



## PLANNING COMMISSION MINUTES

July 28, 2008

7:00 p.m.

City Council Chambers

701 Laurel Street, Menlo Park, CA 94025

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**CALL TO ORDER** – 7:03 p.m.

**ROLL CALL** – Bims, Bressler (Arrived at 7:04 p.m.), Deziel (Chair), Keith, O'Malley, Pagee, Riggs (Vice chair)

**INTRODUCTION OF STAFF** – Deanna Chow, Senior Planner; Megan Fisher; Associate Planner; Thomas Rogers, Associate Planner

### A. PUBLIC COMMENTS

There were none.

### B. CONSENT

1. **Approval of minutes from the June 16, 2008, Planning Commission meeting.**

Commission Action: M/S Keith/Bims to approve with modifications as follows.

- Page 8, last paragraph, 2<sup>nd</sup> line: insert the word “driveway” after the word “existing.”
- Page 9, 3<sup>rd</sup> paragraph, 5<sup>th</sup> line: Add the word “benefit” after the word “might.”
- Page 12, 3<sup>rd</sup> paragraph, last line: Replace the words “a setback on the setback” with “an additional setback at the second story.”
- Page 12, 8<sup>th</sup> paragraph, Commission Action should read: “M/S Riggs/Bims moved a substitute motion to continue item with direction for redesign.”

Motion carried 7-0.

### C. PUBLIC HEARING

1. **Use Permit/Chris Romero/19 Buckthorn Way:** Request for a use permit to demolish an existing single-story, single-family residence and construct a new two-story, single-family residence on a substandard lot with regard to lot area

and width in the R-1-U (Single-Family Urban) zoning district. ***Continued from the meeting of June 16, 2008.***

Staff Comment: Planner Fisher said that staff had no additional comments.

Public Comment: Mr. Chris Romero said he was representing the property owners, Mr. and Mrs. Perkins. He said that the Commission had continued the item for design changes at their June 16, 2008 meeting. He said in response to the Commission's direction that they had changed the chimney design to taper as it rises and raised window sills and planted a row of pittosporum on the east side to address privacy concerns of the neighbor, Ms. Donna Fogel. He said the property owners and he met with Ms. Fogel to go over the design and there was concurrence that raising the window sills would protect her privacy. He said they also set story poles on the lot to demonstrate the height of the house and did a shadow study that did not include the massing of neighboring trees or two-story condominiums in the neighboring area. He said they also had provided Mr. David Graziano, another adjacent neighbor, with a set of plans, and that Mr. Graziano expressed support for the project.

Commissioner O'Malley asked if they had spoken with the property owners of 1721 and 1724 Buckthorn Way or the tenants of those homes. Mr. Romero said that Ms. Fogel and Mr. Graziano were the property owners.

Commissioner Riggs noted on page A. 5 that the cricket on the chimney seemed wide, and asked if a typically sized cricket was meant to be shown. Mr. Romero said that was correct. Commissioner Riggs said that chimneys should be a height natural to proportion and indicated he thought the original proposed height of the chimney would be preferable. Mr. Romero said he had given Planner Fisher a revised sheet A.5 that showed the chimney at the original height. Planner Fisher confirmed and distributed the revised drawing.

Chair Deziel asked if the chimney had a slope upwards from the bottom. Commissioner Keith said she liked the additional height, but preferred the appearance of the chimney in the original plan. Commissioner Riggs said that Commissioner Keith was talking about a Craftsman style chimney, but that the house was not entirely Craftsman. He suggested leaving it up to the designer where to make the break in the chimney as it tapered.

Commissioner Pagee said there were three sets of plans. She said the original chimney was too massive. She said the revised plan received from the applicant was shorter but tapered nicely. She said the final plan was the original height of the chimney but not tapered as in the second plan. She asked if the chimney could be tapered similarly to that shown in the plan the Commissioners had received. Mr. Romero said they were amenable to making that change.

Commissioner Pagee asked if the applicant had taken photos of the story poles. Mr. Romero said they had not but the story poles were still in place on the lot. Commissioner Pagee said the Commission had suggested stepping back the second story to address privacy concerns and asked why the applicant had not done so. Mr. Romero said after meeting with Mrs. Fogel that it was apparent her concern was with privacy impact and not the design proposed. He said that Ms. Fogel was in agreement that raising window sill heights on the second story and using landscape screening would address her privacy impact concerns. Mr. Romero said they also had done a shadow study which demonstrated that there was little impact from shadowing from the project onto Mrs. Fogel's home. He provided a copy of the study to the Commission.

Chair Deziel said the Commission had suggested rather than raising the window sills to step in the sides of the second story. Mr. Romero said that Mrs. Fogel had been satisfied with the raising of the window sills, and as his clients preferred the design as originally proposed it was their hope that the Commission would approve their request.

Chair Deziel closed the public hearing.

Commission Comment: Commissioner Riggs moved to approve with a change to the chimney to be the original height and with the tapered design shown in A.7. Commissioner Keith seconded the motion.

Chair Deziel said he had a problem with a 23-foot wall five feet from the property line for a length of 19.5 feet. Commissioner Bressler said that the five feet was allowable in the zoning ordinance. Commissioner O'Malley said he supported the motion, and did not share Chair Deziel's concern.

Commission Action: M/S Riggs/Keith to approve with the following modification.

1. Make a finding that the project is categorically exempt under Class 3 of the current CEQA Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by Romero Construction, consisting of nine plan sheets, dated May 5, 2008, and approved by the Planning Commission on June 16, 2008, except as modified by the conditions contained herein, subject to review and approval by the Planning Division.

- 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 plan for any new utility installations or upgrades for review and approval of the Planning, Engineering and Building Divisions. Landscaping shall properly screen all utility equipment that is installed outside of a building and that cannot be placed underground. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
  - e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to issuance of a grading or building permit.
  - f. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.
4. Approve the use permit subject to the following ***project-specific*** conditions:
- a. Concurrent with building permit submittal, the applicant shall provide a site plan proposing the construction of new frontage improvements, consisting of valley gutter with an asphalt parking strip, subject to review and approval by the Engineering Division.
  - b. ***Simultaneous with the submittal of a complete building permit application, the applicant shall revise the chimney to show the originally proposed height, as shown on Attachment B7 of the June 16, 2008 staff report, with the shape modified as shown on Attachment A7 of the July 28, 2008 staff report, subject to review and approval of the Planning Division.***

Motion carried 7-0.

- 2. **Use Permit/David Crouch Custom Homes/800 Olive Street:** Request for a use permit to demolish an existing single-story, single-family residence and construct a new two-story, single-family residence and detached garage on a substandard lot with regard to lot width in the R-1-S (Single-Family Suburban) zoning district, and for excavation into a required side yard setback for a lightwell and egress associated with a basement. As part of this development, the following heritage tree is proposed for removal: a Hollywood juniper in the middle-right yard with a 17-inch diameter at breast height (DBH) in poor condition.

Staff Comment: Planner Rogers said there were two items distributed to the Commission and copies of those documents had been placed on the back table for the public. He said the first was a multi-page summary of dialogue between the applicant and the right hand side neighbor at 780 Olive Street. He said the second document was a revised staff recommendation that reflected changes agreed to by the applicant and right side neighbor as to the windows on the second story. He said that included removing the master closet window and replacing it with a skylight and removing two windows from the master bathroom and replacing those with a skylight or keeping the windows but using obscure glass.

Questions of Staff: Commissioner Pagee asked if it was allowable to back out 100 feet from an eleven-foot driveway. Planner Rogers said there was no prohibition against that. Commissioner Pagee asked if the use permit and excavation permit could be considered separately. Planner Rogers concurred.

Commissioner O'Malley said that the number for Floor Area Limit in the staff report under "Project Description" was different from what was shown in the data table. Planner Rogers said the data table was correct and the number under the project description was incorrect.

Public Comment: Mr. David Crouch, applicant, said he was representing the property owners. He said that this lot was the same dimension as 800 Magnolia Street, another property he had developed, and for the proposed project he had tried to address daylight plane using lessons he had learned through the development of the 800 Magnolia lot. He said he tried to create a plan that placed two-thirds of the living space on the first floor and only one-third on the second floor to reduce mass. He said he had submitted a rendering but he did not see it in the packet. He said at the property setback on the left side for the first story that the height of the top plate was 16-feet at one point which was the stairs and the rest was at 10.5 feet. He said the top plate on the first story right hand side was 10-feet the entire length. He said the second floor top plate at its highest was four-foot seven-inches beyond the first story, and that was at the point of the stairs. He said the main ridge was 25-feet two-inches and about four to six feet long. He said the building was almost three feet below the maximum height. He said the closest window on the second story living space was 16-feet 10-inches at the closest to the neighbor.

Mr. Crouch said regarding impact to the left side neighbor that the closest distance on the first floor between the structures was 20 feet and at the top plate the distance between them was 16 feet. He said the closest distance between the two structures on the second story was 23-feet 11-inches. He said that for both distances there was a 33 degree angle. He said the balcony was proposed as a solid parapet type wall to provide privacy and was stepped back as well. He said there were no gable elements facing the side neighbors which also helped minimize daylight plane impact. He said the stair window on left faced the neighbor's garage.

Mr. Crouch said regarding impact to the right side neighbor that the distance between the two structures on the first story was 21 feet with a 10-foot five-inch top plate. He said the distance between the two structures on the second story was 26-feet 10-inches with a 25-foot 5-inch top plate. He said this created a 27 degree angle related to daylight plane. He said the side windows were not in living spaces and that the laundry room window would remain as it did not impact privacy. He said based on conversations with the right side neighbor that they would remove the window in the closet and replace it with a skylight. He said the window in the master toilet would remain and that for the master bathroom window rather than replace it with a skylight he would like to use obscure glass. He said there were no gable features that would impact daylight.

Mr. Crouch said the rear neighbors were concerned about privacy related to trees for screening and the back fence. He said he was open to suggestions as to what type trees would be best and would satisfy the Commission and the neighbor.

Mr. Crouch said he had tried to move the light well out of the setback but found with placing two-thirds of the living space on the first floor that the light wells needed to encroach two feet into the setback.

Commissioner Pagee questioned the types of trees indicated for selection noting that one type was a species that dropped seed pods and she would prefer that not be placed such that the pods fell into the neighbor's yards. Mr. Crouch said the tree proposed was a Liquid Amber. Commissioner Pagee said that type of tree was also deciduous and would not provide year-round screening. She said she was concerned that vehicles would be backing out the driveway as there was no defined sidewalk and school children could be present. She said she would prefer that the vehicles be parked so that the front would be to the street. She asked what the building code requirements for daylight and fresh air for basements were. Mr. Crouch said it was 10 percent of glazed areas per square feet; he said the double doors were being used because he was at the minimum required by the building code for the basement. Commissioner Pagee suggested having a door from the master room to enter from the porch. Mr. Crouch said he could do a combination of fixed panel doors and a window for the egress as he thought Commissioner Pagee's concern was that people would congregate in the light wells at the double doors. He said then he would not have to put a light well in the back of the house. Commissioner Pagee asked how one would exit the basement bedroom noting that the plans given to the Commission did not show any egress. Mr. Crouch said that was an oversight and there was a window for that bedroom. Commissioner Pagee asked if it was necessary for the light well to be 10-feet 11-inches deep. Mr. Crouch said the window sill would be two-foot six-inches above the floor. He said his concern was with drainage should the pumps fail. Commissioner Pagee confirmed with Mr. Crouch that the egress needed from the basement was satisfied by the light well on the side. She said the condensing units were shown in the setback on the left side and asked if there was another location for those units. Mr. Crouch said that the driveway was on the right side, doors were on the back side, and

the front was ideal as proposed. He said perhaps he could place them in the light well. Commissioner Pagee acknowledged that the options were limited for relocating the condensing units. Mr. Crouch said there was a 10-foot setback and he could plant trees and place an enclosure around them to shield neighbors from any impact.

Commissioner Riggs asked if Mr. Crouch had not centered the peak of the roof so as to allow high ceilings in the master bedroom. Mr. Crouch directed attention to page B-16 and pointed out that the front second floor bathroom shower corner was eight-feet high and then sloped to six-feet toward the wall. He said if he were to batten the roof that would make the ceiling low in the bathroom. He said also the roof sloped so it would not pop above the parapet wall. Commissioner Riggs said there had to be an alternative solution. Mr. Crouch said if he moved the parapet wall forward that would not give the proportion for mass and he did not want to raise the height of the parapet wall. He said he designed the front elevation and then designed the roof to accommodate that. Commissioner Riggs said the problem with that design would be the view for people walking down the street or the neighbor diagonally across the street who would see the structure from the side. Mr. Crouch said there was a large tree on the left side of the house that should block that view. He said that most of the homes he had designed had unusual roof features. Chair Deziel asked Mr. Crouch to pull up the rendering on the screen. Mr. Crouch did but noted the drawings were done after the rendering so that side as shown in the rendering was not completely accurate. Commissioner Riggs suggested increasing the roof five inches in height where it hit the front parapet, increase the shower minimum height, maintain the eight-foot as the pivot point, bring the peak back to the middle of the roof frame, which would add about 16-inches onto the overall height. He said since it was a peak there would be no shadow issue. He said unfortunately that height limit pushed developers to bring down a roof peak which was not attractive on a second story. He said since there was height to spare he would suggest that treatment. Mr. Crouch said on page B-8 showing the parapet wall there would be a cricket that would take the water from the left to right and drain on the lower roof which needed slope. Commissioner Riggs said that there was room for the cricket. Mr. Crouch said with the cricket on the roof there was little room for slope. Commissioner Riggs said he did not think it was an insurmountable problem. Chair Deziel asked if Commissioner Riggs would show the other Commissioners what his concern with the roof was. Commissioner Riggs said the peak location seemed to be leaning forward and that was very unusual. He said the peak could be modified and the height in the shower kept if the peak was raised slightly. He said the roof peak had an uncomfortable balance, but it appeared that this could be solved. Chair Deziel asked if Commissioner Riggs wanted the cross section symmetrical. Commissioner Riggs concurred. Mr. Crouch said that although he agreed with Commissioner Riggs he had spent several weeks trying to resolve the roof and had to play with the pitch of the roof to accommodate the three shapes that formed the façade and still maintain the height of the shower.

Commissioner Riggs said the windows in bedroom #2 on the second floor seemed to have a panoramic view of the neighbor's pool. He asked if landscape screening would

be done. Mr. Crouch said he had discussed this with the property owners. He said that the house was a rental and the property owners thought they would eventually improve their property, and expressed support of the proposed project.

Commissioner Keith asked why the doors in the first floor guest bedroom swung in but the other doors swing out. Mr. Crouch said there was a step down of greater than one inch and the doors had to swing in as required by the building code. Commissioner Keith asked about neighbor outreach. Mr. Crouch said there was an attachment on page C-2 that discussed correspondence with neighbors. Commissioner Keith asked about the four windows on the second floor. Mr. Crouch reviewed the proposed changes to the windows. Chair Deziel said that what Mr. Crouch was saying differed from staff's revised recommendation for those windows. Mr. Crouch looked at the staff's document. He said the only difference was the master toilet window. Commissioner Keith asked if he would obscure that window or remove it. Mr. Crouch said he would like to keep the window and use obscure glass.

Chair Deziel said there was a request for a tree removal permit for a fallen tree and asked how it fell. Mr. Crouch said the last tenant would not allow them onsite for four months and when they were able to see the site that there were several juniper trees standing but which were in bad health. He said recently that one of the trees had fallen, but it was not clear why. Chair Deziel asked why it was necessary to do a removal permit for a fallen tree. Planner Rogers said that it was standard procedure and to determine if the tree fell naturally.

Commissioner Keith asked if this house was being built for a family in mind or was a "spec" house. Mr. Crouch said it was being built for sale.

Mr. Adam Dolinko said he was a homeowner to the rear of the subject property. He said his home was a one-story and that the back of his home was primarily glass and translucent. He said he had taken photos of the existing juniper trees that had provided screening, noting that they were not in good health. He said from his home he would be looking directly at the balcony on the second floor of the proposed project. He said his concern was privacy as he would lose all privacy at the back of the house because of the screening replacement, which would not be tall enough initially. He said that he expected also a diminution of property value because of the lack of the privacy. Chair Deziel asked about the secondary unit's height. Mr. Dolinko said that the height was 13-feet. He said regarding the existing juniper trees that they were in bad health and had caught fire previously.

Chair Deziel closed the public hearing.

Commission Comment: Commissioner Bressler said the applicant had attempted to keep the roof line low which he thought had value. He said he hoped that the decision would not be thwarted because of concerns about symmetry of the roof, which he did not think was important. Commissioner Keith moved to approve the project as



recommended with modifications to 4.c.ii on staff's revised recommendation so that the first window would remain the same, the second window would be removed and replaced with a skylight, and the third and fourth windows would have obscure glass. Chair Deziel said that the recommendation already contained those options. Commissioner Keith said she would like the specific language about the four windows. Chair Deziel asked staff about the condition which he thought applied to only three windows. Planner Rogers said that condition 4c.ii only applied to the three windows for which changes were proposed. Chair Deziel said that the condition should be modified to indicate the two bathroom windows would be obscure glass. Commissioner Keith said there should be landscape screening to provide privacy for the rear neighbor. Mr. Crouch, recognized by the Chair, said he was willing to plant whatever size tree the Commission thought would address the privacy.

The Commission discussed what size tree would be preferable. Commissioner Pagee suggested that the trees should be evergreen for year-round screening. Commissioner Riggs said the 13-foot accessory building was about half-way to the applicant's windows on the second story and that the angle was such that he did not think there was a privacy issue, but he thought there should be landscape screening provided. Commissioner Keith asked if Commissioner Riggs thought there should be a condition for 24-inch boxed evergreen trees. Mr. Crouch, recognized by the Chair, said that he had spoken with the neighbor about pittosporum which would grow 10 to 12 feet high and combined with two other trees that would grow large in time. Mr. Dolinko, recognized by the Chair, said a practical approach would be to plant a row of pittosporum that could grow 10-15 feet quickly and two other trees that could mature over time. He said he would like pittosporum planted that was at least 12-feet high.

Commissioner Keith said condition 4.b should have an element that landscape screening along the rear property line be planted with input from the rear neighbor and subject to the review and approval of the Planning Division. Chair Deziel said that condition 4.c.i would be modified to indicate the use of obscure glass for the two bathroom windows. Commissioner Pagee said she believed the applicant had agreed with the rear neighbor that two trees would be planted as well. Chair Deziel said that screening was required subject to review and approval by the Planning Division with input from the neighbors. Commissioner Riggs said that Commissioner Pagee had discussed with the applicant to enclose the condenser units. He provided information to the other Commissioners regarding his suggested modification to the roof line. He said he would like at least landscape screening on the left rear corner to protect from viewing into the neighbor's pool and he would like a symmetrical roof. Commissioner Keith said she was comfortable with requiring two trees at the rear and rear corner. Commissioner Riggs suggested two 24-box evergreen trees to protect the neighbor's pool privacy. Commissioners Keith and Bims as the motion and second makers accepted Commissioner Riggs recommendation about landscape screening.

Chair Deziel said he liked the roof line as proposed. Commissioner O'Malley said he thought there was disagreement about the design between Commissioner Riggs and

the applicant and he had a difficult time assessing which of them was correct. Commissioner Keith asked Mr. Crouch if the roof line could be solved to be symmetrical. Mr. Crouch said if he changed the roof pitch that would negatively impact the façade. He said he used the technique of combining roof slopes on another project. Chair Deziel said that the applicant was trying to get the height down as he had heard that was a preference of the Commission and City. Mr. Crouch said the home at 745 Olive Street had the same roof as he was proposing here. Commissioner Keith said she did not feel strongly about the roof as there was a tree screening the view, noting that the tree might be removed at some point. Chair Deziel asked if there was a motion to amend the original motion to require a change to the roof. Commissioner Riggs said that there was not support from the Commission but he suggested that in two years the Commission should make a site visit and see how it looked. Commissioner Bims said the front elevation was the most important view and that if tweaking the roof would change the proposed front elevation that would not be desirable.

Commission Action: M/S Keith/Bims to approve with the following modifications.

1. Make a finding that the project is categorically exempt under Class 3 of the current CEQA Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by David Crouch Custom Homes, Inc., consisting of 16 plan sheets, dated received July 14, 2008, and approved by the Planning Commission on July 28, 2008, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
  - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
  - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.

- d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval of the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
  - e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for the review and approval of the Engineering Division.
  - f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to issuance of a grading, demolition or building permit.
  - g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.
4. Approve the use permit subject to the following **project-specific** conditions:
- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Heritage Tree Removal Permit Application for the fallen Hollywood juniper (tree #7), subject to review and approval of the Planning Division and City Arborist.
  - b. Simultaneous with the submittal of a complete building permit application, the applicant shall revise the **site** plan to specify that the two liquidambar trees along the rear property line will be at least 24-inch box size upon installation **with the following screening elements**, subject to review and approval of the Planning Division.
    - i. **Landscape screening along the rear property line, with input from the rear neighbor;**
    - ii. **Landscape screening at the left rear corner of the residence to consist of one to two new 24-inch-box evergreen trees, with the intent of screening views between Bedroom #2 and the adjacent left side property's pool;**
    - iii. **Screening (landscape and/or structural enclosure) for the proposed condenser (air conditioning) units on the left side of the house.**

- c. Simultaneous with the submittal of a complete building permit application, the applicant shall revise the plans to incorporate the following changes to the second-story right side elevation, subject to review and approval of the Planning Division:
  - i. In the master closet, remove the window and add a skylight;
  - ii. In the master bathroom, each of the two right-side windows ~~should either be removed and replaced with a skylight, or~~ **shall be** modified to use obscured glass.

Motion carried 7-0.

- 3. **Use Permit/Nancy Boaman/1885 White Oak Drive:** Request for a use permit to construct single-story and basement additions to an existing single-story, single-family, nonconforming residence that would exceed 75 percent of the replacement value of the existing structure in a 12-month period in the R-1-S (Single-Family Suburban) zoning district.

Staff Comment: Planner Rogers said that staff had no additions to the staff report.

Questions of Staff: Commissioner Pagee asked what the values used for determining the figures were. Planner Rogers said there was a spreadsheet of the values applied with a baseline value of \$200 per square foot. He said additional square footage was also valued at \$200 per square foot. He said there was a range of values for remodels. Commissioner Pagee said this was applied over a one-year period so people tended to do projects in phases. Planner Rogers said that was correct but noted that a second building permit could not be issued until the lapse of a 12-month period after the finalizing of the prior building permit.

Public Comment: Mr. Danny Savard said he was the property owner, and husband of the applicant. Ms. Nancy Boaman said she was the applicant. She said they wanted to make the property more efficient and provide access to the back yard.

Chair Deziel closed the public hearing.

Commission Comment: Commissioner Pagee moved to approve the project as recommended in the staff report. She commented that she was pleased to see that the light well did not encroach into the setback. Commissioner Riggs seconded the motion. Commissioner O'Malley said he thought it was a fine project. Commissioner Riggs asked about some unusual roof vents being proposed. Mr. Eugene Sakai, the project architect, said the vents were 24-inch by 18 inch and set flush with the roof. He said they were manufactured with a dull matte finish that was available in a variety of colors. He said the stock colors were intended to blend with roof materials. He said this project

would have a simple composition roof and the vent would probably have a charcoal finish.

Commission Action: M/S Pagee/Riggs to approve the item as recommended in the staff report.

1. Make a finding that the project is categorically exempt under Class 1 of the current CEQA Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
  - a. Development of the project shall be substantially in conformance with the plans prepared by Studio S Squared, consisting of 13 plan sheets, dated received July 10, 2008, and approved by the Planning Commission on July 28, 2008, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
  - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
  - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
  - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval of the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
  - e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for the review and approval of the Engineering Division.

- f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to issuance of a grading, demolition or building permit.
- g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.

Motion carried 7-0.

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

There was no regular business.

#### **E. COMMISSION BUSINESS**

1. Review of planning items on City Council agendas.

Planner Rogers reported on the July 15 Council action on the El Camino Visioning Plan. He said the Council accepted the draft, which was now the final plan. He said the council also authorized an RFP process for phase 2 of the overall project. He said there would be a public review process to consider the proposals. Planner Rogers, on behalf of the City, thanked all of the Commissioners for their work on phase one and particularly Commissioners Bressler and Riggs for serving on the oversight committee.

#### **G. REPORTS AND ANNOUNCEMENTS**

Commissioner Bressler said that he thought the high speed rail bond would pass and he would like to know how high and wide the tracks would be and the effect this would be on the community. Chair Deziel said the EIR had been approved for the high speed rail for up to 10 trains per hour in the peak hours. He said that there might need to be two decks of four rails based on a conversation he had with someone from Caltrain. He said it was a disaster in the making. Planner Chow said that the Transportation Division would hold a study session on the high speed rail in September or October.

It was noted that Commissioners Bims, Deziel and Keith's terms would expire at the end of August and that Commissioners Deziel and Keith were reapplying.

Commissioner Bressler said there were yield signs on both the new Morgan Lane and Linfield Drive. He said there should be a stop sign on Morgan Lane and nothing on Linfield Drive in his opinion. Planner Chow said she would take his concern to the Transportation Division and get back to him.

## **ADJOURNMENT**

The meeting adjourned at 9:22 p.m.

Staff Liaison: Deanna Chow, Senior Planner

Recording Secretary: Brenda Bennett

Approved on October 6, 2008