addition on that side would be more visible to neighbors and would block any light source they had. He said with the hillside sloping up in all directions that they had limited light in the back. He said the second alternative was that an ADU could be placed in a garage. He said they used their garage to store a car as do most of their neighbors and they did not think building on top of the garage would be appropriate to their neighbors and would not serve their elderly parents.

Mr. Reinstra said they had neighbor support for their proposed project. He said they had 26 mature trees, 10 of which were heritage trees, on their lot. He said they were proposing removing one heritage tree and replacing it. He said the proposed ADU would have minimal impact on the neighbors.

Commissioner Doran said it was mentioned that the lot line on Crest Avenue was slightly shorter than the one on Warner Ridge, and asked how much shorter. Ms. Susan Reinstra said it was 96 feet compared to 126 feet.

Chair Barnes opened the public hearing and closed it as there were no speakers.

Commission Comment: Commissioner Kahle said in general variances should be hard to get and have a compelling reason for them. He said he looked at the drawings before he read the staff report and thought there might be other locations for the ADU such as on the left or right or in the garage. He said the staff report did not support the variance request. He said he was sympathetic to the owners' needs, but he did not see a compelling reason to grant the variance request and did not want to set a precedent. He referred to the front elevation. He said Cape Cod architecture was supposed to be very symmetrical. He said with the proposed addition stepping back to meet the setback and different roof pitches he did not see that symmetry. He said he had to agree with the staff report that the variance should not be granted.

Commissioner Doran said he could support the request for a variance. He said the proposed ADU was consistent with policy in the state, county and City of Menlo Park to encourage the development of ADUs. He said he felt he could make the findings for the variance. He said he agreed that variances should be hard to get. He said in this case the lot had some topographical restrictions due to the slopes which other houses might share but what was different was the question of rezoning a lot after the house was built. He said if the current zoning had been in place when the home was built it was quite likely that different choices would have been made including setting the garage back 14-inches. He said he thought that was a hardship on the property owners. He said he disagreed philosophically from Planner Turner that the date of the rezoning did not make a difference. He said legally it might not and the City could back zone properties after buildings were built but zoning could also be challenged on that basis and he thought the zoning ordinance was vulnerable on that basis. He said he had a problem with changing the rules after the house was built and with that, he could make the finding that not granting a variance would be a hardship on this property. He said the ADU was very supportable and modest in size. He said he understood Commissioner Kahle's architectural concerns with the ADU but he had seen Cape Cods that had been added to multiple times over centuries and did not think that was enough of a reason not to grant the variance request.

Commissioner Kennedy said she agreed with Commissioner Doran noting the need for housing and affordable units. She said with the need for smaller housing units she thought they should set aside

their overwhelming commitment to maintaining architectural value over housing people. She said what the applicants were proposing was within the spirit of how a variance should be applied. She said she thought they should start to be more forward thinking in how they looked at variances. She moved to approve the variance request.

Replying to Chair Barnes, Commissioner Kennedy said her motion was to approve the use permit request and variance request. Commissioner Doran seconded the motion.

Planner Turner said the recommended actions were findings of denial. He said the Commission would need to provide findings for approval of the variance. He noted that staff had prepared alternative findings for approval. He reviewed those findings for the Commission.

Discussion ensued related to possible additions to the alternate findings for approval of the variance drafted by staff.

Commissioner Riggs, in reference to the alternate findings to approve the variance, questioned that a person could buy a property with certain features on the lot and then claim that those were a hardship peculiar to the property not created by the owner. Planner Sandmeier said she thought it was reasonable to say that the current owner did not design the layout of the lot and how it was built and it was reasonable to include that as part of the finding in 2a.

Commissioner Doran said if acceptable to Commissioner Kennedy he would propose an addition to 2a. He said he thought there was a hardship not created by the owner by the amendment of the zoning ordinance after the house was built. He suggested adding that to condition 2a. Planner Sandmeier said as far as staff knew the zoning ordinance had not changed since the house was built so they would not want that added as part of the finding.

Commissioner Riggs noted that there was a process to change zoning related to relocating the front property line from Crest Avenue to Warner Ridge. He said if that was done the garage would be encroaching into the setback. He said he could not support that the zoning was an impact. He said the garage could potentially be relocated up to the setback and that would free up space in the rear. He said many lots in Sharon Heights had a slope and often a dramatic slope and required more expense in building than on flat land. He said he had some difficulty in making the findings for the variance.

Commissioner DeCardy said he supported in principle the discussion led by Commissioner Doran and the reasons for supporting the variance as opposed to its denial. He said he would support because of ADU state law, the spirit of which was clear.

Commissioner Doran said he was happy with the alternative findings prepared by staff but wanted to suggest to fellow Commissioners that were disinclined to approve that rather than denying the item that they continue it to look into the question of when the zoning ordinance was amended. He said the applicant indicated the zoning changed after obtaining the property. He said staff did not know when he asked earlier in the meeting. He said with the absence of any evidence to the contrary they should believe the applicant. He said later in the meeting Planner Sandmeier indicated the zoning had not been amended for this property. He said it would be worth investigating if Commissioners were not inclined to approve the item this evening.

Replying to Chair Barnes, Planner Sandmeier said regarding the zoning for the front of the property that she had not done all the research herself but she believed that it was accurate that the zoning

had not changed. She said for the next Commission meeting there was only one item on the agenda so this item could be continued if the Commission desired.

Commissioner Tate said she would support approval and did not want to continue the item to another meeting. Commissioner Kennedy said she agreed with Commissioner Tate and thought they had enough information to make a decision.

ACTION: Motion and second (Kennedy/Doran) to make the findings and approve the variance and use permit; passes 5-2 with Commissioners Kahle and Riggs voting against.

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act Guidelines.
2. Make the following findings as per Section 16.82.340 of the Zoning Ordinance pertaining to the approval of the variance for the construction of an attached ADU in the front setback:
 - a. The property is severely sloped in much of the buildable area on the lot. Most of the usable area has been developed with the existing residence and other built features, including built-in barbecue and fire pit facilities, leaving little room for compliant construction of an ADU. For this reason, there does not appear to be a reasonable and feasible alternative to the proposed development, creating a hardship peculiar to the property not created by the owner.
 - b. A reduced front setback to allow an ADU within the front setback would not constitute a special privilege for the owners as the topography and existing development of the parcel leave little room for compliant construction of an ADU. The proposed variance is necessary for the property owners to enjoy the same privileges as neighboring properties.
 - c. Although constructing the ADU in the required setback would affect the front setback, the location of the encroachment would not be particularly detrimental to the public health, safety, and welfare, or impair an adequate supply of light and air to the adjacent properties.
 - d. The conditions upon which the requested variance is based would not be applicable, generally, to other property within the same zoning classification. The property is a standard corner lot, however much of the property is severely sloped and unable to be built upon, and most of the buildable area is developed with the existing residence and other built features, including built-in barbecue and fire pit facilities. Additionally, the location of the existing residence precludes a lot line election that would allow for the construction of a compliant ADU in the proposed location. Only a small number of R-1-S parcels in the City have this unique combination of features, therefore the conditions upon which the requested variance is based would not be applicable, generally, to other properties since the variance is based on the inability to elect the front lot line.
 - e. The property is not within any Specific Plan area. Hence, a finding regarding an unusual factor does not apply.
3. Approve the variance.

4. 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.
5. 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 Libby Raab Architecture, consisting of 16 plan sheets, dated received May 22, 2020, and approved by the Planning Commission on June 8, 2020, 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 and the arborist report prepared by Kielty Arborist Services LLC. and dated December 2, 2019.

- F2. Use Permit/Ami Ferreira/1465 Bay Laurel Drive:
Request for a use permit to demolish an existing single-story, single-family residence with an attached two-car garage and construct a new two-story, single-family residence with an attached two-car garage and a basement on a substandard lot with regard to lot width in the R-1-S (Single-Family Suburban Residential) zoning district. ([Staff Report #20-028-PC](#))

Staff Comment: Associate Planner Ori Paz said he had no additions to the written report.

Applicant Presentation: Steve Simpson, SDG Architecture, said the rear of the lot was 75-feet wide where 80-foot width was required and the front was 126-feet wide where 80-foot width was required. He said the lot size was 17,000 square feet where 10,000 square feet was the minimum required for the zoning. He said the proposed style was transitional with some English Country elements. He said they tried to break up the massing and articulate it to fit nicely with the neighborhood.

Commissioner Kahle asked if there was a band over the garage that continued over the mudroom entry. Mr. Simpson said it was a band of stucco and the intention was to have the stucco flush with the stone. He said the stucco band followed across the garage, the mudroom entrance and also the covered front porch.

Commissioner Kahle said it was a nice design but the garage seemed a little asymmetrical. He suggested making it all stone and not having the stucco band to set it apart. He asked if the property owners had considered adding an ADU to the property. Mr. Simpson said they had not discussed that noting the site was somewhat constrained as it got narrower toward the rear where there was a pool, small cabana and redwood trees.

Chair Barnes opened the public hearing.

Public Hearing:

- Mr. Tapia noted a question was called in: *Can you show a site plan?*

Replying to Chair Barnes, Mr. Simpson showed a site plan with neighboring properties.

Chair Barnes closed the public hearing.

Commission Comment: Commissioner Kahle said the design was very handsome with great proportions and massing and nice materials. He said his minor issue was that the garage seemed a little unbalanced and he wished there was an ADU for housing. He moved to approve as recommended in the staff report. Commissioner Kennedy seconded the motion.

ACTION: Motion and second (Kahle/Kennedy) to approve the item as recommended in the staff report; passes 7-0.

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 SDG Architecture, Inc., consisting of 27 plan sheets, dated and received on June 3, 2020, and approved by the Planning Commission on June 8, 2020, except as modified by the conditions contained herein, subject to review and approval by the Planning Division.

- b. The applicant shall be required to apply for a building permit within one year from the date of approval (by June 8, 2021) for the use permit to remain in effect.
- c. Development of the project shall be substantially in conformance with the plans prepared by SDG Architecture, Inc., consisting of 27 plan sheets, dated and received on June 3, 2020, and approved by the Planning Commission on June 8, 2020, except as modified by the conditions contained herein, subject to review and approval by the Planning Division.
- d. Prior to building permit issuance, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
- e. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
- f. 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.
- g. 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.
- h. 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.
- i. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the Arborist Report prepared by Advanced Tree Care and dated May 18, 2020

G. Regular Business

- G1. Architectural Control/Tod Spieker/870 Santa Cruz Avenue:
Request for architectural control to modify the exterior of an existing two-story commercial building in the SP-ECR-D (El Camino Real/Downtown Specific Plan) zoning district. The building would be comprehensively updated with stucco, composite wood, metal panels, new windows, a glass spandrel along both floors, and a new color scheme. The existing first and second floors would be reconfigured to incorporate a minor building modulation inset along the front and rear elevations, and the building would provide rooftop access, but the gross floor area would not increase as part of the project. ([Staff Report #20-029-PC](#))

Staff Comment: Associate Planner Matt Pruter said Arnold Mammarella, the City's Design Review Consultant, was present as well. He said they received two public comments on the project after publication of the staff report. He read aloud the first one, which was from Alison Johnston.

- Dear Mr. Pruter,

I am writing to you in support of this project (870 Santa Cruz Avenue) and ask that you forward this letter to the Planning Commission, as they consider this project on June 8, 2020. The project will be an asset to our community in that it promotes and supports our city's goals as outlined in the Downtown Specific Plan, specifically as they pertain to the goals of **Revitalizing underutilized parcels and buildings; Expand shopping, dining and neighborhood services to ensure a vibrant downtown** and **Maintain a village character unique to Menlo Park.**

This project will revitalize an existing building to allow for new uses, while still being in context with height, massing and scale of the adjacent downtown buildings. This project has the right attributes to benefit the downtown and the city as a whole, since it includes the following components:

Revitalization of an Existing Building – revitalization of an existing building by opening up the solid mass of the building with windows that will provide increased light and visibility into the building. This enhancement will allow for the inclusion of high-quality space without having to construct a building from the ground up, resulting in a shorter construction timeline.

Sustainable, High Quality Design – a sustainable and attractive building that provides for a high-quality design at a prominent location, along Santa Cruz Avenue. The proposed materials including wood, stucco and glass will provide a new identity for the building and will also enhance the existing streetscape.

Pedestrian Friendly Design – increased visibility into the building will allow for the engagement of pedestrians along Santa Cruz Avenue.

Mixed-Use Building – will provide for retail and office uses as allowed per the Downtown Specific Plan.

Investment, Tax and Fee Generation - development of the project will result in the payment of additional fees and taxes to the city, which is a benefit to the city during these uncertain times.

Transit Proximity - office uses that are proximate to transit (within 0.5 miles walking distance of the Menlo Park train station and with direct access to retail and dining amenities.

TDM Plan - that reduces overall vehicle trips and includes subsidized transit tickets for employees.

I encourage the Planning Commission to support this project for our city.

Sincerely,
Alison Johnston
1280 Garden Ln
Menlo Park

Planner Pruter read aloud the second one, which was from Katharina Powers.

- Hello Matt,

I wanted to express my support for the new development at 870 Santa Cruz Avenue. The project will benefit downtown Menlo Park in many ways:

Revitalization of an Existing Building – revitalization of an existing building by opening up the solid mass of the building with windows that will provide increased light and visibility into the building. This enhancement will allow for the inclusion of high-quality space without having to construct a building from the ground up, resulting in a shorter construction timeline.

Sustainable, High Quality Design – a sustainable and attractive building that provides for a high-quality design at a prominent location, along Santa Cruz Avenue. The proposed materials including wood, stucco and glass will provide a new identity for the building and will also enhance the existing streetscape.

Pedestrian Friendly Design – increased visibility into the building will allow for the engagement of pedestrians along Santa Cruz Avenue.

Mixed-Use Building – will provide for retail and office uses as allowed per the Downtown Specific Plan.

Investment, Tax and Fee Generation - development of the project will result in the payment of additional fees and taxes to the city, which is a benefit to the city during these uncertain times.

I encourage the Planning Commission to support this project for our city.

Best regards,
Katharina Powers
Art Ventures Gallery
888 Santa Cruz Avenue
Menlo Park, CA 94025

Questions of Staff: Commissioner Kahle asked about the shade canopies mentioned in the staff report. Mr. Mammarella said the Downtown Specific Plan (Plan) had design guidelines including shade canopies. He said they looked at those relative to overall similar projects and the degree of those canopies. He said there were two canopies on each side of the building at the entries but no canopies at storefronts and the upper levels to provide additional shade for the windows or people walking down the street. He said they felt for a 100-foot wide lot that they had some of those elements but not as much as they had had with other projects.

Commissioner Kahle asked if there was sufficient room to add more shade canopies or make them deeper. Mr. Mammarella said the Plan allowed those to occur up to six feet as long as they were eight feet above the sidewalk. He said the one limitation was where the canopy was used within the modulation in that it could not overlap the side of the modulation as the modulation has to be uninterrupted top to bottom.

Commissioner Kahle asked if the proposal met the offsets required. He said he saw three- and one-foot offsets. Mr. Mammarella said yes. He said the project was 100-feet wide and required one minor modulation which it had and the modulation was almost four times as wide and a little bit deeper

than was needed to do. He said the modulation only had to be two-foot deep by five-foot wide and the proposal's was almost 20-feet wide by three-feet deep.

Commissioner Kahle asked about the report comment on the eight-foot, eight-inches height of the shared entrance on the right on Santa Cruz Avenue. Mr. Mammarella said he did not think the lobby had an issue. He said the canopies had to be a minimum of eight feet above the sidewalk.

Chair Barnes referred to page 5 and onward of the report that listed a number of guidelines starting with E.3.5.08. He said after those the narrative indicated that the proposal partially complied. He asked if there was a measurement related to partial compliance and what was acceptable or not. Mr. Mammarella said with very numeric standards a proposal either complied or did not. He said with the guidelines what was needed from the project for the downtown was based on what they had heard in the past. He said in noting the proposal partially complied with guidelines that meeting five out of 10 was deemed acceptable. He said if the proposal was seriously below that they would say the project did not comply. He said the guidelines allowed for some discretion to look at a proposal and consider how important implementing the guideline was to make the proposal work. He used the storefronts as an example.

Chair Barnes asked if it was fair to say that the partial compliances were acceptable rooted in staff's knowledge and evolution of the Plan and what that was meant to achieve. Mr. Mammarella said he thought it was fair to say that there was enough in the design that you could say it was consistent with the guidelines. He said they put those things in the staff report because they thought they were things the Commission should look at and consider if the application of these guidelines met the intention of the Plan and whether the end result would be something that would work well with that particular location. He said the project frontage was 100-feet wide and most of the buildings on either side had about half that frontage. He said with a new building there would be a 15-foot minimum height to the second floor. He said this building was shallower at about 13-feet.

Chair Barnes referred to the project description on page 2 of the report and asked if distinction was being made for a particular retail use. Planner Pruter said his understanding was the retail use decision had not been finalized and he would defer to the applicant responding more particularly as to what retail was intended. He said he understood that it was not intended as a food and beverage type such as a restaurant.

Applicant Presentation: Tod Spieker, Windy Hill Property Ventures, Palo Alto, said work on the project began in July 2019 and they worked closely with the Flegel family, a long time property owner in Menlo Park's downtown. He said they submitted an application to the City in November 2019 for review and have responded to several rounds of comments from the Design Consultant as well as multiple in person design coordination meetings with staff and supervisor. He said they also had two Zoom design coordination meetings with staff and the Design Consultant. He said they did outreach notice with project information and request for feedback to adjacent properties. He said they incorporated modulation in the center of the façade for the Plan, a defined office entry and further recessed entries, enhanced canopies at office and retail entries, reduced floor area to match existing area, and increased material transition to a clearly defined base.

Evan Sockalosky, Arc Tec Inc., project architect, said the existing 23,000 square foot building was currently vacant. He said the project would maintain existing trees and the project would reduce the parking load in the area noting their TDM consultant was available for questions. He said the building was proposed for revitalization with no square footage added. He said the building had two frontages, one on Santa Cruz Avenue and the other on the interior parking area. He said retail and

office was proposed on the first floor with a separate entry for the office space. He said office space was intended for the second floor noting a roof deck.

Commissioner Kahle asked if the roof deck would need a new structure to make that work. Mr. Sockalosky said the roof deck was on the existing roof and they would do some reinforcement for the load but otherwise it was over the existing structure.

Commissioner Kahle asked about the utilization of the retail space. Mr. Sockalosky said they were looking at it as a unique amenities space intended to attract high end tenants and giving them the flexibility to use the space in a variety of ways. Mr. Spieker said they were open to retail uses noting the world changes over the past few months and that they would have to adjust with those. He said regarding the roof deck that it would not cost that much more to make it larger and they would want to accommodate any group that could use it. He said he thought it really added to the vibrancy of a downtown. Commissioner Kahle asked if the retail use did not use the roof deck whether that space would be open to the general public. Mr. Spieker said its use would be tied to the building and not for public use.

Commissioner Kahle said the proposal was a handsome building but even with the modulations he was trying to understand how the building would read and how flat it would appear. He asked if they would be open to adding some shade canopies in some manner to help with the depth and add some shadow and shading to the building. Mr. Sockalosky said they looked at developing depth with two different elements on the ground floor with the projecting canopies at the entries and the inset picture windows at the retail creating display windows. He said on the second floor the guidelines specifically spoke to the flexibility of controlling sunlight into the space. He said their initial concern was with the office use there and what with the significant depth of the building how to provide as much light into the space as possible to attract as many tenants as they could.

Commissioner Kahle noted the two skylights and asked if those would not provide sufficient light into the office area. Mr. Sockalosky said those would bring light into the center noting the light through skylights was different. He said having light from the street through the significant windows they felt was important to the tenant experience that they were seeing in these types of uses.

Chair Barnes commented on the Downtown Specific Plan's emphasis on retail space and asked if that included space that might be used for event rentals. He asked Chair Barnes to expand on what that event space might be. Chair Barnes said the building had an undesignated use ground floor and a roof top space. He asked under the zoning whether a cooperate event space could go into those spaces. Planner Pruter said that would be considered a conditional use and require a use permit.

Chair Barnes opened the public hearing and closed it as there were no persons wishing to speak.

Commission Comment: Commissioner Kahle said the project was well designed and much needed in the downtown. He said the second floor deck was a little undefined for him but hopefully it would be put to good use. He said he thought not adding shades was a missed opportunity to make the long façade work somewhat better. He said he would support a motion to approve.

Commissioner Riggs said that the proposed project was not only functionally superior but would also be a significant improvement to Santa Cruz Avenue. He said Santa Cruz Avenue was the City's Main Street and it did not have a history of terrific late 40s, early 50s architecture. He said virtually all the other Peninsula cities had pre-war architecture in their downtowns to lean on for some charm. He referred to the Plan's modulation requirements and noted how this was the fourth or fifth time a

project with the same massing had been presented to the Commission and that did not add anything architecturally. He said he would like to ask the architect if the Plan's guidelines affected the design.

Mr. Sockalosky said regarding the modulation their project faced a unique challenge in that the site was 100-feet wide. He said the requirements of the modulation strictly dictated that at 50 feet a minor modulation was needed. He said in working with staff they looked at different ways to address that and due to the requirement, they had to have the minor modulation at the center of their building.

Commissioner Riggs said he would support an alternative to the strict adherence to the guidelines for the minor modulation.

Mr. Sockalosky said they were very happy with the development of the design and their collaboration with staff. He said they liked that it framed the retail entry specifically and created an accent for the office. He said they liked where they were with the design and would like to move forward with it.

Commissioner Riggs said the problem with that modulation was it interrupted the continuity of a building and that cost the design integrity of form. He referred to the pedestrian level canopy. He noted the heat element living in California and that there was an attraction for a pedestrian to walk under a canopy. He said the canopy did not necessarily have to be attached directly to the building nor be completely opaque. He noted a canopy at 622 Santa Cruz Avenue that was clear acrylic as an example. He said there were alternatives. He said he was surprised solar shading had not come more into play in the design but noted that the building did not directly face south or east on the Santa Cruz Avenue side. He said he would not push that but he would have liked to have seen a more integrated building.

Commissioner DeCardy thanked the applicant for the sustainability in redesigning and repurposing an existing building. He said he supported the project and noted he agreed with comments made by Commissioners about canopies and/or something that would break up the expanse of the width that was also two stories in height. He said he appreciated the glass and desire for interior natural lighting but wondered especially on the street side if there was some way to address the expanse of wall.

Commissioner Doran said the project was supportable. He commented on the positivity of making use of the existing building rather than doing demolition and rebuild. He noted the dual facades on the street and parking lots side and that the applicant should be applauded for doing something attractive with the parking lot façade as well as the street façade as that often was not done for such downtown spaces. He said he was prepared to support the project.

Chair Barnes asked the applicant to address additional canopies on the Santa Cruz Avenue façade. Mr. Sockalosky said when this came up with the Design Consultant that they studied reducing the light but felt like that made the glass appear busier in creating additional horizontal elements. He said they wanted to keep a very clean and simple glass line. Chair Barnes asked if that was on the first or second floor. Mr. Sockalosky said in their discussions with staff and the design consultant the primary comments related to additional canopies was for the upper floors and lack of solar shades at that element.

Commissioner Kahle said the project was an easily supportable one and a vast improvement over the existing. He said it sounded like the Commission would like more sun shading but the applicant

did not want that so he would not make a motion for force that. He moved to approve as recommended in the staff report.

Commissioner Riggs said it seemed there was Commission consensus of regret for not having more canopies. He said staff and the Design Consultant had indicated more canopies had been requested. He said also it was put into the design guidelines as the concept of continuity of canopies was a particularly neat thing in a village or downtown. He said he would second the motion to support the project but with the request that the applicant come back with a proposal for, if not continuous canopy along the facade due to modulation, at least a predominant effort at such a canopy line. He said somewhat ironically the rear façade, where canopies were not emphasized in the Plan, that the horizontal lines that would be consistent with a canopy were present on the elevator tower to the point where it had the most character of the entire façade of the building.

Commissioner Kahle thanked Commissioner Riggs for pointing out the rear elevation and the tower. He said he thought that was perhaps a better façade than the front elevation because of that element there. He said he agreed with asking the applicant to come back with something and asked if Commissioner Riggs was comfortable with that being reviewed and approved at staff level with electronic transmittal to the Commission of what that was and allowing for Commission review if requested by a Commissioner. Commissioner Riggs said he was. Commissioner Kahle said the applicant had a lot of range to work with canopies. He said on one level that they were thinking about continuous canopy along the ground floor but he was thinking of another project where there were metal L-shaped shade structures for the windows. He said he would leave it to the applicant to do something that would work best with the project and the street.

Replying to Planner Pruter, Commissioner Riggs said the condition would occur before building permit and reviewed by staff and circulated to the Commission. Consultant Mammarella asked if they were thinking about canopies on the Santa Cruz Avenue street level. Commissioner Riggs said that was what they were asking.

Mr. Spieker said the Commission wanted canopies on the first floor along Santa Cruz Avenue only. He said he had some frustration with the process noting extensive back and forth with staff related to the modulation required and Commissioner Riggs' comments about the Commission might look at something different. He said he did not know how he felt wanting to start construction as soon as possible and having to propose a canopy to go through staff and then get that circulated to the Commission and getting back different opinions. He said he would rather not do that. He said if the canopy was a condition of approval his request was that be reviewed and approved by staff.

Commissioner Kahle said he did not think the Commission would have any issue with the memo or he did not need to require the conformance review. Commissioner Riggs said the conformance review was procedurally appropriate and functionally a backup to staff that something was said at the Planning Commission and this needed to be moved forward. He said like Commissioner Kahle mentioned he did not anticipate the Commission second guessing what staff and the consultant reviewed for approval. He said regarding the canopies staff pointed out that the guideline was not met and Commission was requiring that it be met but it was not the Commission's role to design it and was something to be worked out with staff.

ACTION: Motion and second (Kahle/Riggs) to approve the item with the following modification; passes 6-1 with Commissioner Tate voting no.

1. Make findings with regard to the California Environmental Quality Act (CEQA) that the proposal is within the scope of the project covered by the El Camino Real/Downtown Specific Plan Program EIR, which was certified on June 5, 2012. Specifically, make findings that:
 - a. The project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current CEQA Guidelines.
 - b. Relevant mitigation measures have been incorporated into the project through the Mitigation Monitoring and Reporting Program (Attachment J), which is approved as part of this finding.
2. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:
 - a. The general appearance of the structure is in keeping with the character of the neighborhood.
 - b. The development will not be detrimental to the harmonious and orderly growth of the City.
 - c. The development will not impair the desirability of investment or occupation in the neighborhood.
 - d. The development provides adequate parking as required in all applicable City Ordinances and has made adequate provisions for access to such parking.
 - e. The development is consistent with the El Camino Real/Downtown Specific Plan, as verified in detail in the Standards and Guidelines Compliance Worksheet (Attachment E).
3. Approve the architectural control subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by Arc Tec, Inc., consisting of 21 plan sheets, dated received May 29, 2020, and approved by the Planning Commission on June 8, 2020, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
 - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, California Water Company, 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. 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.
 - e. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Kielty Arborist Services, LLC, dated received March 5, 2020.

4. Approve the architectural control subject to the following **project-specific** conditions:
 - a. The applicant shall address all Mitigation Monitoring and Reporting Program (MMRP) requirements as specified in the MMRP (Attachment J). Failure to meet these requirements may result in delays to the building permit issuance, stop work orders during construction, and/or fines.
 - b. Simultaneous with the submittal of a complete building permit application, the applicant shall submit an updated LEED Checklist, subject to review and approval of the Planning Division. The Checklist shall be prepared by a LEED Accredited Professional (LEED AP). The LEED AP shall submit a cover letter stating their qualifications, and confirm that they have prepared the Checklist and that the information presented is accurate. Confirmation that the project conceptually achieves LEED Silver certification shall be required before issuance of the building permit. Prior to final inspection of the building permit or as early as the project can be certified by the United States Green Building Council, the project shall submit verification that the development has achieved final LEED Silver certification
 - c. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans showing a near continuous canopy at the first floor along the Santa Cruz Avenue elevation, to the extent permitted by the requirements of the minor modulation. The revised plans shall be subject to review and approval of the Planning Division. The Planning Commission shall be notified by email of this action, and any Commissioner may request that the Planning Division's approval of the revised Santa Cruz Avenue elevation be considered at the next Planning Commission meeting. The revised elevation shall be fully approved prior to issuance of the overall building permit.**

- G2. 2020-21 Capital Improvement Plan/General Plan Consistency:
Consideration of consistency of the 2020-21 projects of the Five-Year Capital Improvement Plan with the General Plan. ([Staff Report #20-030-PC](#))

Staff Comment: Chris Lamm, Assistant Public Works Director, said the Commission was requested to adopt Resolution 2020-01 determining that the Five-Year Capital Improvement Plan of projects for the upcoming fiscal year 2020-2021 were consistent with the City's General Plan. He said Attachment A to the Resolution listed the 28 projects to be funded in 2020-2021 totaling about \$20 million of investment. He said Attachment A had a typographical error in the Transportation section where there were two projects regarding street resurfacing, one on Ravenswood Avenue and one on Willow Road. He said the project limits on those while correct in the descriptions were backwards in the projects' names. He said with adoption of the Resolution that correction would be made in Attachment A. He said one public comment had been received.

Questions of Staff: Commissioner DeCardy asked if there was information on the individual project funding amounts. Mr. Lamm said historically that had not been included with the resolution and would be included with the budget adoption. He said in future years if that was something the Commission was interested in seeing it could potentially be included. Commissioner DeCardy said in the future he would appreciate getting that information.

Commissioner DeCardy asked about the process and timeline related to the 28 projects proposed for funding in 2020-2021. Mr. Lamm noted the uniqueness of this year with the shelter in place. He said in early March just before the shelter in place order was initiated there was a presentation to the City Council on the prior year's CIP and once they were in shelter in place in late March it was clear

that the City would not have its usual funds available to take on many new projects. He said most of the projects listed were already on the Five-Year CIP. He said the one big exception was the Belle Haven Community Center and Library, which was an offer from Facebook to construct with some matching funds the City needed to program. He said he believed the only other new project was a project that was completely grant funded.

Replying to Commissioner DeCardy, Mr. Lamm noted that there had been some projects set to receive funding that had been pushed out. He said if staff did not have resources to address one of those projects that they deferred the funding to a future year. He said last year with Council that staff prioritized the projects staff should be working on. Commissioner DeCardy confirmed with Mr. Lamm that that prioritization occurred prior to March.

Replying to Commissioner DeCardy's question as to what consistency with the General Plan entailed, Mr. Lamm said that the projects were consistent with the overall goals of the intention of the General Plan. He said staff made an effort to identify which elements the various projects were adhering to, with most of them falling under multiple categories. He said Table A in the staff report showed the projects and General Plan reference.

Commissioner Kahle referred to previous years where there had been a priority list for projects and asked if that was only part of the Five-Year Plan and not this one fiscal year plan. Mr. Lamm said he thought Commissioner Kahle might be referring to the CIP included in the budget document where projects were categorized in different priority tiers of importance. He said this list was only projects receiving funding in the upcoming fiscal year.

Replying to Commissioner Riggs' question about parking districts and undergrounding projects, Mr. Lamm explained that PG&E gave undergrounding credits to cities for use in undergrounding utilities. He said PG&E had notified the City that it was considering giving Menlo Park's credits to other cities with active projects as it had been a long time since the City had used any of those. He said the City Council in February 2020 established three undergrounding districts to preserve the PG&E credits. He said the funding available would only support two of the three so Council would be asked to identify which of those locations to do. He said the initial thought he believed for the downtown area was that parking areas 7 and 8 would be identified as there were future plans to renovate those.

Chair Barnes opened the public comment period.

Public Comment:

- Pamela Jones: (Mr. Lamm read the written public comment.)

Chairperson Barnes, Vice chair Riggs, Commissioners and Staff,

Thank you for placing the 2020-21 Capital Improvement Plan/General Plan Consistency on the agenda prior to the Council Budget Hearing on June 9, 2020. Given that we are in a time of multiple uncertainties including waiting for a State and County balanced budget, it would be prudent for all non-critical CIP projects to remain on hold for at least 90 days.

For example, place the following projects on hold/delay:

1. Downtown Parking Utility Underground: delay until there is a complete and approved Downtown revitalization plan.

2. Bedwell Bayfront Park Master Plan Implementation: delay entrance plan and continue with most critical for use of the park.
3. Electric Vehicle Chargers at City Facilities: use existing EVC stations.
4. Park Playground Equipment: Replace or repair as required to meet California Safety Standards.
5. Ravenswood Avenue Street Resurfacing (Middlefield to US101).
6. Willow Road Street Resurfacing (Alma to Marcussen).
7. Willow Road Transportation Study: Hold until businesses are at least Phase 4 of opening.

Facebook has announced that up to 50% of its employees may continue to work from home.

Thank you for your service to the City of Menlo Park.

Stay well,
Pamela D. Jones, Menlo Park Resident

- Pamela Jones said she had wanted to read her public comment, noting she was somewhat confused about the process for public comment. She said she wanted to emphasize that they were in a pandemic emergency and she thought the general rules they operated under should be considered as extremely flexible because they had so many unknowns. She said she did not know the amount of money these projects would have but hearing it was about \$20 million that delaying projects three months would give approximately 25% or \$5 million for the City. She said projects would proceed once the City knew what its income would be. She asked that the Planning Commission while approving the resolution include an addendum to it to include her comments and the Commission's comments.

Chair Barnes closed the public comment period.

Commission Comment: Commissioner DeCardy said he thought they were in an extraordinary moment. He said the General Plan was designed and with CIPs being consistent with it so they would end up with the city they wanted for all to enjoy, thrive and prosper. He said the guidance from City Council to staff was well before the pandemic, which changed what the City would look like and what the priorities were, noting changes to transportation and quite likely workplace utilization. He said the pandemic and its response had generated a recession and downturn in the City's budget that the public speaker spoke to. He said the pandemic was having a disproportionate impact on people in the community. He said he could support moving the resolution on making the determination required but would also want to include that the City Council should reprioritize what projects moved forward based on the disproportionate impacts of the pandemic and recession on the community and the need to invest in the community such that as much as possible disparities might be addressed with the prioritization of their capital improvement efforts.

Commissioner Tate said she agreed with that and the Council should reprioritize what was on the projects list as things had definitely changed since the projects were last evaluated. Commissioner Riggs said his feelings were in line with both the public speaker and his fellow commissioners. He said recognizing that the City Council was at least as sensitive as the Planning Commission and the Commission's role tonight was to make a finding regarding General Plan

consistency, he moved to make that recommendation to Council that the Commission found the project list to be consistent with the General Plan and trusting that the Council was more than aware of the financial and social conditions.

Commissioner Tate asked if the motion was to add something for Council to consider. Commissioner Riggs said his motion was to find that the CIP was consistent with the General Plan and he would be open to any advisory motion.

Chair Barnes said the CIP list for the 2020-2021 fiscal year did not presuppose prioritization and asked when that occurred. Mr. Lamm said last year during the City's budget adoption staff presented a series of criteria as to what staff thought the prioritization of the projects should be. He said a number of factors were taken into account including elements such as health and safety, projects that were required by either state or federal guidelines, preservation of City assets, and others along those lines. He said there was also the nice-to-have projects that did not rise to a level of need to move forward. He said ultimately all of the CIP projects were considered priorities of the City Council as that was why the projects were funded in the first place. He said it was a matter of which ones would get immediate attention.

Chair Barnes said the motion was to adopt Resolution 2020-01 finding the CIP for fiscal year 2020-2021 consistent with the City's General Plan.

Commissioner DeCardy asked if Commissioner Riggs' intent was to adopt the draft Resolution 2020-01 as proposed and nothing else as he had indicated he was open to an advisory motion. He asked why two motions were needed and why not combine into one motion. Commissioner Riggs said potentially they could. He said this was about his 14th CIP review and he had reluctantly settled with the fact that the Commission's task when it was presented with this was to find if the CIP was or was not consistent with the General Plan. He said there was no reason they could not follow up with the concerns they have. He suggested checking with staff how they would like the Commission's concerns linked or not linked with its duty on this item.

Replying to Chair Barnes, Mr. Lamm said the action being sought was to certify that the projects listed were consistent with the General Plan. He said if there were additional recommendations that the Commission would like to provide to the City Council that those could be either included in the motion making the finding or in a second motion.

Commissioner DeCardy said he would like them as a Commission to acknowledge this extraordinary time and its disproportionate impacts on their community and in some way stand up for their neighbors and residents as they moved the CIP forward to the City Council.

Commissioner Riggs withdrew his motion.

Commissioner DeCardy moved to adopt Resolution 2020-01 with language added in the third "Whereas" to read *WHEREAS, the Planning Commission of the City of Menlo Park has determined that all of the current CIP projects correlate with adopted goals of the City's General Plan as shown in the attached Exhibit A and should be prioritized to address areas of our community disproportionately impacted by the pandemic and resulting economic impact; and.*

Chair Barnes asked staff if adding language to the resolution created a negative impact to what it was intended to accomplish. Mr. Lamm said he was not the City Attorney but he thought the inclusion of the language would be fine.

Commissioner Doran suggested in place of “economic impacts” to say “economic dislocations,” and said with that he would second the motion. Commissioner DeCardy accepted that language change.

Chair Barnes confirmed with staff and the makers of the motion and second that the language to be added to the third “Whereas” in the draft Resolution 2020-01 and that began after the last “and” was ***should be prioritized to address areas of our community disproportionately impacted by the pandemic and resulting economic dislocation; and.***

ACTION: Motion and second (DeCardy/Tate) to adopt Resolution No. 2020-01 with language above added to the Resolution to include Attachment A determining that the Five-Year Capital Improvement Plan’s projects for Fiscal Year (FY) 2020-21 are consistent with the General Plan; passes 7-0.

H. Informational Items

H1. Future Planning Commission Meeting Schedule

- Regular Meeting: June 22, 2020

Planner Sandmeier said that they had one single-family residential project for the June 22 agenda and selection of Commission Chair and Vice Chair.

- Regular Meeting: July 13, 2020
- Regular Meeting: July 27, 2020

I. Adjournment

Chair Barnes adjourned the meeting at 10:53 p.m.

Commission Liaison: Corinna Sandmeier, Senior Planner

Recording Secretary; Brenda Bennett

Approved by the Planning Commission on July 13, 2020

Proposed ADU 2312 Warner Range Avenue

Mark and Susan Reinstra
Menlo Park residents for 26 years

Our Choice

Tear down perfectly functional garage at a cost of well over \$100,000 to move it 14 inches and seek a change in designation;

or

Obtain this variance

Background

- House built in 1962 with front identified as Warner Range on plans approved by city.
- Purchased house 21 years ago.
- Want to build an ADU for frail parents, adult children and others.
- Designed ADU to comply with side setbacks on Crest Avenue.
- Prevented from building ADU as proposed unless either:
 - change designation of front from Crest to Warner Range; or
 - obtain variance.
- Cannot designate Warner Range as front because garage corner encroaches what would be the front setback by 14 inches.

Perspectives differ: 8 feet or 14 inches

- Planning Department considers that we are asking to encroach into the setback by 8 feet.
- We are asking for a 14-inch accommodation on the corner of the garage through obtaining the variance.

True Front of House

The property line along Crest Lane is slightly shorter than the property line along Warner Range Avenue, so the Crest Lane frontage is regarded as the front.

In reality:



ADU is designed to be attractive and practical

Neighbors will not see ADU from either Crest or Warner Range





Two Alternatives Suggested by Planning Department are feasible, but not reasonable, practical or desirable

- Can't locate the ADU on the opposite side of the garage.
 - Would require people in the ADU to leave the ADU and walk outside up and down stairs into the house. Not feasible for elderly people (Mark' mom used a walker for the last 12 months of her life), including us some day!
 - 11-foot slope differential in back and side yards
 - Architecturally appalling (we developed a symmetrical, attractive, consistent design)
 - Much more visible to neighbors
 - Would block only source of light into back of house
- Can't place the ADU in the garage.
 - Use our garage to store cars. Where should we put our cars?
 - We need access to be on one floor with main part of house.



Full support of our neighbors

- Gloria Marchi, neighbor for 21 years
- Bill Evans and Robin Riddle, neighbors for 20 years
- Mitch Bae and Alice Choi, neighbors for 2 years

In Summary

- Supports efforts to address housing crisis
- Architecturally appealing and unobtrusive
- Well within square footage restrictions
- Retains 25 trees, including 9 heritage trees (and replacing one heritage tree impacted) on a ¼ acre lot
- Minimal impact on neighbors – ADU would not be visible from the street
- Full support of neighbors
- Enables us to care for our parents and children and, ultimately, enables us to age in place

Matthew A. Pruter
Associate Planner
City of Menlo Park
Community Development Department
Planning Division
701 Laurel St.
Menlo Park, CA 94025

MAPruter@menlopark.org

May 2020

RE: 870 Santa Cruz Avenue

Dear Mr. Pruter,

I am writing to you in support of this project and ask that you forward this letter to the Planning Commission, as they consider this project on June 8, 2020.

The project will be an asset to our community in that it promotes and supports our city's goals as outlined in the Downtown Specific Plan, specifically as they pertain to the goals of **Revitalizing underutilized parcels and buildings; Expand shopping, dining and neighborhood services to ensure a vibrant downtown and Maintain a village character unique to Menlo Park.** This project will revitalize an existing building to allow for new uses, while still being in context with height, massing and scale of the adjacent downtown buildings. This project has the right attributes to benefit the downtown and the city as a whole, since it includes the following components:

- **Revitalization of an Existing Building** – revitalization of an existing building by opening up the solid mass of the building with windows that will provide increased light and visibility into the building. This enhancement will allow for the inclusion of high-quality space without having to construct a building from the ground up, resulting in a shorter construction timeline.
- **Sustainable, High Quality Design** – a sustainable and attractive building that provides for a high-quality design at a prominent location, along Santa Cruz Avenue. The proposed materials including wood, stucco and glass will provide a new identity for the building and will also enhance the existing streetscape.
- **Pedestrian Friendly Design** – increased visibility into the building will allow for the engagement of pedestrians along Santa Cruz Avenue.
- **Mixed-Use Building** –will provide for retail and office uses as allowed per the Downtown Specific Plan.
- **Investment, Tax and Fee Generation** - development of the project will result in the payment of additional fees and taxes to the city, which is a benefit to the city during these uncertain times.
- **Transit Proximity**-office uses that are proximate to transit (within 0.5 miles walking distance of the Menlo Park train station and with direct access to retail and dining amenities.
- **TDM Plan**- that reduces overall vehicle trips and includes subsidized transit tickets for employees.

I encourage the Planning Commission to support this project for our city.

Sincerely,

Alison Johnston

Menlo Park

Pruter, Matthew A

From:
Sent: Friday, June 5, 2020 7:38 AM
To: Pruter, Matthew A
Subject: Support for construction at Flegels

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: REPLY

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Hello Matt,

I wanted to express my support for the new devilmat at 870 Santa Cruz Avenue.

The project will benefit downtown Menlo Park in many ways:

- **Revitalization of an Existing Building** – revitalization of an existing building by opening up the solid mass of the building with windows that will provide increased light and visibility into the building. This enhancement will allow for the inclusion of high-quality space without having to construct a building from the ground up, resulting in a shorter construction timeline.
- **Sustainable, High Quality Design** – a sustainable and attractive building that provides for a high-quality design at a prominent location, along Santa Cruz Avenue. The proposed materials including wood, stucco and glass will provide a new identity for the building and will also enhance the existing streetscape.
- **Pedestrian Friendly Design** – increased visibility into the building will allow for the engagement of pedestrians along Santa Cruz Avenue.
- **Mixed-Use Building** –will provide for retail and office uses as allowed per the Downtown Specific Plan.
- **Investment, Tax and Fee Generation** - development of the project will result in the payment of additional fees and taxes to the city, which is a benefit to the city during these uncertain times.
- I encourage the Planning Commission to support this project for our city.

Best regards,

Katharina Powers
Art Ventures Gallery
888 Santa Cruz Avenue
Menlo Park, CA 94025
www.artventuresgallery.com



870 Santa Cruz Ave
Menlo Park, CA

Planning Commission

June 8, 2020



870 SANTA CRUZ AVE.
MIXED-USE PROJECT

Project Vision

- Revitalize Existing Building
- Vibrant Mixed-Use Project
- Investment in Downtown
- Pedestrian Oriented
- Transit Oriented / TDM Measures
- Sustainable Building Measures



Existing 870 Santa Cruz Ave



Proposed 870 Santa Cruz Ave



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870 SANTA CRUZ AVE.
MIXED-USE PROJECT

About Us

- **Local** developer headquartered in Palo Alto
- **Mixed-Use**, Commercial, and Multi-Family Projects
- Bay Area Experience - **Locally Focused**
- Developments in San Mateo, Redwood City, Belmont, Palo Alto, and San Carlos
- Partners are Menlo Park **Residents**



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870 SANTA CRUZ AVE.
MIXED-USE PROJECT

Project History

- Worked closely with **Staff** throughout the review process
- Responded to several rounds of comments from **Design Consultant**
- Had multiple **in-person design coordination meetings** with staff and supervisor
- Had two Zoom **design coordination meetings** with staff and Design Consultant
- Distributed **outreach notice** with project information and a request for feedback to adjacent properties
- Design Changes Include:
 - Incorporated **modulation** in center of façade per Specific Plan
 - Defined office **entry**
 - Further **recessed** entries
 - Enhanced **canopies** at retail and office entries
 - Reduced building **floor area** to match existing area
 - Increased material transitions to clearly **define bays**



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SITE PLAN



SECOND LEVEL FLOOR PLAN - OFFICE

PUBLIC PARKING LOT



FIRST LEVEL FLOOR PLAN - RETAIL + OFFICE

PUBLIC PARKING LOT



ROOF PLAN

PUBLIC PARKING LOT



VIEW FROM SANTA CRUZ AVENUE



BUILDING ELEVATIONS



SANTA CRUZ AVE ELEVATION



PUBLIC PARKING LOT ELEVATION



VIEW FROM PUBLIC PARKING LOT



THANK YOU
ANY QUESTIONS?



EXHIBITS



870 SANTA CRUZ AVE.
MIXED-USE PROJECT

MATERIAL BOARD



Spandrel
Glazing

Low Tint
Glazing

Blue Tint
Glazing

Composite
Wood Siding



Paint Over
Stucco



Aluminum Finish



Aluminum Finish



Aluminum Finish



ARCHITECTURALLY DEFINED BAYS



SANTA CRUZ AVE ELEVATION

- A) Paint Over Stucco
- B) Composite Wood Siding
- C) Glazing



VIEW FROM SANTA CRUZ AVENUE – ALT. A DESIGN WITH SOLAR SHADES



VIEW FROM SANTA CRUZ AVENUE – ALT. A DESIGN WITH SOLAR SHADES



VIEW FROM SANTA CRUZ AVENUE – ALT. B DESIGN WITH SOLAR SHADES



VIEW FROM SANTA CRUZ AVENUE – ALT. B DESIGN WITH SOLAR SHADES



From: Pamela Jones

Sent: Monday, June 8, 2020 6:53 PM

To: Andrew Barnes <andrew@barnes210.com>; Riggs, Henry <hriggs@comcast.net>; Michele Tate <lmichele.tate@gmail.com>; Sandmeier, Corinna D <cdsandmeier@menlopark.org>

Subject: Fwd: 06082020 Planning Commission G2. 2020-21 Capital Improvement Plan/General Plan Consistency

CAUTION: This email originated from outside of the organization. Unless you recognize the sender's email address and know the content is safe, DO NOT click links, open attachments or reply.

Chairperson Barnes, Vice chair Riggs, Commissioners and Staff,

Thank-you for placing 2020-21 Capital Improvement Plan/General Plan Consistency on the agenda prior to the Council Budget Hearing on June 9, 2020. Given that we are in a time of multiple uncertainties including waiting for a State and County balanced budget, it would be prudent for all non-critical CIP projects to remain on hold for at least 90 days.

For example, place the following projects on hold/delay:

1. Downtown Parking Utility Underground: delay until there is a complete and approved Downtown revitalization plan.
2. Bedwell Bayfront Park Master Plan Implementation: delay entrance plan and continue with most critical for use of the park.
3. Electric Vehicle Chargers at City Facilities: use existing EVC stations.
4. Park Playground Equipment: Replace or repair as required to meet California Safety Standards.
5. Ravenswood Avenue Street Resurfacing (Middlefield to US101).
6. Willow Road Street Resurfacing (Alma to Marcussen).
7. Willow Road Transportation Study: Hold until businesses are at least Phase 4 of opening. Facebook has announced that up to 50% of its employees may continue to work from home.

Thank-you for your service to the City of Menlo Park,

Stay well,
Pamela D. Jones, Menlo Park Resident

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The impossible dissipates when I becomes WE.

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The impossible dissipates when I becomes WE.