



## **MENLO PARK PLANNING COMMISSION MINUTES**

**Regular Meeting  
February 24, 2003  
7:00 p.m.  
City Council Chambers  
801 Laurel Street, Menlo Park, CA 94025**

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**CALL TO ORDER** – 7:05 p.m.

**ROLL CALL** – Bims, Fergusson, Fry (Chair), Pagee, Soffer, Stein (Vice-Chair) present; Halleck absent

**INTRODUCTION OF STAFF** – Murphy, O'Connell, Siegel, Smith, Thompson

### **A. PUBLIC COMMENTS**

There were none.

### **B. CONSENT CALENDAR**

1. Consideration of the draft minutes of the January 13, 2003 Planning Commission meeting.

Commission Action: M/S Fry/Fergusson to approve minutes as presented.

Motion carried 3-0-2 with Commissioners Bims and Pagee abstaining, Commissioner Stein not yet in attendance, and Commissioner Halleck absent.

### **C. PUBLIC HEARINGS**

1. **Use Permit/Farhad Ashrafi, Stewart Associates/1012 College Avenue:**  
Request for a use permit for the demolition of an existing single-family residence and the construction of a new two-story residence on a lot that is substandard with regard to lot width.

Staff Comment: Planner O'Connell presented the staff report noting that the Commission first considered this request on October 21, 2002 and had directed the applicant to develop changes in the design based on comments from the neighbors. He added that the applicant responded by designing a significantly different house and the architect has brought actual materials samples to show. He further noted that the architect gave him a copy of a letter from Mike Keenly of 1024 College Avenue, which he had just had a moment to review prior to the start of the meeting. Mr. Keenly indicated in his letter that he supported the house design being presented and had objected to the original design; he only had a minor concern that the interface between the chimney and the second floor could be improved.

Public Comment: John Stewart, the architect for the project, noted that they chose the Craftsmen style home for the redesigned project. Keith Kolker, representing Cupertino Development, provided the Commission with samples of the shingles, siding and trim. In response to Commissioner Pagee and Chair Fry's concerns about the chimney appearing to be suspended above the second floor and whether the fireplace could be relocated, Mr. Stewart indicated that the living room space is very small and there is a three-foot offset between the first and second floor. The second story had been moved back to give Mr. Keenly more room on the left side. Commissioner Stein asked why the garage doors are not separate. Mr. Stewart said that would be structurally difficult, but they could install a door that simulated the appearance of two doors. Commissioner Soffer indicated that would not serve the purpose to have doors that can be rolled up separately. Mr. Stewart asked the Commission to remove the requirement for the neighbor's approval of the roof material. Planner O'Connell clarified that the condition states that the neighbor may have input on the roofing material, but review and final approval would be by Planning staff.

Commission Action: M/S Stein/Fry to close the public hearing.

Motion carried unanimously, 6-0.

Commission Discussion: Commissioners Stein and Fergusson indicated their support of the newly designed Craftsmen style structure. Commissioner Pagee agreed but indicated she felt some concern with the chimney design. In response to a question from Chair Fry, Planner Murphy said that the building permit review will require engineered drawings of the chimney and that it will not be constructed with unreinforced stone masonry, but with veneer, and it will be built to current UBC standards to withstand an earthquake. Chair Fry suggested that in condition "h" the comma between "simulated" and "true" be removed as it was grammatically incorrect.

Commission Action: M/S Soffer/Fergusson to approve as recommended in the staff report.

1. Make a finding that the project is categorically exempt under Class 3 of the current State 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 conditions:
  - a) Development of the project shall be substantially in conformance with the plans prepared by Stewart Associates, dated received by the Planning Division on January 27, 2003, consisting of six plan sheets, and approved by the Planning Commission on February 24, 2003, 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, Transportation Division, and Engineering Division that are directly applicable to the new construction.
- d) Prior to issuance of a demolition permit or building permit, the applicant shall submit a plan for construction safety fences around the periphery of the construction area for review and approval of the Building Division. The Building Official may waive this requirement on a case-by-case basis. The fences shall be installed according to the plan prior to commencing construction.
- e) Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval of the Planning, Engineering and Building Divisions. All utilities shall be placed underground. 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.
- f) Prior to the issuance of a building permit, the applicant shall submit revised plans clearly indicating that there are no encroachments into the side yard setback of greater than 18 inches. The revised plans shall be subject to Building Division staff review and approval.
- g) Prior to the issuance of a building permit, the applicant shall submit a revised colors and materials board with actual material samples. The selection of the roofing material shall be developed with input from the property owners to either side of the project site. The colors and materials board shall be subject to Planning staff review and approval.
- h) Prior to the issuance of a building permit, the applicant shall submit revised plans indicating a minimum standard of vinyl clad, wood trimmed, simulated true divided light windows throughout the building subject to Planning staff review and approval.

Commission Discussion: Commissioner Stein asked for a friendly amendment to the motion to require a double garage. Commissioner Soffer offered that a cosmetic solution might be okay. Commissioner Stein indicated that she did not want to have just a post in the middle but two separate doors. Commissioner Soffer rejected the friendly amendment.

Motion carried unanimously, 6-0.

2. **Use Permit/Morad Fakhrai/1003 Greenwood Drive:** Request for a use permit to construct first and second story additions to an existing single-family residence on a lot that is substandard in regard to lot width and lot area.

Staff Comment: Planner Thompson presented the staff report.

Questions of Staff: In response to a question from Chair Fry, Planner Thompson noted that in 1995 the Building Division had approved conversion of the garage to living space and the creation of two parking spaces; one covered in front and one uncovered at the rear of the property. In response to Chair Fry's question as to whether project should be considered a remodel or a demolition, Planner Murphy indicated that the Building Official had reviewed the plans today and that for zoning purposes and from a building code perspective the project is considered to be new construction. In response to Commissioner Fergusson's observation that there is currently no access to the rear parking space, Planner Thompson noted that a driveway will be established from the Bay Road Frontage to the carport, and the driveway to the covered parking space will be restored. Planner Murphy highlighted condition "g" regarding the driveway and condition "h" associated with the usability of the carport. In response to Chair Fry's question, Planner Murphy indicated that it was within the Commission's purview to require a garage rather than a covered carport. In response to a question from Commissioner Soffer, Planner Thompson indicated that there is a Hetch-Hetchy right-of-way along the Bay Road Frontage but which does not run under the property. At Commissioner Fergusson's request, Planner Murphy explained the "daylight plane" issue and the intrusion associated with the three gables on the right side of the structure. On lots under 10,000 square feet, there is the provision for intrusion into the daylight plane for architectural features but not where the required setback is greater than eight feet, which does not apply here. He estimates that the intrusion is one-foot into the vertical direction and one-foot into the horizontal direction.

Public Comment: Bob Doane, the architect for the project, noted that the project is an extensive remodel. He asked for the Commission's consideration regarding the "daylight plane" issue to not require a redesign of the front gable features. In response to a question from Commissioner Soffer, the architect indicated that they would rather not build a garage. In response to Chair Fry's concerns about the parking visibility, Mr. Doane noted that with landscaping and design as part of the listed condition, the visibility of parking would be reduced.

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

Motion carried unanimously, 6-0.

Commission Discussion: Commissioner Fergusson asked for a clarification as to whether the daylight plane intrusion required a variance. Assistant City Attorney Siegel said that was correct and there would need to be a re-noticed meeting to consider either a variance or a redesign of the gable features. The architect indicated that the applicant would like to apply for a variance or if necessary, submit a redesign of the gable features. Commissioner Soffer indicated that he would like to see the item continued for redesign to include a garage. Commissioner Stein indicated that she liked the design and had no significant feelings about the proposed parking. Commissioner Fergusson thought that at least one side of the carport should be enclosed and asked to see a condition that added a wall to the carport. Planner Murphy indicated that could be requested but he did not know whether that would raise new building code issues. Commissioner Stein suggested that gravel not be used in the front carport. Commissioner Pagee said that the neighborhood supports the presence of carports but she's concerned with the visibility of the carport and suggested that it would be an

improvement if it had a hard surface and landscaping such as a hedge to screen the carport. Chair Fry also thought that a garage would be preferable but that a carport was acceptable.

Commission Action: M/S Pagee/Fergusson to continue the project to a future meeting with the following directions:

- Redesign the gable features on the east elevation (front of the house) to eliminate the daylight plane intrusion or apply for a variance indicating the precise dimensions of the intrusion.
- Provide a landscape plan related to the east elevation (front of the house) showing a landscape screen to shield the view of cars parking inside the existing carport.
- Revise the site plan to indicate that the proposed parking surfaces and driveways would be of solid materials. Grasscrete could be used for the uncovered parking space. The site plan should also include details regarding fence heights.

Motion carried unanimously, 6-0.

3. **Use Permit and Architectural Control Revision/Pauline Schley for Ford Land Company, LLC/3000 Sand Hill Road:** Requests for use permit and architectural control revisions to allow the installation of elevators for each of four, two-story office buildings in the 3000 Sand Hill Road development.

Staff Comment: Planner Smith presented the staff report.

Public Comment: Bill Bocook, architect for the project, provided the Commission with a site plan with a colored rendering of the location of the buildings and a diagrammatic photograph with a schematic overlay. The property owners would like to install the elevators in voluntary compliance with ADA requirements for four existing two-story office buildings. The proposed elevators are eight by nine feet and will accommodate a service gurney. An equipment room is required for the elevators. In Buildings One and Two, the equipment room will need to be remotely located outside in the landscape; its top will be screened from aerial view with a trellis, and it will be constructed with similar materials used in the buildings. In Buildings Three and Four, the equipment room is located under a stair well. Both equipment rooms will be sound insulated. In response to Commissioner Pagee's questions, Mr. Bocook indicated that the elevator could be used for small freight service, ventilation is required in both the elevators and the equipment rooms, and the noise of the generator is minimal and only occurs when elevator is engaged. In response to Commissioner Fergusson's comment regarding a curb cut, Mr. Bocook said that he had not thought about a handicapped parking space on that side of Building One, but that it was a good suggestion.

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

Motion carried unanimously, 6-0.

Commission Action: M/S Soffer/Fry to approve as recommended in the staff report.

1. Make a finding that the project is categorically exempt under Class 1 of the current State 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. Adopt findings, as per Section 16.68.020 of the Zoning Ordinance, regarding architectural control approval:
  - a. The general appearance and scale of the additions are in keeping with the character of the existing development on the site;
  - 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.
4. Approve the use permit and architectural control revision requests subject to the following conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by B H Bocook AIA Architect, consisting of five plan sheets dated January 13, 2003, and approved by the Planning Commission on February 24, 2003, 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. Prior to issuance of a demolition permit or building permit, the applicant shall submit a plan for construction safety fences around the periphery of the construction area for review and approval of the Building Division. The Building Official may waive this requirement on a case-by-case basis. The fences shall be installed according to the plan prior to commencing construction.

- e. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval of the Planning, Engineering, and Building Divisions. All utilities shall be placed underground. 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.
- f. Prior to building permit issuance, the applicant shall submit a tree protection plan to indicate how the trees on the site shall be protected during project construction. This tree protection plan shall include a requirement to perform hand trenching in the vicinity of the trees near the equipment box at Building Two.

Motion carried unanimously, 6-0.

4. **Use Permit/Griselda Lopez/180 Terminal Avenue:** Request for a use permit to construct first and second floor additions to an existing single-family residence on a lot that is substandard in regard to lot width and lot area.

This Planning Commission item was continued to a future meeting prior to the February 24, 2003 meeting.

5. **Use Permit and Architectural Control/Eddy Shen of LRS Associates/718 Willow Road:** Request for a use permit and architectural control review to construct an approximately 517 square foot addition to an existing building commercial building in the C-4 General Commercial District.

This Planning Commission item was continued to a future meeting prior to the February 24, 2003 meeting.

6. **Use Permit/Sean Mulcahy/935 El Camino Real:** Request for a use permit to operate a furniture store in a building that is nonconforming in regard to parking.

This Planning Commission item was continued to the regular meeting of March 3, 2003 prior to the February 24, 2003 meeting.

#### **D. REGULAR BUSINESS**

1. **Sign Review/1105 El Camino Real/Tom Whitson:** Consideration of a sign application for the proposed sign for US Bank at the current Bay View Bank location.

Staff Report: Planner Smith presented the staff report and noted that the applicant is requesting three replacement signs at 1105 El Camino Real to change the tenant's names from Bay View Bank to US Bank. The signs contain the color red, which requires Planning Commission review. He further noted that the signs were installed either at the end of last week or over the weekend, which would not preclude the Commission from denying or approving.

Questions of Staff: Commissioner Fergusson said the two drawings conflicted; one showed illumination and the other did not. Planner Smith indicated that there are two signs referred to and that one fronting El Camino was to be illuminated and the rear one was not.

Public Comment: Tom Whitson, the applicant, indicated that they were only replacing the signs that the former bank had used. He noted that the channel letters on the sign in the front are halo and illuminated from the back. In response to Commissioner Soffer, Mr. Whitson indicated that the landlord had approved the signage. In response to Commissioner Stein, Mr. Whitson indicated that he did not know that the signs had been installed already but that the electrical had not yet been installed. Commissioners Soffer and Stein commented on the ATM signage. Planner Murphy request that if the Commission were to impose conditions on the ATM signage that approval of the color red be part of that consideration. Chair Fry said that she would not like the size of the letters in a future sign in the placard area above the ATM to be any larger than the letters being used on the awning located above the ATM.

Commission Action: M/S Fergusson/Fry to approve as recommended in the staff report with a condition regarding the size of letters of a future sign in the ATM area, as written in Condition "c."

1. Make a finding that the project is categorically exempt under Class 3 of the current State CEQA Guidelines.
2. Make a finding that the signs are appropriate and compatible with the downtown, and are consistent with the Design Guidelines for Signs.
3. Approve the sign review subject to the following conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by MC Sign Company, consisting of one plan sheet dated December 5, 2002 and two plan sheets dated revised January 10, 2003, and approved by the Planning Commission on February 24, 2003.
  - b. 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 new construction.
  - c. The size of letters of a future sign in the placard area above the ATM shall be no larger than the size of the letters approved for the awning located above the ATM.

The motion carried unanimously, 6-0.

After discussion regarding whether the Commission wished to continue to review signage predicated by the use of the color red, consensus was to continue bringing such signage to Commission for review and approval.

- Chair Fry and Vice Chair Stein reported on the meeting with the Mayor and Mayor Pro Tem on February 18, 2003, highlighting the discussion on the different Commissions; concept of increasing communication between the Council and the various Commissions including the possible idea of Commission reports at the beginning of Council meetings



or if there are appeals, and that a representative of the Commission whose project it is be present at that appeal meeting; and customer satisfaction surveys for the various Commissions.

Chair Fry suggested that for the first meeting of the full Commission that consideration be made of the start time of the meetings.

## **ADJOURNMENT**

The meeting adjourned at 9:10 p.m.

Staff Liaison: Justin Murphy, Principal Planner

Prepared by: Brenda Bennett, Recording Secretary

Approved by Planning Commission on January 12, 2004.