



PLANNING COMMISSION MINUTES

Regular Meeting
June 24, 2013 at 7:00 p.m.
City Council Chambers
701 Laurel Street, Menlo Park, CA 94025

CALL TO ORDER – 7:01 p.m.

ROLL CALL – Bressler, Eiref (Vice Chair), Ferrick, Kadvany (Chair), Onken, Riggs, Strehl

INTRODUCTION OF STAFF – Jean Lin, Associate Planner; Kyle Perata, Assistant Planner; Thomas Rogers, Senior Planner

A. REPORTS AND ANNOUNCEMENTS

A1. Update on Pending Planning Items

a. Housing Element – City Council – June 11, 2013

Senior Planner Rogers said the City Council took the final actions on the Housing Element at its June 11 meeting. He said the State Department of Housing has accepted the City's Housing Element and provided certification of that acceptance.

b. SRI Campus Modernization Project – EIR/FIA Contracts – June 11, 2013

Senior Planner Rogers said the City Council authorized contracts for the Environmental Impact Report and Fiscal Impact Analysis for the SRI Campus Modernization Project. He said the Planning Commission is tentatively scheduled to conduct a study session on the project and a scoping session on the environmental impact review in August.

Commissioner Bressler asked about the subcommittee for the 500 El Camino Real project. Senior Planner Rogers said information on the subcommittee's activities was available on the City's project page. He said most of the focus thus far was on the scope of the traffic review.

Commissioner Bressler said a study of the Specific Plan which was originally targeted for August / September had been delayed because of the work on the 500 El Camino Real project. Senior Planner Rogers said his understanding was the subcommittee wanted to finish its work on the 500 El Camino Real project before commencing work on the annual review of the full Specific Plan.

B. PUBLIC COMMENTS

There were none.

C. CONSENT

Commissioner Eiref asked about the existing unique pattern of the awning for the 711-715 Santa Cruz Avenue project. Senior Planner Rogers said that was preserved.

Commissioner Riggs moved to approve the consent calendar noting that the 139 Stone Pine Lane project would greatly improve the appearance of the older building, and that the project at 711-715 Santa Cruz Avenue went to great lengths to preserve the unique character of that building. Commissioner Kadvany seconded the motion noting the improvement to the structure at Stone Pine Lane and maintaining the unique character at 711-715 Santa Cruz Avenue.

C1. Approval of minutes from the May 20, 2013 Planning Commission meeting

Commission Action: M/S Riggs/Kadvany to approve the minutes as submitted.

Motion carried 7-0

C2. Architectural Control/Khoan Duong/139 Stone Pine Lane: Request for approval for architectural control for exterior modifications of the front facade on an existing residence in the R-3 (Apartment) zoning district, including the addition of new gross floor area and building coverage.

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

1. Adopt a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:
 - a. The general appearance of the structure 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.
 - e. The property is not within any Specific Plan area, and as such no finding regarding consistency is required to be made.

3. Approve the architectural control request subject to the following **standard** conditions of approval:
 - a. Development of the project shall be substantially in conformance with the plans prepared by John Lum Architecture, Inc., consisting of six plan sheets, dated received by the Planning Division on June 18, 2013, and approved by the Planning Commission on June 24, 2013, 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, San Mateo County Health Department, and utility company's 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 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.

Motion carried 7-0.

C3. Architectural Control/Feve Building/711-715 Santa Cruz Avenue: Request for approval of architectural control to remodel the front elevation of a commercial building in the C-3 (Central Commercial) zoning district.

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

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current CEQA Guidelines.
2. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:
 - a. The general appearance of the structure 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 request subject to the following **standard** conditions of approval:
- a. Development of the project shall be substantially in conformance with the plans prepared by Leo A. Tirado, Architect, dated received May 30, 2013, consisting of four plan sheets and approved by the Planning Commission on June 24, 2013, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
 - b. The applicant shall comply with all West Bay 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.

Motion carried 7-0.

D. PUBLIC HEARING

D1. Use Permit/Sam Sinnott/575 Oak Knoll Lane: Request for a use permit for excavation (removal of more than 12 inches of dirt) within the required rear and left side setbacks, associated with landscaping improvements on a standard size lot in the R-1-S (Single-Family Residential Suburban) zoning district.

Staff Comment: Planner Perata said an additional piece of correspondence had been distributed to the Commission and was available for the public. He said the letter was from the neighbors at 595 Oak Knoll Lane expressing support for the project.

Commissioner Ferrick noted that the property owner was a friend but indicated there was not a conflict of interest.

Public Comment: Mr. Sam Sinnott, project architect and contractor, said this project was to build and stabilize existing cuts around the perimeter of the site and build an elevated pool and terrace and create a lawn area at the same level as the house. He said the lawn level on the top of the site was already there and much of the hill at the rear fence had been cut to create it. He said it was not adequately retained. He said the project engineers required the new walls to be over-excavated almost three feet to provide adequate resistance and drainage in the expansive soils, which contained clay

stone. He said they also want to rebuild the wood retaining wall on the south side of the fence and create a wall complementary to the new elevated pool and terrace. He said they would create a lower lawn by filling in the lower patio. He said the existing stairs would remain and most of the retaining walls would remain. He said he met two times with both neighbors closest to the proposed work.

Chair Kadvany closed the public hearing.

Commission Comment: Commissioner Riggs asked staff to restate why a project for a retaining wall was being reviewed by the Commission. Planner Perata said the Zoning Ordinance required a use permit for excavation within any of the required yards, and excavation was defined as the removal of more than 12 inches of dirt. He said there was reworking of the grade with the construction of the retaining wall and associated excavation that triggered the use permit.

Commissioner Onken said the request was fully supportable. He said it would be helpful if in the future for similar requests that more detail was shown along the perimeter.

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

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current State CEQA Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by Sinnott and Company Architecture and Construction, consisting of six plan sheets, dated received June 7, 2013, and approved by the Planning Commission on June 24, 2013, except as modified by the conditions contained herein, subject to review and approval by 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. Prior to building permit issuance, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. These revised 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. Prior to the building permit issuance, the applicant shall implement the tree protection plan and technique recommendations in the Arborist Report for all applicable heritage trees.
- h. Concurrent with the submittal of a complete building permit application, the applicant shall provide documentation indicating the amount of irrigated landscaping. If the project proposes more than 2,500 square feet of irrigated landscaping, then a detailed landscape plan documenting compliance with the Water Efficient Landscape Ordinance (Municipal Code 12.44) will be required, subject to review and approval of the Engineering Division.

Motion carried 7-0.

D2. Use Permit/Fred Blome/368 McKendry Drive: Request for a use permit for a single-story remodel and addition to an existing nonconforming single-story, single-family residence in the R-1-U (Single Family Urban) zoning district. The proposed work would exceed 75 percent of the replacement value of the existing structure in a 12-month period and requires approval of a use permit by the Planning Commission.

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

Public Comment: Mr. Fred Blome, project architect, said this was a simple, one-story addition. He said they had looked alternatively at a second floor addition but decided against it noting the neighborhood was primarily one story.

Ms. Miriam Huntley, Menlo Park, said she supported the neighbors' project.

Chair Kadvany closed the public hearing.

Commission Comment: Commissioner Eiref said he had visited the project site, and thought this project would work well in the attractive neighborhood. He moved to approve as recommended in the staff report. Commissioner Strehl seconded the motion. Commissioner Ferrick noted she appreciated the sensitive design and not increasing the particular nonconforming setbacks. Commissioner Riggs said the project was very supportable and thought it was a nice improvement to existing roof forms.

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

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") 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 Blome Architecture, consisting of eight plan sheets, dated received June 13, 2013, and approved by the Planning Commission on June 24, 2013, 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.

D3. Use Permit/Seth Brookshire/1097 Woodland Avenue: Request for a use permit for interior remodeling and the construction of a first floor addition to an existing single-story, nonconforming single-family residence in the R-1-U (Single-Family Urban) zoning district. The project would exceed 75 percent of the existing replacement value in a 12-month period and requires approval of a use permit by the Planning Commission. As part of the project, the applicant is proposing to remove a heritage silk oak tree (17-inch diameter, poor condition) and a heritage Monterey pine tree (24-inch diameter, poor condition) located in the rear of the property.

Senior Planner Rogers said staff had no additions to the written report.

Public Comment: Mr. Seth Brookshire, project architect, said the project was a reconstruction of a building that has had deferred maintenance for some time. He said the addition to the rear of the home would have little impact on the streetscape. He said the goal of the project was to connect the living areas to the nice outside space to the rear, and remove parking from the rear of the property to create more usable outdoor space. He said there were trees that needed removal as they had not been well maintained over the years, and there would be replacement trees planted.

Chair Kadvany closed the public hearing.

Commission Comment: Commissioner Onken asked the applicant about the rationale for the design of the proposed addition extension to the rear. Mr. Brookshire said they were repurposing a covered porch to be interior living space and then addition of a master suite that would share a nice deck area with the other existing bedrooms.

Commissioner Strehl said she was familiar with this site and thought the project would be an improvement. She said she was glad to see that the garage would be moved to the front where it had been previously.

Commissioner Riggs said he had concerns with the harmoniousness of the addition and whether it improved the existing structure.

Mr. Berkshire said the design was based on the use of the space and fitting the addition with a low pitched roof within all of the setbacks without creating a quagmire of roof angles. He said the addition would create contrast to the original ranch home and help

elevate the design of the property in the year yard where the family would spend its time indoors and outdoors. He said he did not think they were degrading the original design by not mimicking the roof shape of the existing home. He said if they did mimic those shapes, which they had looked at doing, there would be a very awkward addition to the building, regardless of where it was located unless the building was extended straight back which would make the existing bedrooms much less useful and much more landlocked. He said the use of the rooms was more important to the family than the pitched roof of the ranch style home.

Commissioner Riggs said there were many ways in which hip roofs and gables might be used and noted the Commission has seen a wide variety of additions. He said choosing a flat roof seemed to be an expense saving design solution. Mr. Berkshire said that was not the case and they had studied using hip roofs as the extension. He said because it's an extension at a corner and has massing that wrapped around an existing corner of the building, there was not an elegant connection between hip roofs and that situation. He said they would need to create compromises with the existing roof with crickets and connections and an awkward shape of the roof. He said from a design standpoint they thought this was a much more elegant solution than trying to pin a hip roof simply because the original structure had one. Commissioner Riggs noted that the previous project this evening had expanded the roof since the width of the roof span was larger than logically the hip would rise, and had borne the additional expense associated with that. He said he was open to the possibility that there was positive aesthetic from the proposed design but it was not presented in such a way to demonstrate that. He noted he had expressed concerns about this to staff before the meeting.

Commissioner Onken said despite the intention he thought this was a clumsy design for the addition. He noted the south elevation. Mr. Berkshire said that side of the building was facing a tall fence and landscape screen. He said the focus on the building was to the north and to the back.

Commissioner Onken said he would like the project continued to have it come back with an improved design or for the applicant to provide more information that would sell the design to the Commission.

Commissioner Bressler confirmed with the applicant that none of the proposed changes would be seen from the street. Commissioner Riggs commented that was not necessarily so noting the parapets on the addition were taller than the plate height on the existing house. Commissioner Bressler said he would like more clarity on what Commissioners Riggs and Onken wanted to see. Chair Kadvany said whether a wall faced a fence or not that one had to assume that a building would be seen. He said functionality was paramount to the client but architecture was a multi-dimensional process. He said without designing from the dais it seemed the options were to do something to better integrate the addition with the existing or to demonstrate intentionally the modernist design as an adjunct and how it would connect the old to the new.

Mr. Berkshire said they were contrasting the addition with the existing structure and using materials to connect the new and existing.

Commissioner Ferrick said on page A1.3 there was a proposed west elevation that showed the vertical wood element that tied the two together. She said she thought it would work and would be nice. She said they do not have residential design guidelines and project as proposed fit well within setbacks.

Commissioner Eiref said the neighborhood was a little quirky, and asked if the clients liked the modernist design. Mr. Berkshire said the clients liked the minimalist and modernist look, and liked the contrast. He said the color palette was comforting.

Mr. Alexander Key said he and his wife were excited to have a place with trees and a big backyard. He said they wanted a home that was both eclectic and modernist, noting he preferred eclectic and his wife modern.

Commissioner Riggs said any cohesion was not visible in the plans. He moved to continue the project without prejudice to see what was really being proposed as there was not enough information. He said he was sorry the applicant had not gotten the message that there was not enough of a presentation provided to the Commission to make a decision on the project. Commissioner Onken seconded the motion.

Commissioner Ferrick said she did not want to continue project and thought the applicant had provided enough information to make a decision.

Commissioner Strehl said that this part of Woodland Avenue was very eclectic and that this project would be a major improvement over what was there currently.

Commissioner Bressler agreed with Commissioner Strehl. He said there was no one complaining about the project, it was for the family who would live there, and the public deserved the Commission's trust. He said he would support the project. Commissioner Strehl said an adjacent neighbor supported the project.

Commissioner Eiref said that the existing house was somewhat quirky. He said this project would use the existing structure and add something to it that was not the norm but it seemed supportable within the area it was located. He said he could support the project.

Chair Kadvany said he would like to have the project continued so the applicant could come back with a better presentation on the proposed design or perhaps with a modified design.

Commissioner Ferrick said there would be time and also likely cost involved in delaying the project. She said the applicant had mentioned quite a bit about the materials and how those would tie the design together, and noted the use of thick window sills all around the house and the quality of the proposed materials.

Commissioner Onken said the project drawings were only about two-thirds of what the Commission typically was given to review. He said the Commission needed to see the

details on the drawings to demonstrate how it would look. He said they did not have materials board or enough details called out on the plans.

Commissioner Ferrick said there was quite a bit of specificity on the plans. She called for the vote.

Commissioner Riggs said he thought a couple of perspectives and/or renderings would be very helpful. He said he thought the various reactions demonstrated that Commissioners were filling in the gaps of the plans with their imagination.

Commission Action: M/S Riggs/Onken to continue the project.

Motion failed 3-4 with Commissioners Bressler, Eiref, Ferrick, and Strehl opposed.

Commissioner Ferrick moved to approve as recommended in the staff report.
Commissioner Strehl seconded the motion.

Commissioner Eiref said that he thought the project was edgy and different but that he did not need to get additional information.

Commissioner Onken suggested there were ways to make the project really “sing” and urged the applicant to really consider the whole building.

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

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, “New Construction or Conversion of Small Structures”) 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 Porro Constructed Design, consisting of nine plan sheets, dated received June 13, 2013, and approved by the Planning Commission on June 24, 2013, except as modified by the conditions contained herein, subject to review and approval by 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 by 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 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 the issuance of grading, demolition or building permits.
 - 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 revised site plan to include two new heritage replacement trees, subject to review and approval of the Planning Division.

Motion carried 4-3 with Commissioners Kadvany, Onken, and Riggs dissenting.

D4. Use Permit and Architectural Control/Richard Jacobsen/50, 243, and 297

Terminal Avenue: Request for a use permit and architectural control to remove six existing modular buildings and construct new school facilities consisting of seven classroom buildings, an administration building, a social center, an equipment storage shed, fencing up to 12 feet in height, and associated site improvements at an existing private school and adjacent vacant land located at 50 Terminal Avenue. As part of the proposed development, two single-family residences adjacent to the school site located at 243 and 297 Terminal Avenue are proposed to be demolished and replaced with two new single-story, single-family residences. A total of 16 heritage trees are proposed for removal. The entire project site is in the R-1-U (Single Family Urban) zoning district. ***Continued from the meeting of June 10, 2013***

Staff Comment: Planner Lin said the project description on the agenda should be corrected to indicate that 16 heritage trees rather than one were proposed for removal. Senior Planner Rogers noted that the agenda posted for the public had the correct

information. Planner Lin said page 6 of the staff report, under the “Fencing” section, second paragraph, second sentence, should be modified to read: “The tallest sections of fencing which are at 12 feet in height would be installed along the northern and southern property lines at the proposed sports court and ~~along the northern property line~~ at the playground, and would consist of chain link fencing with mesh.” She said the Commissioners might note in the attachments that there were some inconsistencies on the landscape plan and the arborist’s report in the respect to the trees being removed. She said the landscape plan and arborist’s report indicated more heritage trees were being removed than stated in the staff report. She said the staff report was the current and accurate list of trees proposed for removal. She said the colors and materials board was being circulated.

Questions of Staff: Commissioner Onken asked if the 12-foot fencing was near the play structure. Planner Lin said that was correct.

Public Comment: Mr. Matthew Graham, project designer, said Beechwood School was currently housed in tiny, portable-style buildings. He said the proposal was to upgrade the school structures, noting the property behind the existing site had been purchased. He said the student population would remain the same. He said they very much wanted the project to have a residential feel, with a small, intimate, personal educational setting to fit well within the community. He said there were 12 buildings proposed with large overhangs and porches. He said there would be a science center, art and music center, social center, sports field and garden area. He said the residential sites have emergency roads that constrain the sites but which would support two small houses.

Mr. Richard Jacobsen, Board Chair for Beechwood School, said condition 5.h called for easements on the property. He said they with the City Attorney some months prior had discussed that as there was only one owner that it was not possible to grant easements. He said deed restrictions have been recorded so that if the property was sold to a third party that the third party would have to execute an easement as defined in condition 5.h.

Mr. David Lawrence, Principal of Beechwood School, said the phasing of the project required that work begin this summer, noting they have a very complicated phasing plan. He said this project was an opportunity for the City to make a statement to the families in the Belle Haven neighborhood that the City values education for the whole City.

Mr. Michael Song, Menlo Park, said he understood the importance of quality education for a community, and supported the expansion. He said however he had concerns with the removal of the trees next to the Fire Station as those trees reduced noise coming from the highway and gravel storage company. He said he had raised his concerns with the Fire District and hoped that the trees could be preserved, noting they were not in the way of any proposed construction.

Chair Kadvany closed the public hearing.

Commission Comment: Commissioner Onken asked where the project was in the permitting process. Planner Lin said the applicant has submitted Building Permit applications with the understanding there was a certain amount of risk should the Commission recommend changes to the buildings or denial of the project.

Commissioner Ferrick said she was excited to see the proposal and that there were buildings for science, P.E., music and art, and the social use center. She said it was a unique layout but there were dynamic learning experiences that would happen there. She asked if the residential area had just emergency access or if it was for student access. Mr. Jacobsen said it would only be used for student access during the last phase of the construction. He said when construction was completed the only access would be, as it was now, from the Onetta Harris parking lot and that the lanes from the residential area would have locked gates that would only be available for emergency access.

Commissioner Ferrick asked about the size of the replacement trees. Mr. Jacobsen said the Acacia trees next to the Fire District were in poor shape with double trunks on both sides of the property lines but they were willing to work with the Fire District to trim those trees and try to preserve them. Mr. Paul Latierre with the Guzzardi Partnership said they would use a range of sized trees to replace from 15-gallon to 24-inch, 36, and 48-inch boxed trees. He said larger trees would be in the more prominent sites. He said they could preserve the Black acacia if the Fire District was willing to work with them.

Commissioner Onken asked about the perimeter along the back of residential yards, particularly on the south side. He said he was concerned with light spilling into people's backyards. Mr. Jacobsen said the lights would have shields to prevent backwash; he noted the residential lots were deep. Commissioner Onken asked if the lights were on tall poles. Mr. Jacobsen said he expected the poles would probably be 12-feet high. He said the lights were for security and not for night time sports playing. Mr. Graham said the lighting and the field were required also as an evacuation area. Mr. Jacobson said the school has a security issue and they would also have security cameras.

Commissioner Riggs said residents at 275 through 295 Terminal Avenue were the ones most visually affected by the play area. Mr. Jacobsen said in that area the fences would be seven feet tall and they were offering to replace fences for the residents. He said in the area where ball control was needed they would have both 12-foot fence and a seven-foot good neighbor fence they would offer. He said there currently was a 10-foot fence that had been there 20 years. Commissioner Riggs asked if there would be training for the volunteers who would help with traffic on Terminal Avenue. Mr. Jacobsen said there would be noting the traffic flow would be into the Onetta Harris parking lot and then to a drop-off area. He said volunteers would help with escorting groups of children to 243 Terminal Avenue during Phase 3. He said once construction was done the traffic flow would be the same as it is currently. Commissioner Riggs said that about 83% of children were driven to school. Mr. Jacobsen said there were some children who ride bikes and walk, but many were driven to school. Commissioner Riggs suggested that ridesharing and shuttle buses might be a future solution.

Commissioner Riggs said it was nice to see a real landscape effort to create a very positive environment for the students and teachers. He said though quite a few trees were being lost there was a very good effort to create a green environment, and he appreciated their willingness to work with the neighbors at the Fire District to maintain the existing acacia trees.

Commissioner Eiref asked about the cap on 170 students. Mr. Jacobsen said if they expanded the school it would create a greater EIR issue and it was a financial matter, noting that much of the education was funded through foundations and non profits. He said if they were to increase the student count they would have to come back to the City. He said there was some capacity for the population to increase to 200 students.

Chair Kadvany asked about the two fire lanes; one at 297 Terminal that looked interesting and the other which was more linear and plain. Mr. Jacobsen said they tried to create some variety in the design noting the Fire District required a 20-foot driveway. He said the access at 297 Terminal was not required emergency access at this time, and there would be small garden areas in that area. Chair Kadvany asked if they would use artificial or real turf. Mr. Jacobson said it was real turf. Chair Kadvany asked if they would do something to offer food and drink noting that there was no cafeteria. Mr. Jacobson said that part of the experience of the school was education and the other part was teaching social skills such as children learning to arrive on time and bring a good lunch. He said the Board helps with the students' tuition. He said the parents' group often would sponsor a hot lunch and were trying to encourage healthy food.

Chair Kadvany said the improvements on the hardscape area looked good. He asked if the children would be expected to move a lot of their play off the hardscape. Mr. Jacobson said it was for play. Chair Kadvany said light and windows were important parts of a classroom. He asked if they were increasing the window size. He said the end of every building would have a window door and glass looking out to a patio and there were windows in two of the other walls. He said classrooms also needed wall space. He said there were no skylights noting they were on the edge of Title 24. Chair Kadvany noted the simulated divided light look in the windows with most having exterior grids. He said typically for residents the grids were both inside and outside. Mr. Jacobsen said they were using exterior grid as it had more character than just plain glass. He said that true divided lights were harder to maintain. Chair Kadvany asked if they had thought about a one-car garage and perhaps a carport for the residences. Mr. Jacobson said they had struggled with the garage and carport noting that the residences were two-bedroom and one and half baths, but they felt there was a better street appearance by having a garage that was gabled to the street. Commissioner Kadvany asked if there was any way to make the interior space and kitchen in the homes more expansive feeling. Mr. Jacobsen said they extended the kitchen window and put windows on both sides of the living room and kitchen. Commissioner Kadvany asked about skylights. Mr. Jacobsen said they ran out of money.

Commissioner Onken said he was in favor of the application but wanted to recommend an additional condition that after Phase 2 finished or in a year to have the project come back for a review to allow an opportunity for neighbors to voice any concerns, noting it was a complicated project on a very tight site.

Commissioner Ferrick asked if more bike racks could be added later without a review process if there were more use of bicycles in the future. Planner Lin said she thought that would substantially be in conformance with the recommended project conditions. Commissioner Ferrick moved to approve the architectural control and use permit request. Commissioner Bressler seconded the motion.

Chair Kadvany noted the applicant's comment about condition 5.h and Commissioner Onken's comments about review. He said it sounded like condition 5.h had been addressed by deed restriction, and asked staff to comment. Planner Lin said since condition 5.h has been somewhat addressed by a deed restriction that the Commissioners could modify the language of the condition to allow for a similar instrument or restriction on the property to occur rather than require the recording of an easement on the property. Commissioner Riggs suggesting adding after "record easements" "or deed restrictions...".

Commissioner Ferrick suggested regarding trees that the applicant work with their adjacent neighbor, the Fire District to retain the trees bordering the two properties. She asked about the impact of having a review of the project with the tight construction schedule and increased costs. Senior Planner Rogers said there would be associated costs with having such a review. He noted that condition 5.i required that the visible posting on the site and delivery to the neighbors of the contact information for the onsite construction supervisor, which was not a standard condition. Commissioner Onken said he wanted the community to have the avenue it might need should there be problems but that he would withdraw the idea if it would place too much burden on the applicant in terms of time and money. Commissioner Ferrick said condition 5.i would empower the neighbors to have a way to bring any possible concerns to the attention of the construction supervisor and have it dealt with immediately.

Commissioner Riggs said this was a supportable project and a step forward, and noted the community backing of Beechwood School for at least as long as he has lived in Menlo Park.

Chair Kadvany said this project was a commitment to education and the future.

Commission Action: M/S Ferrick/Bressler to approve the item with the following modifications.

1. Make the following findings relative to the environmental review of the proposal:
 - a. A Mitigated Negative Declaration was previously prepared and circulated for public review in accordance with current State CEQA Guidelines;
 - b. The Planning Commission and City Council considered the Mitigated Negative Declaration prepared for the proposed and any comments received during the public review period (no comments received) and subsequently adopted the Mitigated Negative Declaration;

- c. Based on the Initial Study prepared for the Mitigated Negative Declaration, there is no substantial evidence that the proposed project will have a significant effect on the environment; and,
 - d. The Addendum to the Mitigated Negative Declaration provides adequate environmental documentation of the changes to the project, which will likewise not have a significant effect on the environment.
- 2. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:
 - a. The general appearance of the structure 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.
 - e. The property is not within any Specific Plan area, and as such no finding regarding consistency is required to be made.
- 3. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
- 4. Approve the architectural control and use permit subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by Hoover Associates, consisting of 125 plan sheets, dated June 17, 2013, and approved by the Planning Commission on June 24, 2013, except as modified by the conditions contained herein, subject to review and approval by 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 by 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 install frontage improvements at 243 and 297 Terminal Avenue. The plans shall be submitted for review and approval of the Engineering Division, and the improvements must be completed prior to residential occupancy.
 - f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans for any off-site improvements. The plans shall be submitted for review and approval of the Engineering Division, and the improvements must be completed prior to occupancy of the first school building.
 - g. 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 the issuance of grading, demolition or building permits.
 - h. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Hydrology Report for review and approval of the Engineering Division. The Hydrology Report shall be approved prior to issuance of a grading, demolition or building permit.
 - i. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the tree protection plan included in the arborist report prepared by Fujitrees Consulting, dated received on June 17, 2013.
5. Approve the architectural control and use permit subject to the following ***project-specific*** conditions:
- a. Prior to demolition permit issuance, the applicant shall submit a plan for 1) construction safety fences around the periphery of the construction area, 2) dust control, 3) erosion and sedimentation control, and 4) tree protection fencing. The plans shall be subject to review and approval by the Building and Engineering Divisions prior to issuance of a demolition

permit. The fences and erosion and sedimentation control measures shall be installed according to the approved plan prior to commencing demolition.

- b. Prior to demolition permit issuance, the applicant shall submit a heritage tree preservation plan, detailing the location of and methods for all tree protection measures, as described in the arborist report. The project arborist shall submit a letter confirming adequate installation of the tree protection measures. The heritage tree preservation plan shall be subject to review and approval by the Planning Division.
- c. Any construction activities that would disturb the soil or groundwater from the affected portion of the site near the West Bay Sanitary District's sewer line must be submitted to the San Mateo County Environmental Health Division for review to ensure that residual contaminants will not pose a risk to public health and the environment. (mitigation measure HAZ-1)
- d. Any new buildings erected within the AE flood hazard area must be elevated above the base flood level in compliance with the City's Flood Ordinance. Alternatively, the site could be elevated above the base flood elevation with fill dirt to bring the site out of the flood hazard area, in addition to applying for a Letter of Map Amendment from FEMA. (mitigation measure HYDRO-1)
- e. Concurrent with the application for a grading permit, the applicant shall submit a draft "Stormwater Treatment measures Operations and Maintenance (O&M) Agreement" with the City subject to review and approval by the Engineering Division. With the executed agreement, the property owner is responsible for the operation and maintenance of stormwater treatment measures for the project. The agreement shall run with the land and shall be recorded by the applicant with the San Mateo County Recorder's Office. The applicant shall enter into and record a Stormwater Treatment Measures Operations and Maintenance Agreement prior to finalizing the building permit for the final building inspection.

- f. Concurrent with the application for a grading permit, the applicant shall prepare a Stormwater Management Plan (SWMP) that includes, at a minimum, exhibit(s) showing drainage areas and location of Low Impact Development (LID) treatment measures; project watershed; total project site area and total area of land disturbed; total new and/or replaced impervious area; treatment measures and hydraulic sizing calculations; a listing of source control and site design measures to be implemented at the site; a brief summary of how the project is complying with Provision C.3 of the Municipal Regional Permit; and detailed Maintenance Plans for each site design, source control and treatment measure requiring maintenance. The Stormwater Management Plan is subject to review and approval by the Engineering Division.
- g. Concurrent with the application for a building permit, the applicant shall submit a detailed landscape plan, including the size, species, and location, and irrigation plan for review and approval by the Planning Division and the Public Works Department. The plan shall comply with the Water Efficient Landscaping Ordinance (Municipal Code Chapter 12.44). The landscaping shall be installed prior to final building inspection.
- h. Prior to building permit issuance, the applicant shall record easements **or deed restrictions** on 243 and 297 Terminal Avenue for water, storm drain, utility, and emergency vehicle access driveway easements, for the benefit of 50 Terminal Avenue. The easement **or deed restriction** is subject to review and approval by the Building Division **and/or the City Attorney**, and must be recorded by the applicant at the San Mateo County Recorder's Office prior to building permit issuance.
- i. Contact information for the on-site supervisor shall be prominently displayed and distributed to neighbors in advance of construction. The applicant shall submit documentation of compliance with this condition prior to building permit issuance, subject to Planning Division review and approval.
- j. During construction phase three, when the west campus is under construction and construction on the east campus is completed and in operation, the applicant shall ensure that all student drop-off and pick-up is located in the Onetta Harris Community Center/Senior Center parking lot, and that at no time shall students be dropped-off or picked-up along Terminal Avenue. Furthermore, the applicant shall ensure that school-related vehicles do not stop or park along Terminal Avenue during the morning drop-off and afternoon pick-up.

- k. The applicant shall make a good-faith effort to retain some or all of the trees at the rear-left area of the school site (trees #43-48), for the benefit of the adjacent residential properties along Terminal Avenue. The applicant shall coordinate with the Menlo Park Fire Protection District as needed, and shall submit the following prior to building permit issuance, subject to review and approval of the Planning Division and City Arborist:*
 - i. Revised plans and arborist report incorporating the retention of these trees; and/or*
 - ii. Documentation of why tree retention is not feasible*
- 6. Approve the use permit revision subject to the following **ongoing, project-specific** conditions:
 - a. The maximum allowable student population on the site shall be 170 students. Any increase to student enrollment shall require approval of a use permit revision by the Planning Commission.
 - b. All student drop-off and pick-up shall occur within the Onetta Harris Community Center/Senior Center parking lot during and after construction. At no point shall students be dropped off or picked up along Terminal Avenue. Upon completion of construction, students shall not access the school campus through 243 Terminal Avenue and/or 297 Terminal Avenue.
 - c. Prior to holding any large events, the applicant shall coordinate with the Onetta Harris Community Center and Senior Center, with the goal of avoiding scheduling large events simultaneously.

- d. Activities held during the hours of operation on a school day are permitted and not considered special events regulated by this permit. The following school activities are allowed to occur outside of normal school hours and days:

Event	Frequency/ Day(s)	Hours	Anticipated Attendance
Parent Meetings, Parent Teacher Conferences, Parent Training Classes, and Parent Advisory Committee Meetings	2 to 3 nights per week throughout the year	6:30 p.m. to 8:30 p.m.	20 to 60 people
School Performances (i.e., talent show, school play or musical)	2 to 3 times a year, days vary	varies	80 to 100 people
Fright Night	Annually, Friday before Halloween in October	5:00 p.m. to 8:00 p.m.	100 people
Christmas Program	Annually, Thursday before Christmas in December	7:00 p.m. to 9:00 p.m.	300 people
International Food Fair	Annually, Saturday in May	11:00 a.m. to 3:00 p.m.	200 people at a given time, 500 people total
Alumni Barbecue	Annually, Friday in June	5:30 p.m. to 7:30 p.m.	70 to 80 people
Graduation	Annually, Thursday in June	4:00 p.m. to 6:00 p.m.	200 people

The applicant must obtain a Special Event permit for any major events that are not listed above.

- e. No outdoor sound amplification shall be directed towards the adjacent residences.
- f. All trash and recycling bins shall be stored in a covered enclosure.
- g. The emergency vehicle access driveways at 243 and 297 Terminal Avenue shall be free and clear of obstructions at all times, and shall not be used for vehicular parking.

Motion carried 7-0:

E. REGULAR BUSINESS ITEMS

There was none.

F. COMMISSION BUSINESS

F1. Designation of Acting Chair for July 8, 2013 Planning Commission Meeting

Chair Kadvany noted that neither he nor Vice Chair Eiref would be able to attend the July 8 meeting. Commissioner Strehl nominated, and Commissioner Riggs seconded the nomination of Commissioner Ferrick as acting Chair for the July 8, 2013 Planning Commission meeting.

Commission Action: M/S Strehl/Riggs to nominate Commissioner Ferrick as Acting Chair for the July 8, 2013 meeting.

Motion carried 7-0.

Commissioner Bressler noted the County of San Mateo's Sustainability Report and a chart on page 2 labeled "Total San Mateo County Jobs" that indicated the number of jobs in San Mateo County had decreased over the years.

Commissioner Onken said the CO₂ emission on the last page indicated that the City was greener than they thought.

ADJOURNMENT

The meeting adjourned at 9:32 p.m.

Staff Liaison: Thomas Rogers, Senior Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on July 22, 2013.