



## MENLO PARK PLANNING COMMISSION MINUTES

Regular Meeting

June 21, 2004

7:00 p.m.

City Council Chambers

701 Laurel Street, Menlo Park, CA 94025

**CALL TO ORDER** – 7:00 p.m.

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

**INTRODUCTION OF STAFF** – Cramer, Smith, Thompson

### A. PUBLIC COMMENTS

There was no public comment.

### B. CONSENT

1. **Sign Review/325 Sharon Park Drive/Jerry Campisi**: Request for sign approval for new signs containing the color red.

Commission Action: M/S Fergusson/Sinnott 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 a finding that the signs are appropriate and compatible with the businesses and signage at the Sharon Heights Shopping Center and are consistent with the Design Guidelines for Signs.
3. Approve the three signs subject to the following conditions:
  - a) Development of the project shall be substantially in conformance with the plans prepared by Pattison Sign Group, consisting of five plan sheets dated May 6, 2004, and approved by the Planning Commission on June 21, 2004.
  - 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 project.

Motion carried 5-0 with Commissioners Fry and Pagee not in attendance.

### C. PUBLIC HEARING

1. **Conditional Development Permit Revision and Architectural Control/Vika Wills/310 Market Place**: Request for a Conditional Development Permit revision to allow a church and private school use, and architectural control approval to allow for the demolition of a single-story building with three residential units and the construction of a new two-story building that would accommodate three residential units and a church/private school use.

Staff Comment: Planner Smith said the applicant was proposing to demolish an existing single-story, three-unit building and construct a new two-story building containing three residential units and a church with related classroom facilities. He said the subject property was located at 310 Market Place on the corner of Alpine Avenue, and was zoned R-3-X. He said for the construction of a new building on the site and the addition of the proposed church and classroom uses, the proposal required approval of a Conditional Development Permit (CDP) revision. He noted that the proposed building also required architectural control approval. He said that since the revision to the CDP required City Council approval, the Planning Commission would be acting as a recommending body on both the CDP revision and the architectural control requests.

Planner Smith said that since the staff report was printed, he had received a second letter from Ms. Rose Bickerstaff, a resident of the neighborhood in which the project site was located. He said that Ms. Bickerstaff was again raising concerns about the size of the project and her belief that it was not appropriate to put a church on the project site. He said the letter had been distributed to the Commission this evening; also distributed were 11 by 17 drawings provided by the architect for the project that indicated a seating plan, a maximum 75 seats in the sanctuary of the church, and a parking plan with stacked parking for up to 22 vehicles. He noted that the church had decreased its maximum congregation size at any one time to 75 people, which reduced the parking requirement, combined residential and church use, to 21 parking spaces.

Questions of Staff: Commissioner Fergusson asked staff to review the steps the project had gone through thus far. She said that when the Planning Commission first saw the proposal it was for a much less dense and intense use. Planner Smith said that the project came before the Planning Commission first in December 2003. He said the design at that time was a very similar structure to that proposed in the revised plans. He said the revised plans included changes in architectural details, which were recommended by the Commission at the December 2003 meeting. He said what has changed was the congregation size. He said when the project was first considered by the Commission, the congregation was listed as 80 people. He said when the project went to the City Council the congregation number became 108 people with an eventual expansion to 200 people. He said that was a significant change and the project could not just go back to the Council but had to come back before the Commission again as well.

Planner Smith said that in the interim, staff has been negotiating with the applicant on ways to reduce the parking requirement for the project as well as providing more parking on-site. He said that was partly based on recent opposition raised by several neighborhood residents. He

said that the plan now showed 75 people at any one time and all of the parking on-site as opposed to the previous plan, which only had 11 spaces on-site.

Commissioner Fergusson asked staff to review their recommendation. Planner Smith said the application before the Commission was for 200 congregation members and 11 on-site parking spaces. He said staff was recommending a continuance to allow the neighbors to address the Commission with their concerns and the Commission to give recommendations on changes to the project if they found that appropriate. He said the plan being distributed was an alternative plan for which the Commission might want to give their input.

Commissioner Soffer asked the address of the current location of the church. Planner Smith said that he believed it was in Redwood City and suggested the question be asked of the applicant.

Commissioner Sinnott said the staff report referred to tandem parking and the new parking plan showed stacked parking. She said the staff report indicated that 22 vehicles could be parked with the tandem parking. Planner Smith said that the 22 spaces shown were the same as stacked parking as it was assumed with a church use that most people would be arriving and leaving approximately at the same time.

Commissioner Bims said that in the minutes for the previous Commission meeting, the applicant had indicated the congregation was 40 people, but the applicant was indicating tonight 80 people. Planner Smith said that there had been confusion as to the size of the existing congregation as it has fluctuated somewhat over the year. He said the number he had received from the applicant now with the assurance that it was a firm number was 108 people

Mr. William Bruner, Mountain View, the architect, said the project had changed in a few ways since the Commission's previous consideration of it. He said a garage with a deck was no longer proposed so there would be room for additional parking. He said the seating would be comfortable at 75 people. He said the tenants of the residential units would be members of the church. He said that they were proposing seating 75 people at two services on Sundays. He said that should the congregation increase greater than the maximum of the site, they would seek a larger site.

In response to a question from Chair Halleck, Mr. Bruner said that there would be three identical residential units on the second story, which would basically use the same footprint as the existing first floor. Mr. Bruner asked Planner Smith if there would need to be three covered spaces. Planner Smith said with the CDP revision there could be a waiver of any requirement for covered parking spaces.

Commissioner Sinnott asked if each residential unit would have an assigned parking space. Mr. Bruner said that would be very wise. Commissioner Sinnott asked what would be the time between services on Sunday and was concerned that there would be overflow from the first service into the second service. Mr. Bruner said that there would be about two hours between services. He said that the group was very homogeneous and cooperation would occur.

Commissioner Bims said he was trying to reconcile the disparity in the numbers for the membership of the church. He said at the first Commission meeting, the applicant had indicated the congregation size was 40 persons; the March 2004 letter indicated the congregation was 80

people, and now the firm number was 108 people. He said that he wanted to understand how there could be such a disparity in the numbers.

Mr. Bruner said when they had done the study for the previous parking plan they had not included parking for the entire congregation as many members walk to the church. Planner Smith said perhaps the parking requirement was based on 40 people, five people per car, and the other members of the congregation were not considered because they walk. Mr. Bruner said that he thought the figure of 40 people was a mistake.

In response to questions from Commissioner Soffer, Mr. Bruner said that the Church was called Emanuel Revival Church and currently used facilities at the First Lutheran Church, located at Woodside Road and Warner Avenue in Redwood City.

In response to a question from Commissioner Fergusson, Mr. Bruner said that the vestibule would be used for pre-school and Sunday school, which would occur before the first service. He said the children would then join the parents for the service.

Commissioner Fergusson said that there might be a desire to use the residences for church activities and she asked whether there was a mechanism to keep the use of that space as strictly residential. Planner Smith said that if the Planning Commission felt it would be inappropriate for any church or school activities to be held in the residences, there could be conditions to the CDP to prohibit that. He said that child daycare was regulated by the State and if there were less than 12 children the City did not have any jurisdiction over the use. He said that he was not sure if that included Sunday schools and other more instructional activities.

Mr. Bruner said that without an elevator he did not think the second floor residences could have a public use.

Mr. Matt Henry, Menlo Park, said all of the comments he had been prepared to make regarding the church, school and apartment project was based on information made available to the public by the Community Development center a week prior. He said that it appeared the proposal had completely changed with the submission of revised plans this evening. He said Mr. Bruner had indicated at the January 27, 2004 City Council meeting that the project was intended to find a home for the Church because the membership was growing. He said that was a problem as Market Place was a quiet, little street and there was currently a Boys and Girls Club across the street from the project site. He said that this additional use would be disruptive to the neighborhood. He said two services on Sunday would dominate the small space of the neighborhood. He said reference had been made to six unspecified events per year, which events were not to start before 8:00 a.m. and not to last past 10:00 p.m. He said these events could take up the whole day. He said in December 2003 it was indicated that the Church membership was 80 people. He said in February 2004 it was revised upward. He said regarding the school that it would function Tuesday through Thursday and the combined uses would virtually take up the whole week. He indicated that people who had concerns about the project had not seen had not seen the revised plans.

Chair Halleck asked if Mr. Henry was recommending a revision or a denial of the project. Mr. Henry said that he wanted to understand the changes, which had been provided to the Commission this evening. He said that a decision should not be made until the community could get a clear idea of all that the project entailed.

Ms. Rose Bickerstaff, Menlo Park, said that she had been a resident of the neighborhood in which the project was situated for about 40 years. She said she worked with a church group a few years ago as a real estate consultant and she was shocked that the City would even consider putting a church on such a small lot. She said a church was a business and the goal was growth. She indicated she was against the project because the lot was too small and the parking was inadequate. She said the two services would accommodate 150 people but the applicant had indicated that the expectation was for the congregation to grow to 200 people. She questioned how the extra numbers of people would be accommodated. She said that Mr. Bruner indicated the Church would look for a new site when membership expanded to 200 people. She asked about the quality of life for this small community, which was already plagued with noise and traffic. She said that the impact in this part of Menlo Park would affect all of Menlo Park.

Mr. John Preyer, Menlo Park, said he opposed the project, as it was too much project for a small site.

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

Motion carried 5-0 with Commissioners Fry and Pagee not in attendance.

Commission Comment: Commissioner Soffer asked why there was a CDP for the property which was zoned R-3-X and when it was granted. Planner Smith said he believed that it was granted in 1974 for this parcel and some adjacent parcels. He said for the parcel the CDP allowed that there only needed to be three parking spaces where normally six parking spaces would have been required. He said from the record it was not clear if there was any other purpose for the CDP beyond the parking requirements.

Commission Soffer asked if the parcel had one owner. Planner Smith said that it did as the units were rentals, not condominiums. Commissioner Soffer said that the previous year the City had leased some parking on Hamilton Street for a church in that neighborhood. He asked if leasing of parking had been explored for this project. Planner Smith said that he was not aware the City had leased parking for another church or whether the City had lands within the vicinity of this proposed church. He said there was a vacant lot on Pierce Road in the same block as the project. He said it was not known if that parcel owner would want to lease parking, but it might be an option.

Commissioner Soffer said that one remedy for an applicant with substandard parking was to apply a condition that the applicant obtains a parking agreement for additional parking. He said that the Boys and Girls Club had parking and asked if the applicant had explored that possibility. Planner Smith said that the Commission could impose that condition to explore that possibility. He said the Boys and Girls Club parking was on the Hetch-Hetchy right-of-way and the site was locked and gated.

Commissioner Fergusson said that it was somewhat a fluke that the applicant could bring this application to the Commission as the property was originally zoned R-3, and it was only the addition of the X which even made this application feasible. Planner Smith agreed and noted that the Zoning Ordinance normally required 20,000 square feet as the minimum size for a

church and this lot was about 11, 500 square feet. He said if there had been no CDP, this project would not be viable unless a variance was granted.

Commissioner Fergusson asked what the standards for notification were for the first hearing on the project and if the notifications were the same for this hearing. She asked if there had been speakers at the first hearing. Planner Smith said that at the first hearing there had been no member of the public that addressed the Planning Commission on this item. He said that the persons who addressed the Commission this evening had also previously addressed the City Council. He said that speakers were included in the notification even if they lived outside of the normal notification radius.

Chair Halleck said that it appeared the Church was growing, but there was a conflict with that growth and the land use proposed. He said that there were concerns of residents with parking, traffic, and the number of events during the year for which there was a lack of information. He said that he would prefer parking that was more appropriate than stacking and if more parking was needed, perhaps the applicant could look into leasing parking.

Commissioner Sinnott said the project did not fit the site and she did not think stacked parking would work. She said if there were parking spaces close to the Church, people would park there rather than in leased parking at a distance. She said unless restricted parking was obtained, parking would be a problem for the neighborhood. She said that she would not want to continue the project if it was not going to work. She said that the site was too small for the project.

Chair Halleck addressed the architect and said there was sentiment to deny the project because it was too big for the site and stacked parking was not desirable. He asked Mr. Bruner if he had any preference. Mr. Bruner said that the Church was willing to cooperate to bring zero parking impact to the neighborhood. Chair Halleck asked where the parking would be, if stacked parking was not allowed on the site. Mr. Bruner said that leasing of parking spaces was a possibility. Chair Halleck asked if he had explored any options of leasing parking space. Mr. Bruner said that he had not.

Commissioner Sinnott said even if the Church were to lease parking that would not prevent congregation members from parking on the street. She said that Phillips Brooks School controls its parking very well but it was difficult to accomplish.

Commissioner Soffer said there were five churches similarly situated in the Belle Haven area in that they were on small lots, small conversions of houses, and under-parked. He asked whether in the future should a similar request be presented to the Commission would the Commission be prepared to say the same things with the same conditions.

Commissioner Fergusson asked about the implications of a continuance or denial and whether both could be appealed to the City Council. Planner Smith said that a continuance could not be appealed. He said that this project would go back to the Council after the Commission provided a recommendation to approve or deny. He said that if the project was continued it would have to come back to the Planning Commission first. Commissioner Fergusson said if the Commission denied the project, the applicant could then work on a better parking plan and improve architectural details and present that to the Council.

Commissioner Bims said that the parking plan the Commission just received did not indicate a free lane for ingress and egress and emergency vehicles. He said that this would be an issue with the parking plan. He said that it appeared the congregation was increasing 20 percent per year and potentially would be 200 people. He said even without the issues of the parking that 200 people represented a dense use for the site. He said that if the parking plan was revised, he still did not think the project would work as the congregation would be too large for the site.

Commission Action: M/S Halleck/Sinnott to recommend that the City Council make the following action:

1. Make a finding that the project is categorically exempt under Class 3 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 new construction is in keeping with the character of the neighborhood.
  - b) The proposed new construction of three residential units and a church and classrooms with a congregation of 200 people will be detrimental to the harmonious and orderly growth of the City due to the insufficient provision of on-site parking for the project which creates an increase parking demand on residential streets and traffic congestion in the neighborhood.
  - c) The development will impair the desirability of investment or occupation in the neighborhood by increasing parking and traffic congestion in the neighborhood.
  - d) The development does not provide adequate parking as required in all applicable City ordinances and has not made adequate provisions for access to such parking, as only 11 on-site parking spaces are proposed where a minimum of 28 parking spaces would be required by the R-3 (Apartment) regulations in the Zoning Ordinance.
3. Make findings, as per Sections 16.82.030 and 16.82.090 of the Zoning Ordinance pertaining to the granting of use permits and conditional development permits, that the proposed project will be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed project, and will be detrimental to property and improvements in the neighborhood or the general welfare of the City as the project site, having a lot size of 11,500 square feet where the Zoning Ordinance requires a minimum lot size of 20,000 square feet for church use, is too small to accommodate the construction of a new 2,250 square foot church and classrooms as well as provide three two-bedroom residential units and adequate parking for these uses, and will increase parking and traffic congestion in the neighborhood.
4. Deny the Conditional Development Permit revision and architectural control requests.

Motion carried 5-0 with Commissioners Fry and Pagee not in attendance.

2. **Use Permit/Ken Kornberg/695 Bay Road:** Request for a use permit to occupy an existing office building with an office use that is not intended to serve the immediate neighborhood in the C-2-A (Neighborhood Shopping District, Restrictive) zoning district for the Elsa Segovia Center, which provides non-residential support services for homeless women and families.

This item was noted on the agenda as continued to July 12, 2004; staff reported at the meeting that the application has been withdrawn.

3. **Use Permit/Christian Svensk, The Alaris Group/1100 Middle Avenue:** Request for a use permit to install a six panel wireless antenna facility in the church spire and to install the associated equipment on the roof of an extension of an existing breezeway between the church and an adjacent building on the First Baptist Church property located at 1100 Middle Avenue.

Commissioner Soffer recused himself from the consideration of agenda items C.3 and C.4 as AT&T Wireless had been a client of his during the past year.

Staff Comment: Planner Thompson said that the applicant was proposing to install six panel antennas within the spire of the First Baptist Church of Menlo Park. She said the applicant was also proposing to install equipment cabinets on an extension of an existing platform in the breezeway between the Church and an adjacent building. She said that utility transmission and distribution facilities were allowed in any zoning district subject to Planning Commission approval of a use permit.

Public Comment: Mr. Christian Svensk said that he was a planner with the Alaris Group, whom AT&T Wireless had retained. He said that he resided in San Francisco. He said that the goal was to improve coverage in this site area to meet AT&T Wireless' standards. He said that the antennas would be obscure in the spire area.

Commissioner Bims asked if the exposure to human beings would be within acceptable limits. Mr. Svensk said that it would be well within acceptable limits and was 233 percent below the acceptable maximum limit. Commissioner Bims asked if the equipment area would replace an existing air conditioning unit for the building on the right. Mr. Svensk said that the air conditioning unit would remain and the equipment would be raised and masked with material similar to the building.

Commissioner Fergusson asked what the benefit of the project would be for the Church. Mr. Svensk said that there would be added income and he believed the lease was for \$1,500.

Mr. Lee Lehans, Menlo Park, said that he lived three houses away from the Church. He asked where the next closest comparable facility was. He asked where the next facility like this would likely be located for any of the wireless companies. He said that he was not against the plan, but was curious where companies would want to locate these facilities.



Planner Cramer said regarding Mr. Lehans' second question that one of the City's policies was to co-locate different wireless companies' facilities. She said that the applicant might better answer Mr. Lehan's other questions.

Mr. Svensk showed a map. Chair Halleck noted that less than a mile away from this site there was another facility. Chair Halleck said that this location would fill in a red zone and that there were facilities in other locations on Hwy. 82 and Valparaiso Avenue. Mr. Svensk said that the red zone extended southwest.

Commission Action: M/S Fergusson/Sinnott to close the public hearing.

Motion carried 4-0-1-2 with Commissioner Soffer recused and Commissioners Fry and Pagee not in attendance.

Commission Action: M/S Sinnott/Bims 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 necessary findings, pursuant to 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 the proposed use, and will not be detrimental to property and improvements in the neighborhood or general welfare of the City.
3. Approve the use permit revision subject to the following conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by MSA Architecture and Planning, dated received May 26, 2004 consisting of four plan sheets and approved by the Planning Commission on June 21 2004, 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. The applicant and the owner of the property upon which the cellular facilities are to be installed shall cooperate with the providers of other cellular, personal communication or similar communication systems for the co-location of facilities including similar antenna facilities, if such co-location is structurally feasible and will not interfere with other co-located facilities, as reasonably determined by the City of Menlo Park. In the event the applicant and/or the property owner fails to cooperate with the co-location of other communication facilities, such refusal or lack of cooperation shall be grounds for termination/revocation of the use permit granted herein.

Motion carried 4-0-1-2 with Commissioner Soffer recused and Commissioners Fry and Pagee not in attendance.

4. **Use Permit/AT&T Wireless/800 El Camino Real:** Request for a use permit to install three new equipment cabinets and three new antennas to the roof top of an existing building in association with a wireless communication facility.

Staff Comment: Planner Thompson said the applicant was proposing to install three panel antennas behind the parapet of the existing building at 800 El Camino Real. She said the applicant was also proposing to install three equipment cabinets on the rooftop. She said the building currently had facilities for Cingular, AT&T Wireless and Nextel of California. She said that utility transmission and distribution facilities were allowed in any zoning district subject to Planning Commissioner approval of a use permit.

Public Comment: Mr. Philip Thomas said that he represented AT&T Wireless. He said this application would expand an existing facility to add capacity to a site that was overstressed. He said the facility additions would be hidden as was the existing facility. He said that everything would be on the roof.

Commission Action: M/S Sinnott/Fergusson to close the public hearing.

Motion carried 4-0-1-2 with Commissioner Soffer recused and Commissioners Fry and Pagee not in attendance.

Commission Action: M/S Fergusson/Sinnott 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 necessary findings, pursuant to 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 the proposed use, and will not be detrimental to property and improvements in the neighborhood or general welfare of the City.
3. Approve the use permit revision subject to the following conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by Communication Services, Inc., dated received June 7, 2004 consisting of four plan sheets and approved by the Planning Commission on June 21, 2004, 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. The applicant and the owner of the property upon which the cellular facilities are to be installed shall cooperate with the providers of other cellular, personal communication or similar communication systems for the co-location of facilities including similar antenna facilities, if such co-location is structurally feasible and will not interfere with other co-located facilities, as reasonably determined by the City of Menlo Park. In the event the applicant and/or the property owner fails to cooperate with the co-location of other communication facilities, such refusal or lack of cooperation shall be grounds for termination/revocation of the use permit granted herein.

Motion carried 4-0-1-2 with Commissioner Soffer recused and Commissioners Fry and Pagee not in attendance.

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

1. **Architectural Control Revision/Ken Gridley/1438 El Camino Real**: Request for Architectural Control Revision for changes to the front and left side facades of this existing restaurant, including a modification to the canopy overhang on both the front and left sides of the building.

Staff Comment: Planner Smith said that the project site was located at 1438 El Camino Real and was developed with a restaurant. He said the applicant was proposing exterior modifications to the building to modernize and update the appearance of the site and was requesting architectural control approval for the changes.

Public Comment: Mr. Jason Mundy, Campbell, Paladin Design Group, said the building was dated. He said one of the main reasons this project had been developed was that delivery trucks entering and exiting the site hit the corners of the building and caused damage on a regular basis. He said the plan would remedy that situation as well as update the building.

Commissioner Bims asked how the modifications would deal with the problems caused by delivery trucks. Mr. Mundy said that there was an overhang on the left side which would be brought in from three feet to six inches.

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

Motion carried 5-0 with Commissioners Fry and Pagee not in attendance.

Commission Comment: Commissioner Fergusson said that it was a wonderful project and would improve the streetscape of El Camino Real. She said she would move to approve per staff recommendation. Commissioner Sinnott seconded the motion.

Commission Action: M/S Fergusson/Sinnott 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 the following findings, as per Section 16.68.020 of the Zoning Ordinance, regarding architectural control approval:

- a) The general appearance of the proposed addition 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. Approve the architectural control subject to the following conditions:

- a) Development of the project shall be substantially in conformance with the plan prepared by Paladin Design Group, consisting of six plan sheets dated received May 21, 2004, and approved by the Planning Commission on June 21, 2004, 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 project.
- d) Prior to installation of any signs, the applicant shall obtain all necessary sign permits from the City.

Motion carried 5-0 with Commissioners Fry and Pagee not in attendance.

#### **4. Consideration of the minutes of the December 15, 2003 Planning Commission meeting.**

Chair Halleck said that Commissioner Fry had previously sent in comments. Commissioner Fergusson said she had some comments on the December 15 minutes. The Commission agreed with Commissioner Fergusson's suggested changes.

Commission Action: M/S Halleck/Sinnott to approve with the following changes:

- Page 2, line 39: Add "for 129 Pope Street next door to the south" after "surveyor".
- Page 3, line 49: Change "license" to licensed."
- Page 4, line 14: Change "1917" to 1907."
- Page 4, line 16: Add "at 205 Pope Street" after "home."
- Page 4, line 17: Add for 201 Pope Street next door" after "plans."
- Page 4, line 18: Add "since" after "times."

Motion carried 5-0 with Commissioners Fry and Pagee not in attendance.

**5. Consideration of the minutes of the January 12, 2004 Planning Commission meeting.**

Commission Action: M/S Halleck/Sinnott to approve as presented.

Motion carried 5-0 with Commissioners Fry and Pagee not in attendance.

**6. Consideration of the minutes of the January 26, 2004 Planning Commission meeting.**

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

- Page 12, line 4: Add "because it is her understanding from the City Attorney that leaving the room when recusing oneself is required by California rules" after "item."

Motion carried 5-0 with Commissioners Fry and Pagee not in attendance.

**E. COMMISSION BUSINESS, REPORTS, AND ANNOUNCEMENTS**

Chair Halleck said that Commissioner Fry had requested to add the medical office issue to the study meeting on June 28, 2004. It was noted that staff would not need to prepare anything. Planner Cramer said that was fine. She noted that the agenda had been posted earlier than usual at Commissioner Fry's request. She said the agenda would have to be revised. Commissioner Fergusson asked whether the applicant or speakers for the 8 Homewood Place project would be notified of the study meeting. Planner Cramer said that they would be.

Planner Cramer said that the first item of the June 28, 2004 study meeting would be an overview of the current downtown uses and Mr. Dave Johnson, the City's Business Development Director and a representative from the Chamber of Commerce would be attending.

Ms. Fran Dehn, Chamber of Commerce, confirmed with Chair Halleck that the meeting would be informal and there was no expectation for the Chamber to bring prepared reports.

Planner Cramer said that there would also be a discussion of the Neighborhood Traffic Management Plans and the medical office discussion would be added for the June 28, 2004 study meeting.

**• Review of upcoming planning items on the City Council agenda.**

Planner Cramer said that the Council's June 22, 2004 meeting would be a discussion of land use in the Linfield, Willows and Middlefield areas in regard to upcoming projects such as 8 Homewood Place. She said that the application for 695 Bay Road had been withdrawn, but the applicant was going before the Council to request a waiver of fees representing staff's time and materials that were expended on the project.

Chair Halleck asked about the discussion on excused and unexcused absences on a future agenda. Planner Cramer said that she had looked into the matter and the City did not differentiate between the two terms, but if the Commission wished excused absences could be noted for the record.

## **ADJOURNMENT**

The meeting adjourned at 8:15 p.m.

Staff Liaison: Tracy Cramer, Senior Planner

Prepared by: Brenda Bennett, Recording Secretary

Approved by Planning Commission on September 27, 2004.