



MENLO PARK PLANNING COMMISSION MINUTES

Regular Meeting

August 18, 2003

7:00 p.m.

City Council Chambers

801 Laurel Street, Menlo Park, CA 94025

CALL TO ORDER – 7:00 p.m.

ROLL CALL – Bims, Fry (Chair), Halleck (Vice-chair), Pagee, Sinnott, and Soffer present; Fergusson absent.

INTRODUCTION OF STAFF – Murphy, Smith

A. PUBLIC COMMENTS

There were none.

B. CONSENT

1. Consideration of the transcripts of the September 30, 2002 Planning Commission meeting.

In response to a question from Chair Fry, Planner Murphy said that these transcripts included the consideration of the Allied Arts project. Both Chair Fry and Commissioner Soffer indicated that they hoped these transcripts had been attached to the staff report to the City Council. Planner Murphy had noted that when a Planning Commission item went before the City Council prior to the Commission considering the minutes pertaining to that item, the transcripts are labeled as a draft.

Chair Fry indicated some changes to the transcripts of the September 30, 2002 Planning Commission meeting.

Commission Action: M/S Fry/Pagee to approve with the following modifications.

- Page 52, Line 1: Split “overtime” into two words and change “professed” to “progressed.”
- Page 134, Line 13: Change “advanced” to “events.”
- Page 201, Line 3: Change “product” to “project.”

Motion carried, 4-0-2 with Commissioners Sinnott and Soffer abstaining and Commissioner Fergusson not in attendance.

Commissioner Soffer indicated that he abstained from the vote as the transcripts were for a meeting that was 11 months ago.

C. PUBLIC HEARING

1. **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 commercial building in the C-4 General Commercial District.

Staff Comment: Planner Murphy indicated that Planner Smith had left to telephone the applicant as there was no project representative in the audience. Planner Murphy said that the applicant was expected to arrive in about 30 minutes.

Chair Fry suggested that the Commission continue with the agenda items and return to this item when the applicant arrived. This was agreeable to the Commission.

D. REGULAR BUSINESS

1. **Sign Review/Philip Tan Nguyen/816 Santa Cruz Avenue:** Request for sign approval for three signs at a new retail store containing the color yellow.

Note: This item was heard before item C.1.

Staff Comment: Planner Smith said that the applicant was requesting approval to install three signs at a new retail clothing store located at 816 Santa Cruz Avenue. He stated that the signs would include an awning sign at the front of the building and two panel signs at the rear of the building and that all three signs would use gray and yellow colors on a black background. He noted that the use of bright colors such as yellow was listed as a discouraged sign element in the Design Guidelines for Signs; therefore, the sign required Planning Commission review of a sign permit. He added that color samples of the yellow were available.

Questions of Staff: Commissioner Soffer noted that during a previous sign review, the Commission had suggested that staff get some type of color definition chart, such as Pantone, so that colors might be better defined. Planner Smith said that staff was in the process of getting such a color definition chart. Commissioner Bims asked if the photographs of the signs were accurate as the yellow seemed to be more of an orange. Planner Smith said that the color samples being distributed to the Commission were more accurate.

Public Comment: There was none.

Commission Action: M/S Halleck/Sinnott to close the public comment period.

Motion carried 6-0, with Commissioner Fergusson not in attendance.

Commission Comment: Commissioner Sinnott said that she would like to see changes on the sign. She said that the name "Michelle's" might be in larger print and the description of the product "Women's Clothing" might be in smaller print.

Chair Fry asked if this was a sign design the company had used elsewhere. Planner Smith said that was not known.

Commissioner Pagee said that she agreed with Commissioner Sinnott. She thought there was excess verbiage and thought street level signage would enhance the advertising quality of the signage. Commissioner Halleck said that it worked to keep "Michelle's" higher on the sign and increase the size of the name noting that there was a tree in front of the sign. He said that he thought the color scheme was fine. Commissioner Soffer said that perhaps the other verbiage might be a smaller font. Commissioner Sinnott confirmed with staff that the Commission was reviewing the sign because of the use of the color yellow. She suggested that the Commission might make suggestions to improve the signage. The Commission was amenable to that idea.

Commissioner Sinnott moved to approve as recommended in the staff report and to suggest that the name of the store be made a larger font. Commissioner Halleck seconded the motion. Chair Fry asked for a friendly amendment to include a suggestion that the size of the font for "Women's Clothing" be smaller and that the additional wording after "Clothing" beginning with the "&" be removed. Commissioners Sinnott and Halleck were amenable to that change. Staff further clarified that the Commission wanted to suggest less wording and that signage be placed at pedestrian level, subject to Planning Division review and approval. Commissioner Pagee recommended that all of the suggestions be applied to all of the signs, which was agreeable.

Commission Action: M/S Sinnott/Halleck to approve as recommended in the staff report with the following indicated suggestions to the applicant on potential changes to all three signs:

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 businesses and signage on Santa Cruz Avenue, and are consistent with the Design Guidelines for Signs.
3. Approve the two signs subject to the following conditions:
 - a) Development of the project shall be substantially in conformance with the plans prepared by Philip Tam Nguyen, consisting of two plan sheets received by the Planning Division on July 9, 2003, and approved by the Planning Commission on August 18, 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) Within 30 days of the Planning Commission approval of this item, the applicant shall submit a complete application for any required building permits for the signs. This building permit application shall be submitted for the review and approval of the Building Division.

The Commission made the following suggestions to the applicant on potential changes to all three signs:

- Consider making the word "Michelle's" larger and more prominent;
- Consider reducing the size of "Women's Clothing &", and consider removing the "&"

- Consider reducing the amount of verbiage in each sign, particularly on the front awning;
- Consider adding window signs at the pedestrian level on the front of the building. Such window signs shall be permitted to use the color yellow, and shall be limited in size to the limits set forth in the Zoning Ordinance. Any additional signs, including window signs, shall require approval by the Planning Division prior to installation of new signage.

Motion carried, 6-0, with Commissioner Fergusson not in attendance.

2. **Sign Review/RHL Design Group/1399 Willow Road:** Request for sign approval for two replacement signs at the Chevron service station and mini mart, containing the colors red and orange for a new 7-Eleven store.

Staff Comment: Planner Smith said that the applicant was requesting approval to make modifications to two existing signs at the service station located at 1399 Willow Road to include modifications to the freestanding sign on Willow Road to add a sign containing the colors orange and red, and modifications to the sign over the entrance to the convenience store on the site to replace an existing sign with a sign also containing the colors orange and red. He noted that the use of bright colors was listed as a discouraged sign element in the Design Guidelines for Signs; therefore, the sign required Planning Commission review of a sign permit. He added that he would distribute color samples to the Commission.

Questions of Staff: Commissioner Pagee asked about the current hours for the gas station. Planner Smith said that he did not know the answer to that and suggested that the question be answered by the applicant.

The applicant, Mr. Bob Abbott, RHL Design Group, said that the service station and the 7-11 operated 24-hours.

Commissioner Pagee asked whether staff was aware if there had been any problems associated with the hours of operation. Planner Smith said that was something that might be researched. Commissioner Pagee asked about the bright colors on the Food Mart and why the Commission did not review those signs. Planner Smith noted that the Food Mart project occurred before the Design Guidelines for Signs were created.

Chair Fry asked the applicant to compare the size of the proposed sign with what was being proposed. Mr. Abbott noted that the new sign would be significantly smaller. Chair Fry asked about the Food Mart sign. Mr. Abbott said that would be replaced by a 7-11 sign. Mr. Abbott noted that he supported staff's recommendations.

Commission Action: M/S Soffer/Halleck to close the public comment period.

Motion carried, 6-0, with Commissioner Fergusson not in attendance.

Commission Comment: Commissioner Bims suggested that a better definition of colors and clearer instructions from staff might reduce the number of sign reviews as he thought the Commission was reviewing signs unnecessarily, noting corporate logo requirements. Commissioner Soffer said that having a reference for the colors would allow the Commission to review and identify particular colors that needed review. Chair Fry suggested that should be a

future agenda item. Commissioner Pagee said that she thought the changes improved the signage. Commissioner Halleck noted that in some instances the Commission has changed the colors for corporate signs. Chair Fry said that she also thought the subject signage was an improvement over the existing signage.

Commission Action: M/S Sinnott/Soffer 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 a finding that the signs are appropriate and compatible with the businesses and signage on Willow Road and Hamilton Avenue, and are consistent with the Design Guidelines for Signs.
3. Approve the two signs subject to the following conditions:
 - a) Development of the project shall be substantially in conformance with the plans prepared by RHL Design Group, consisting of two plan sheets received by the Planning Division on July 24, 2003, and approved by the Planning Commission on August 18, 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) Within 30 days of the Planning Commission approval of this item, the applicant shall submit a complete application for any required building permits for the signs. This building permit application shall be submitted for the review and approval of the Building Division.

Motion carried, 6-0, with Commissioner Fergusson not in attendance.

C. PUBLIC HEARING

1. **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 commercial building in the C-4 General Commercial District.

Note: This item was heard out of sequence to allow the applicant to be present.

Staff Comment: Planner Smith said that the proposed project consisted of interior and exterior renovations to an existing, vacant building located at 718 Willow Road. He said that the building would house a chiropractic office with a related physical therapy component, which was a permitted use in the C-4 Zoning District. He said that the applicant was proposing to expand the building by 517 square feet and noted that the Zoning Ordinance required approval of a use permit for new construction or structural alterations to an existing building. He noted that the applicant was also requesting architectural control approval for the new addition, modifications to windows and doors, and the addition of exterior molding at the top of the building. He added that he would distribute materials and color samples to the Commission.

Questions of Staff: Commissioner Bims asked how staff arrived at the requirement for 16 parking spaces, noting that six spaces were required for every 1,000 square feet. Planner Smith said that the total square footage of the project would be 2,666 square feet. He said that was divided by the ratio of six parking spaces per 1,000 square feet, which equated to one parking space per 167 square feet. He noted that 2,666 square feet was the maximum square footage for 16 parking spaces to meet that requirement.

Chair Fry confirmed with staff that this proposal was a permitted use in the C-4 Zoning District. She said that a change from this use to a medical office use might occur without review, which staff confirmed. Chair Fry said that there appeared to be parallel parking along the side and that perhaps there was space for perpendicular parking in the left and right rear. Planner Smith said that the aisle width needed between spaces was 24 feet and there would not be enough space.

Commissioner Soffer said that the applicant had indicated that the addition was being used for the storage of boxes and records; however, the plans indicated that there was no space indicated for storage and records. Planner Smith said that the plans indicated seven exam rooms, but the letter had indicated a space for storage. He said that this question might be addressed to the applicant.

Commissioner Pagee asked whether there would be therapeutic massage offered. Planner Smith said that there was not at this time and should that be an added desired service in the future, a use permit review would be required.

Commissioner Halleck asked about the last two parking spaces and whether a car would be parked in front of the trash receptacle. Planner Smith indicated that there would be a car parked there during the day, but there would be signage required indicating that parking would not be allowed during the posted times for garbage pickup. Commissioner Halleck said that there was a backup space of 24-feet and asked if there was room for a car to pull in and then back straight out and do a three-point turn to get out of the space. Planner Smith said that the Transportation Division had reviewed the plan for turning maneuverability. Commissioner Halleck said that he did not think 24-feet was enough distance to get into a parallel parking space; he said that he thought there needed to be a hammerhead configuration. He said that he would require as part of the approval that the parking configuration be further reviewed. Planner Smith said that there was landscape reserve that would allow for all of those parking spaces to be moved forward should a change be necessary.

Chair Fry asked about the trash and landscaping area and noted that there did not seem to be any access from the building directly to the rear or to the landscaping area. Planner Smith said that he had asked the applicant about this and the applicant had indicated that the trash had two gates and the rear gate allowed access to the landscaping area. He said that the applicant was amenable to adding a condition to add a door to the rear of the building. He said that the Building Division had indicated that a firewall was necessary because of the distance between the proposed addition and the building on the next property, and that a fire door might be installed there. Chair Fry asked whether the trash enclosure was for a dumpster or cans. Planner Smith said that the applicant had indicated that there would be cans and recycling containers. Commissioner Bims asked if a door were placed to the rear would it need to be rated as an emergency exit. Planner Smith said that the other doors satisfied the requirement for emergency exits.

Commissioner Halleck said that because of the neighbors' concerns about trash and landscaping, he suggested that trees be planted. He asked if there were any easement in the front that would preclude certain types of plantings. Planner Smith indicated that there was not an easement.

Public Comment: The applicant, Mr. Eddy Shen, LRS Associates, said that he was representing Dr. Wong and was available to answer questions. Chair Fry asked about the storage area indicated in the letter from Dr. Wong. Mr. Shen said that perhaps they would need to eliminate one exam room and make it a file room instead. He said that they were amenable to the placement of a door to the rear.

Commissioner Pagee asked why staff was requesting that the gate to the rear be removed. Planner Smith said primarily because of the unsightliness of the gate and fence, and that the applicant had indicated there was not a need for a gate and a fence. Commissioner Pagee asked when the business would be open, noting potential problems with traffic, pedestrian and vehicular, from the Veterans Hospital in the area. Mr. Shen said that it would be open Monday through Saturday. Commissioner Pagee said that she would like the applicant to have the flexibility to replace the gate and fence, if desire, for security purposes. She also noted that the landscaping area to the rear did not benefit any of the users of the building and suggested that perhaps a window might be added.

Commissioner Soffer asked how many chiropractors would occupy the building. Mr. Shen said that it would only be Dr. Wong and an assistant. Chair Fry said that there seemed to be a lot of space compared to the level of staffing and asked if this was for future growth. Mr. Shen said that was correct and that the large area to the front would be used for physical therapy. Chair Fry asked who would be supervising the physical therapy area. Mr. Shen said that Dr. Wong would. Chair Fry said that seven examining rooms seemed a lot for one chiropractor. Mr. Shen said that patients occupy a room for a length of time beyond the doctor's actual examination and treatment. Chair Fry asked about the disposal of medical wastes. Mr. Shen said that would be collected through the front door of the building.

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

Motion carried 6-0, with Commissioner Fergusson not in attendance.

Commission Comment: Commissioner Halleck indicated that he would move to approve per staff's recommendation with a condition to add a door to the rear of the building for access to the trash and landscaping area and for security reasons; to allow the applicant the flexibility to add a window to the rear; to require one of the rooms be used for storage; to require another tree in the landscape reserve area and additional trees in the front; and that the landscaping plan include an irrigation plan. Chair Fry said that Commissioner Halleck had suggested that the rear parking configuration be reviewed for adequacy. Commissioner Halleck added to the motion to require that staff again review code requirement for turning for both of the rear parking spaces. Chair Fry said that Commissioner Pagee had suggested that the applicant be given the flexibility to replace the security gate and fence subject to staff approval. Commissioner Halleck agreed to that additional recommendation. Commissioner Sinnott seconded the motion. Chair Fry asked whether the parking would be sufficient if a different physician or group of physicians with assistants took over the building, noting that one exam room would become a storage room. Commissioner Soffer said that he would have preferred if the property owner had been

present. He noted that at medical clinics usually each physician has two examining rooms and usually one assistant; thus, one parking space was needed for each examining room. Commissioner Bims noted that if there were one professional per exam room, one room turned into a storage room and six patients per room there would be twelve parking spaces needed, which would leave four spaces for other people who use the exercise and physical therapy room.

Commission Action: M/S Halleck/Sinnott to approve with the following modifications to the conditions.

1. Make a finding that the project is categorically exempt under Class 1 of the current State CEQA Guidelines.
2. Make the following findings, as per Section 16.68.020 of the Zoning Ordinance, regarding architectural control approval:
 - a) The general appearance of the proposed modifications 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.
3. Make 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.
4. Approve the architectural control and use permit subject to the following conditions:
 - a) Development of the project shall be substantially in conformance with the plans prepared by LRS Associates, received by the Planning Division on August 11, 2003, consisting of seven plan sheets and approved by the Planning Commission on August 18, 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) Planning staff review and approval shall be required prior to the conversion of a landscape reserve parking space into a paved parking space.
- g) Prior to building permit issuance, the applicant shall submit a landscape plan prepared, stamped, and signed by a licensed landscape architect. The landscape plan shall become part of the approved building plans and be available at all times as part of the on-site job plans. The landscape plan shall be subject to Planning staff review and approval. The landscape plan shall include the following:
 - The exact location and size of existing and proposed trees, shrubbery, ground covers, and vines;
 - A plant list including common and botanical names of plants, size, and number;
 - An irrigation plan;
 - Location of all buildings, consistent with the building plans, including a roof plan, the exact location of all building footprints, and roof overhangs;
 - Location and specific material description of all paved surfaces, patios, walkways, decks, and outside stairs;
 - The design of the driveway and parking area shall attempt to minimize the amount of impervious paved surface area; and
 - The exact location, specific height, materials, and construction details of any fencing, both on the site plan and on elevation drawings.
 - The landscaping plan shall indicate a minimum of one new tree in the landscape reserve area at the front of the property.
- h) Prior to building permit issuance, the applicant shall submit a revised plan indicating that signs shall be posted at the parking space closest to the rear property line adjacent to the trash facility that restricts parking during the hours of trash collection. The revised plan shall be subject to the review and

approval of the Planning Division and the Environmental Program Coordinator.

- i) All new signage is subject to review and approval by the Planning Division staff.
- j) Prior to building permit issuance, the applicant shall revise the project plans to add a door at the rear of the building to provide access to the landscaping in the rear of the lot. The applicant shall also have the option of adding a window(s) in the rear wall of the building. In addition, the plans shall be revised to indicate which exam room shall be used as a file room. These revised plans shall be submitted for the review and approval of the Planning and Building Divisions.
- k) Prior to building permit issuance, a revised parking plan shall be submitted for the review and approval of the Planning and Transportation Divisions. In particular, staff shall review the parking along the right side and rear of the property, and shall determine if a hammerhead is needed in the right rear corner of the property. If such a hammerhead is needed, then the applicant shall modify the parking layout accordingly.
- l) The applicant shall have the option of removing the gate and fencing connecting the right side of the building with the right side property line, or replacing the fence with a new fence and gate. Any new fence and gate shall be subject to Planning Division review and approval.

Motion carried, 6-0, with Commissioner Fergusson not in attendance.

Chair Fry said she had contacted the Mayor about the Council and Commission having a joint study session on the proposed Zoning Ordinance Amendment. She said that the City Manager had phoned and indicated that it would be a one hour session at 6:00 p.m. on September 9, 2003.

ADJOURNMENT

The meeting adjourned at 8:00 p.m.

Staff Liaison: Justin Murphy, Principal Planner

Prepared by: Brenda Bennett, Recording Secretary

Approved by Planning Commission on April 5, 2004.