



## MENLO PARK PLANNING COMMISSION MINUTES

Regular / Study Meeting

May 20, 2002

7:00 p.m.

City Council Chambers

801 Laurel Street, Menlo Park, CA 94025

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**CALL TO ORDER** – This meeting was called to order by Chairman Soffer at 7:05 p.m.

**ROLL CALL** – Fergusson, Fry, Halleck, O'Donnell (Vice-Chair), Pagee, Soffer (Chair), Stein

**STAFF:** Cramer, Heineck, Kessler, Morimoto, Murphy, Nino, Rahimi, Roessler, Siegel, Smith, Steffens

### A. PUBLIC COMMENTS

No members of the public wished to address the Commission.

**B. PRESENTATION** – Presentation to former Planning Commissioners Fernandez and Gilbertson.

### C. PUBLIC HEARINGS

1. **Use Permit/Jennifer Francica/99 San Mateo Drive:** Request for a use permit to allow the demolition of an existing single-family residence and the construction of a new two-story residence located on a lot that is substandard with regard to lot width (***Continued to the meeting of July 1, 2002.***)
2. **Use Permit/Bob Enslow/320 Middlefield Road:** Request for a use permit for the installation of a temporary modular building at St. Patrick's Seminary in order to accommodate the offices of the Fuller Theological Seminary during work to seismically upgrade and refurbishing the permanent building.

Chief Planner Heineck presented the staff report. Commissioner Fry inquired whether the church plans subsequent phases of construction. Chief Planner Heineck stated that this is a later phase of work and added that she is uncertain of whether it will complete the project.

**Bob Enslow, project architect and applicant representing St. Patrick's Seminary,** clarified that this is the fourth phase of construction and outlined the work done in the previous three phases. Commissioner Fry asked if 30 months will be enough time to complete this fourth phase. Mr. Enslow indicated that 30 months would be enough. He said the time was needed for a combination of raising the money and then doing the work. Mr. Enslow said the goal was to have a continuous operation, and 30 months seems reasonable.

Commissioner Stein asked if the proposed construction would have any impact on the playground area which overlooks the Vintage Oaks subdivision. Mr. Enslow stated it would have no impact and added that the balance of the project is in the middle of the site.

Commission action: M/S Soffer/Stein to close the public hearing.

Motion carried, 7-0.

Commission action: M/S Soffer/Fry to:

1. Adopt a finding that the project is categorically exempt under Class 3 of the current State CEQA Guidelines.
2. Adopt 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 conditions:
  - a) Development of the project shall be substantially in conformance with the plans prepared by the applicant, received by the Planning Division on March 25, 2002, consisting of five plan sheets and approved by the Planning Commission on May 20, 2002, except as modified by the conditions contained herein.
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directly
  - c) Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Transportation Division, and Engineering Division that are directly applicable to the new construction.
  - d) If required by State or Federal regulations, or by the Building Division, construction safety fences shall be installed around the periphery of the construction area. A plan for safety fences necessary during construction shall be submitted to the Building Division staff prior to issuance of a building permit.
  - e) The temporary structure shall be removed within thirty months from the date of Planning Commission approval (November 20, 2004).

Motion carried, 7-0.

3. **Use Permit Extension/Scott Bohannon/165 Jefferson Drive:** Request for a five-year extension of a use permit to convert an existing office and warehouse building located in the M-2 zoning district to office use.

Senior Planner Cramer presented the staff report. She stated that this project was previously approved by the Planning Commission on June 18, 2001. She said that due to the recent economic downturn, the applicant is requesting a five-year extension.

Commissioner Soffer asked how this project fits in with the M-2 study. Chief Planner Heineck stated that the background report has been completed and lists the existing conditions in the M-2 area. She said that the City Council discussed the potential changes, but no specific areas have been identified yet. She said that the City Council didn't rule out or emphasize any uses. She reiterated that the issue is still in the discussion phase with the City Council.

Commissioner Fry asked if the conditions of approval are different from June 2001. Senior Planner Cramer confirmed that the conditions have remained the same. Commissioner Fry asked if there was any update available on the potential financial benefit to the City from this use. Chief Planner Heineck suggested the applicant answer that question. She said she was not aware of any changes in their operations.

**Scott Bohannon, Bohannon Development Corporation, project applicant**, stated that he was present to answer the Commission's questions. He said he was unsure about the amount of possible sales tax revenue to be generated.

Commissioner O'Donnell asked about the terms of the lease negotiation with the current tenant of the site. Mr. Bohannon said that the real estate market has recently suffered a downturn. For that reason, they are requesting a five-year renewal. Commissioner O'Donnell asked if the current tenant occupies the entire space. Mr. Bohannon said they occupy some of it, but not the entire space. He said the current tenant is a software developer.

Commissioner Soffer asked for a head count of the number of employees of the current tenant. Mr. Bohannon estimated 40 to 60 employees.

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process is both lengthy and expensive. He said it negatively affects the leasing effort.

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Commission action: M/S Soffer/O'Donnell to close the public hearing.

Motion carried, 7-0.

Commissioner Halleck said he'd be willing to extend the use permit for one or two years, but he was concerned about the future and what the City will be like in two years.

Commissioner Soffer favored a one-year extension. He said the Commission usually expects to see projects move forward once they gain approval. He clarified that the approval is not a placeholder and that the circumstances for the conditions may change. He suggested that the Commission grant a one-year use permit extension.

Commissioner O'Donnell asked if the use permit were extended for five years, what trigger would necessitate a new use permit. Chief Planner Heineck stated that once the use permit is granted for that space to be used as office, then any office can move into that space, as long as the number of striped parking spaces is not increased. Commissioner O'Donnell stated that the Commission wouldn't know about a greater intensification of use. He said the Commission originally approved the use permit on the existing tenant's needs. He said he'd be comfortable extending the use permit for three years. If a long-term lease is negotiated, then the use permit could be extended based on that same use.

Chief Planner Heineck stated that once a use permit is granted for a building, it is granted for office use only. Structural alterations or tenant improvements can be made. The building is 100% office and any tenant can occupy 100% office. The use permit to allow structural alterations to the building would result in 100% office use. To implement the use permit, a building permit must be pulled within one year, unless the time is extended by the Planning Commission.

Commissioner Halleck inquired about the applicant's cost for a use permit extension. Chief Planner Heineck stated that the fee for an extension is half the cost of the original fee. In this case it is \$625.00.

Commissioner O'Donnell stated that in the initial M-2 study, this particular area already had a good deal of existing office space. He reiterated that a three-year extension would be reasonable, given the current economic cycle.

Commissioner Stein stated that she agreed with Commissioner Soffer in granting a one-year extension of the use permit. She said that use permits are required on a year-to-year basis. She said the Commission would be setting a precedent if it redefines how to allow use permit extensions. Commissioner Stein stated that there is no guarantee that the same tenant will remain. She said that traffic has lessened in the area recently, but that the 101 corridor is still one of the most congested in the Bay region. Commissioner Stein stated that this applicant needs to go through the same process that everyone else goes through and not circumvent the use permit process.

Commissioner Fergusson inquired about the cost to do a background study. Chief Planner Heineck stated that a traffic study is a minimum of \$12,000 to \$15,000. Commissioner Fergusson asked if the use permit were extended for one year, could the applicant use the same traffic study. Chief Planner Heineck indicated that they could use the original traffic study. She added that there has been a drop in traffic volumes on most streets in the area since the traffic report was done.

Commissioner Fry agreed with Commissioner Soffer's earlier comments. She said she was more comfortable supporting a one-year extension. She said the market can change, and the one-year extension gives all sides more flexibility.

Commissioner Halleck made a motion to approve a one-year extension to the use permit. Commissioner Soffer seconded the motion. The motion was not voted upon.

**David Bohannon, Bohannon Development Corporation**, stated that their intent is to preserve their ability to make changes for any future tenant. If negotiations cease or the lease expires and the vacant building is for lease, they want to lease it as the same use. He said the chances of success are diminished if they have to again go through the process of granting the use permit. He said these are untenable conditions under which to do competitive leasing. Mr. Bohannon stated that if the Commission grants a one-year extension tonight, then he will be back before the Commission in a year's time requesting another extension. He urged the Planning Commission to consider that this is a competitive arena in which to do business, and they're doing the best they can.

Commission action: M/S Halleck/Soffer to grant a one-year extension of the use permit originally approved on June 18, 2001, and to:

1. Adopt a finding that the project is categorically exempt under Class 1 of the current State CEQA Guidelines.
2. Adopt a finding, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of a use permit, that the proposed use will be compatible with the surrounding land uses and will not be detrimental to the health, safety, morals, comfort and general welfare of the persons 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 extension request for one year subject to the following conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by TSH Architects, consisting of four plan sheets dated June 12, 2001 and approved by the Planning Commission on June 18, 2001, except as modified by the conditions contained herein.
  - b. 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.
  - c. 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.
  - d. Prior to building permit issuance, the applicant shall submit a detailed landscape plan in conformance with the City's Water Efficient Landscape Ordinance. The plan shall include a new 5-foot sidewalk and 4-foot planting strip along the entire frontage of the property and trees and other plantings to be installed in this planting strip. This plan shall show new street trees installed at a rate of one tree per 30 feet of property frontage. The new sidewalk and planting strip shall be subject to the review and approval of the Engineering and Transportation Divisions, while the landscaping plan shall be subject to the review and approval of the Engineering and Planning Divisions, as well as the City Parks and Trees Division. The landscaping shall be installed prior to final inspection to the satisfaction of the Planning Division and the Parks and Trees Division.
  - e. Prior to building permit issuance, the applicant shall submit a signage plan to address vehicular access and circulation on the site. The signage plan shall be subject to review and approval by the Transportation Division.
  - f. If required by state or federal regulations, or by the Building Division, construction safety fences shall be installed around the periphery of the construction area. A plan for safety fences necessary during construction shall be submitted to and approved by the Building Division staff prior to issuance of a building permit.
  - g. Prior to issuance of a building permit, a utility plan showing the exact location of all meters, transformers, junction boxes, relay boxes, back-flow prevention devices, etc., that are being installed outside the building and provisions being made to screen such equipment from view, shall be submitted to and approved by the Planning and Building Divisions.
  - h. Prior to issuance of building permits, plans for on-site recycling and garbage facilities shall be submitted for review and approval by the City Environmental Program Coordinator. The plan shall be in accordance with the provisions outlined by the City Environmental Program Coordinator.
  - i. Prior to building permit issuance, the applicant shall submit a revised plan showing on-site bicycle lockers and racks and preferential parking for carpoolers and vanpoolers. This plan shall be submitted for the review and approval of the Transportation Division.

- j. Prior to building permit issuance, the applicant shall submit a revised plan showing the rooftop screening to be four sides surrounding the perimeter of the equipment. This plan shall be submitted for the review and approval of the Planning Division
- k. Prior to installation of any new signage, the applicant shall submit a sign application for the review and approval of the Planning Division.
- l. The use permit shall expire two years from the original date of approval (June 18, 2003).

Motion carried, 5-1-1 (Commissioner Pagee abstaining and Commissioner O'Donnell opposed.)

- 4. **Use Permit Extension, Architectural Control, and Negative Declaration/City of Menlo Park/Menlo Park Civic Center (801 Laurel Street and 700 Alma Street):** Request for a use permit extension to allow the Menlo Children's Center to remain at its current location in modular buildings at 700 Alma Street for an additional 30 months and architectural control approval to allow for the demolition of the former Police Department offices of approximately 9,300 square feet and construction of the new approximately 13,938 square foot Menlo Children's Center at 801 Laurel Street. The proposal also requires review of a Negative Declaration.

Associate Planner Smith presented the staff report. He stated that the City received one letter from Pauline Barry, who is a parent of a student at Menlo Children's Center (MCC). Ms. Barry urged approval of the project.

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specifics of the users. Mr. Dommer went on to outline future uses for areas of the building. He stated that the site is well located near an existing parking lot. Mr. Dommer stated that the traffic pattern will be changed in order to minimize traffic conflicts. Mr. Dommer proceeded to describe the diagrams and pictures currently on display before the Planning Commissioners

Mr. Dommer said the goal was to create a series of social spaces. The building is made up of age-specific classrooms. The outdoor space is an integral part of the classrooms. Mr. Dommer outlined points in the arborist's report, and added that the goal was to preserve many of the mature trees on the property. He said the type of architecture follows the design of the rest of the buildings in the Civic Center campus.

Commissioner Stein asked if there will be solar panels on the roof. Mr. Dommer stated there wouldn't be any solar panels on the roof. Commissioner Stein asked why lightwells were placed on the roof versus skylights. Mr. Dommer stated that skylights give a very strong light and tend to add to overheating. He said it would be better to bring in filtered light, thus the design of the lightwells. Commissioner Stein asked if the ceiling heights would be open. Mr. Dommer stated that the ceiling heights in the younger children's area would be nine feet and the older kids' areas would be 12 feet. He said the monitors will bring a shaft of light down.

Commissioner Halleck stated he spoke with Chief Planner Heineck about the lack of mitigation measures on this project. He said he was concerned about lead and asbestos from the demolition of the existing building. Mr. Dommer stated that there is lead in the paint and some asbestos in the basement shooting range. Commissioner Halleck reiterated his concern about air quality, transportation during construction and the impact on the surrounding neighborhood. He asked why

the impacts aren't mitigated specifically. Chief Planner Heineck stated that the project is required to adhere to requirements of the City and other agencies that specifically regulate air quality impacts. She explained that additional mitigations were not necessary beyond the requirements already in place.

Commissioner Soffer asked if this footprint entirely overlays the existing building. Mr. Dommer stated that there might be a portion that is not. Commissioner Soffer asked if the basement could be retained for additional functions or uses. Mr. Dommer stated that that was considered, but is not economically feasible.

Commissioner Fergusson stated that she senses that the community needs skilled care for children younger than 18 months. She stated that there is no care for children under 18 months and asked if the City has any data that backs up the customer base. Mr. Dommer said that the intent is to keep that existing use in this new building. Director of Engineering Services Nino stated that the City Council reviewed the proposal to study childcare uses. He clarified that the intent this evening is for architectural control, not programming. Commissioner Fergusson noted that there are three large preschool classrooms and asked how flexible the space is. Mr. Dommer stated that one room could be modified for infant care, but that reduces the ability to take older children. He said the total capacity is 60 children.

Commissioner Fry asked how much flexibility there was to add more space if demand grows. Mr. Dommer stated that another site would be necessary if demand grows. Commissioner Fry asked why solar panels weren't utilized, given the State's energy crisis. Mr. Dommer stated that a certified system was used in this "green" building design. He said that natural daylight was deemed important, as was natural ventilation. There will be an economy air conditioner and windows which can be opened. Commissioner Fry commented that 20 parking spaces would be lost as a result of this project. Mr. Dommer stated that the parking being removed was formerly used by police and City maintenance vehicles. Commissioner Fry asked if the placement of the building could be changed in order to preserve the existing parking. Mr. Nino stated that no parking is being lost, since only the police vehicles parked in those spaces and the police now park their cars behind the administration building. Commissioner Fry reiterated her concern about intensifying other uses of this complex in the future. Mr. Nino stated that the childcare use exists on the site currently and is being relocated to the new facility. He said the City pool cars will be moved to the Library parking lot to provide more parking for MCC. Commissioner Fry voiced concern about conflicts between evening events at the childcare center and City Council meetings.

**Bob Roessler, Community Services Department, Business Manager,** stated that they usually avoid scheduling anything on City Council or Planning Commission meeting nights.

Commissioner O'Donnell stated that this is a beautifully-designed project and was definitely needed. He voiced concern over circulation and procedures for pick-up and drop-off and added that kids are very difficult to drop off. He said the traffic might spill over onto Laurel Street in the morning drop-off period. Commissioner O'Donnell asked about the drop-off procedures at the current facility. Mr. Roessler stated that in the mornings, only parents of children attending MCC drop off their kids and the parents have sole responsibility for drop-off, which is a five-minute process. In the summertime and when the Burgess afterschool program is in effect, those kids are dropped off closer to 8:00 am, whereas the preschoolers and toddlers are dropped off closer to 9:00 am. The parents use the turnabout area near the childcare center. The parents of children attending Burgess activities use the City Hall parking area.

Commissioner Fergusson pointed out that the most desirable place for drop-offs only has two additional parking spots near the sidewalk. Mr. Dommer stated that they are looking to extend that

sidewalk. Commissioner Fergusson asked about the possibility of having a ramp instead of stairs near the southerly entrance. Mr. Dommer said he and staff will look into the feasibility of installing a ramp versus stairs. Commissioner Fergusson asked about the presence of the communications tower on the existing building. Mr. Nino stated that that tower will be removed and relocated onto the existing antenna atop the administration building. Commissioner Fergusson asked about the presence of a loft in the toddler room. Mr. Dommer confirmed that the loft was specifically designed for that age group and clarified that the children need to be lifted up into the area.

Commissioner Pagee asked what materials and HVAC (heating/ventilation/air-conditioning) system will be used in this "green" building. Mr. Dommer stated that recycled base rock and concrete will be used. No formaldehyde will be present in any of the materials, and the carpets will be safe for children. He said there will be a central plant for the HVAC system. In the summer there will be efficient energy monitoring. Commissioner Pagee stated concern about the high plate heights which result in many voided areas and asked if the plates are to be lowered. Mr. Dommer stated that the plates are typically at 12 feet, but they may be able to drop it down by a foot. Commissioner Pagee suggested that the trusses could be moved up. Mr. Dommer agreed, but stated that it was a budget issue. Commissioner Pagee asked if the first and second classrooms will be 30-feet tall. Mr. Dommer stated there will be a 27-foot ridge line. Commissioner Pagee inquired about the noise ramifications. Mr. Dommer stated that an acoustical engineer will be retained to look at exposed volume. Commissioner Pagee asked if the windows would be low emission. Mr. Dommer answered affirmatively.

Commissioner Halleck inquired about the aesthetics of the existing communications pole and asked what exactly is being moved. Mr. Nino stated that there is an existing dish on the antenna which needs to be relocated. That dish provides communications for the County of San Mateo's emergency system. Commissioner Halleck asked if there was any other mechanical equipment included. Mr. Nino said no. Chief Planner Heineck stated that relocation of the antenna would need another review by the Planning Commission.

Commission action: M/S Soffer/O'Donnell to close the public hearing.

Motion carried, 7-0.

Commissioner Stein said she was concerned with the lack of solar panels in that it doesn't seem to be consistent with a "green" building. She stated that no assessment was even done to see if solar panels would be feasible and suggested that staff look into that. She said that instead of compartmentalizing the children, there should be a better mix of ages and uses so that all children could enjoy the facility together. Commissioner Stein voiced concern about the lack of a hearth, a kitchen, a garden, and a living animal area. She said the environment seems very sterile. She said the height of the building seems tall and added that the library does a good job of bringing in a lot of indirect light. She suggested lower ceiling heights in rooms with small children. Commissioner Stein stated that the illustrations look nice, but the facility feels "barn-like." She said she could support approving the negative declaration but not the architectural control at this point.

Commissioner Halleck stated that there's been no discussion about control of runoff using grass swales. He asked if there are any requirements. Mr. Dommer stated that they were looking at a percolation system, if the soil is adequate. Commissioner Halleck asked if the parking lot would still drain into the existing storm drain. Mr. Dommer stated that it would. Commissioner Halleck reiterated his concerns about the "greenness" of the building and said he's looking for more solar. He said that everything pokes up to the sky and he agreed with Commissioner Stein's comments regarding the size and "barn-like" feel of the structure. Commissioner Halleck suggested lowering the building height and incorporating more "green" features.



Commissioner O'Donnell stated that he is more favorably impressed with the project as it is proposed. He suggested that the focus of the design is to integrate the new building with the existing campus. He suggested that the design be softened and a further integration of "green" principles. He agreed with Commissioner Stein's comment about integrating children of different age groups and added that the existing design would allow for that integration. Commissioner O'Donnell stated that this is an attractive design and does integrate well with the existing campus, which is critical in Menlo Park. He stated that his initial concerns about circulation have been adequately addressed.

Commissioner Fergusson stated that she likes the basic concept of the floorplan, but has concern about the flexibility of utilizing the space for changing needs. She said that overall, she favors the design.

Commissioner Fry stated that the design is acceptable and added that the "barn-like" view is typical of this campus. She recommended ensuring energy efficiency with the use of solar. She stated that she'd be more comfortable with a lower room height for the smaller children. Commissioner Fry stated that she'd like to see the children connected with the outdoors. Mr. Dommer stated that there are a series of porches on the model and added that the site is very well shaded. In fact, there were concerns that the south side might be too shaded. He said that porches have been used for shading and that some kind of tent-like structure would be added for additional shading. Commissioner Fry reiterated that parking is a precious commodity in Menlo Park.

Commission action: M/S Soffer/Halleck to approve the negative declaration for 801 Laurel Street and extend the use permit for the temporary building at 700 Alma Street.

Motion carried, 7-0.

Commission action: M/S Soffer/O'Donnell to approve the architectural control of the new building. No vote was taken on the motion.

Commissioner Halleck proposed a friendly amendment regarding additional conditions of approval including the integration of more "green" principles, such as energy efficiency, solar panels, grass swales for stormwater run-off, lowering the building height, and softening the architecture to give a more organic, less sterile character to the building.

Commissioner Pagee suggested adding eaves to the building, which would add to shading and provide a less sterile exterior. Mr. Dommer stated that shading was achieved by devices over the windows and porches and clipped eaves. Commissioner Pagee reiterated her suggested that the building be given a friendlier appearance at the eaves.

Commissioner Fry suggested a consideration of both passive and active solar panels. Mr. Dommer stated that they could add more windows, if requested.

Commissioner Fergusson suggested that ramps be used instead of stairs on the south side of the building, where possible, to better improve access to the building.

Commissioner Halleck directed staff to look into the overall intensification of uses at the Civic Center campus and the need for additional parking on the north side.

Commission action: M/S Halleck/Soffer to accept the friendly amendments.

Motion carried, 7-0.

Commission action: M/S Soffer/O'Donnell to:

1. Make the following findings relative to the environmental review of the proposal:
  - a. A Negative Declaration was prepared and circulated for public review pursuant to the current State CEQA Guidelines;
  - b. The Planning Commission has considered the Negative Declaration prepared for the proposal and any comments received during the public review period; and
  - c. Based on the Environmental Initial Study and any comments received, there is no substantial evidence that the project will have a significant effect on the environment.
2. Approve the Negative Declaration.
3. 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.
4. Adopt findings, as per Section 16.68.020 of the Zoning Ordinance, regarding architectural control approval:
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  - 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; and
  - d. The development provides adequate parking as required in all applicable City ordinances, and has made adequate provisions for access to such parking.
5. Approve the use permit extension and architectural control requests subject to the following conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by Don Dommer Associates, consisting of 15 plan sheets dated received May 8, 2002, and approved by the Planning Commission on May 20, 2002, except as modified by the conditions contained herein.
  - b. Prior to building permit issuance, the applicant shall comply with all sanitary district, Menlo Park Fire Protection District, and utility company regulations that are directly applicable to the project.
  - c. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.

- d. If required by state or federal regulations, or by the Building Division, construction safety fences shall be installed around the periphery of the construction area. A plan for safety fences necessary during construction shall be submitted to and approved by the Building Division staff prior to issuance of a building permit.
- e. Prior to demolition permit issuance, the applicant shall submit a plan for the control of dust throughout the duration of the project. This plan shall list specific measures, including but not limited to routine watering of the site. The plan shall also specifically address how dust would be controlled during weekends and other off-work periods. Finally, the plan shall also include a contact name and phone number to receive and address any complaints. This plan shall be subject to the review and approval of the Planning Division.
- f. Prior to issuance of a building permit, a utility plan showing the exact location of all meters, transformers, junction boxes, relay boxes, back-flow prevention devices, etc., that are being installed outside the building and provisions being made to screen such equipment from view, shall be submitted to and approved by the Building Division.
- g. Prior to building permit issuance, the applicant shall submit a detailed lighting plan and photometric study for the review and approval of Planning Division staff.
- h. Prior to building permit issuance, the applicant shall submit a detailed plan showing the location of all exterior mechanical equipment, including but not limited to air conditioning equipment. This plan shall attempt to minimize the noise and aesthetic impacts of such equipment, and shall be submitted for the review and approval of the Planning Division.
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- j. Prior to issuance of building permits, plans for on-site recycling and garbage facilities shall be submitted for review and approval by the City Environmental Program Coordinator and the Engineering Division.
- k. Prior to issuance of a demolition permit, the applicant shall adhere to all regulatory requirements for the safe handling and removal of asbestos and lead from the site, and the applicant shall comply with all regulations set forth in the Asbestos and Lead Survey Report (included as part of the Negative Declaration) prepared for this project. Such compliance shall also include compliance with the regulations of the following agencies, as applicable: the United States Environmental Protection Agency (EPA), the California Division of Occupational Safety and Health (Cal-OSHA), the California Department of Toxic Substance Control (DTSC), and the Bay Area Air Quality Management District (BAAQMD). Compliance with all of these regulations shall be according to the review and approval of the Building Division.
- l. Prior to issuance of a demolition permit, and again prior to issuance of a building permit, the applicant shall comply with the requirements of Chapter 12.48 (Salvaging and Recycling of Construction and Demolition Debris) of the City of Menlo Park Municipal Code.
- m. Activities and operations on the project site shall comply with the regulations of the City of Menlo Park Noise Ordinance. These activities and operations shall include, but not be limited to, use of the playground facilities, and operation of any mechanical equipment on the site, including air conditioning equipment.

- n. Prior to building permit issuance, the arborist report shall be modified to include any trees whose drip line falls within the project area. These additional trees shall include, but not necessarily be limited to, the three heritage oak trees identified by the City Contract Arborist. This revised arborist report shall be submitted for the review and approval of the City Contract Arborist.
- o. Prior to building permit issuance, the applicant shall submit a tree protection plan for the protection of all trees in the vicinity of the project. Any trenching done within a tree protection zone shall be performed by hand and under the supervision of a certified arborist. This tree protection plan shall be submitted for the review and approval of the City Contract Arborist.
- p. Prior to building permit issuance, the landscaping and playground facilities plans shall be revised to address the concerns raised by the City Contract Arborist. These revised plans shall be submitted for the review and approval of the Planning and Building Divisions, as well as the City Contract Arborist. These concerns include the following:
  - The design of the proposed building may need to be revised to protect two oak trees (tree numbers 33 and 35) because the footprint of the building may have an adverse impact on these two trees.
  - The proposed landscaping on the south side of the project area shall be revised to either eliminate the proposed landscaping or to install only drought tolerant landscaping in order to protect two large heritage oak trees (tree numbers 48 and 49);
- q. The temporary building located near the Recreation Building shall be removed 30 months from the date of this approval (November 18, 2004).
- r. To the extent feasible, the applicant shall integrate "green building" elements into the building. Elements that should be considered include, but are not limited to, passive and active solar features, additional windows located above the first floor level of the building, and grass swales for management of storm water run-off. All "green building" features to be incorporated in the project shall be indicated on the project plans prior to building permit issuance, and subject to the review and approval of the Planning Division.
- s. Prior to building permit issuance, the project plans shall be modified to lower the exterior and interior heights of the building to better respond to the scale of the intended users of the building. The height of the light monitors shall be correspondingly reduced. The revised plans shall be subject to review and approval of the Planning Division.
- t. Prior to building permit issuance, the project plans shall be modified to soften the architectural design of the building by one or more of the following techniques: use of textured concrete, the addition and/or expansion of the depth of building eaves, inclusion of a mural. The revisions to the project plans shall be subject to review and approval by the Planning Division.

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- u. Prior to building permit issuance, the project plans shall be modified to replace exterior stairs with ramps where possible. The revised plans shall be subject to the review and approval of the Planning Division.
- v. Prior to building permit issuance, the applicant shall consider methods for adding parking spaces to the civic center to address the overall intensification of parking at the center. Specific consideration shall be given to adjusting the placement of the building on the site in order to incorporate additional spaces to one side of the building.
- w. Prior to building permit issuance, the project plans shall be modified to include outdoor space for a garden and composting area. The revised plans shall be subject to review and approval of the Planning Division.
- x. Prior to building permit issuance, the project plans shall be revised to include landscaping and/or garden structures to provide short-term and long-term shade in the play area located on the northerly side of the building. The revised plans shall be subject to review and approval by the Planning Division.
- y. Prior to building permit issuance, the project plans shall be modified to provide windows adjacent to the interior entrances to the rooms intended to house children. The revised plans shall be subject to review and approval of the Planning Division.

Motion carried, 7-0.

#### **D. CC**

- Report on Council action on appeal of 724 Harvard Avenue.
- Commission directed a change in the meeting time from 7:00 to 7:30 for the August 5 meeting at Onetta Harris Senior Center
- Commissioner Pagee indicated that she would be absent from the July 1, 2002 meeting. All other Commissioners indicated that they would be in attendance.
- Staff directed the Commissioners' attention to the new Commissioners' Handbooks.

#### **E. ADJOURNMENT TO STUDY MEETING: 9:15 p.m.**

- **Study Session/Safeway Inc./525 El Camino Real:** Consideration of a proposal to redevelop the property at 525 El Camino Real, including the possible demolition of the existing building on the site and the construction of a new, multi-tenant building. The new building would have Safeway as the anchor tenant, with several smaller tenant spaces for additional retail or personal service uses.

Associate Planner Smith presented the staff report.

The Planning Commission considered a proposal to redevelop the property at 525 El Camino Real, including the possible demolition of the existing building on the site and the construction of a new, multi-tenant building. The new building would have Safeway as the anchor tenant, with several smaller tenant spaces for additional retail or personal service uses. The Commission expressed appreciation for the cooperative efforts of Safeway representatives and the surrounding neighbors on the development of the proposal. The Commission also expressed general support for the proposal.

to construct a new building on the site, but commented on several issues that it believes should be further considered. Those issues include the possibility of providing for employee parking in a below grade garage, analyzing access and traffic issues specific to Middle Avenue, mitigating noise from mechanical equipment, providing a detailed construction plan and schedule, providing more trees and landscaping on the site, identification of the types of retail tenants that would be allowed to occupy the site, and the need for careful attention to design details of the building and perimeter walls.

**ADJOURNMENT:** 11:15 p.m.

Respectfully submitted,

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Arlinda Heineck, Chief Planner

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Gina M. Kessler, Recorder