



## PLANNING COMMISSION MINUTES

Regular Meeting  
April 7, 2014 at 7:00 p.m.  
City Council Chambers  
701 Laurel Street, Menlo Park, CA 94025

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**CALL TO ORDER** – 7:00 p.m.

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

**INTRODUCTION OF STAFF** – Jean Lin, Associate Planner; Kyle Perata, Associate Planner; Thomas Rogers, Senior Planner; Corinna Sandmeier, Contract Planner; Elizabeth Schuller, Assistant Planner

### **A. REPORTS AND ANNOUNCEMENTS**

#### **A1. Update on Pending Planning Items**

- a. Housing Element – City Council – April 1 and April 29, 2014
- b. SRI – Burgess Drive Reserved ROW Abandonment - City Council Study Session - April 1, 2014

Senior Planner Rogers said the City Council at their April 1 meeting considered two items of interest for the Planning Commission: the Housing Element which the Planning Commission had previously considered and the SRI Burgess Drive Reserved ROW Abandonment. He said the Council approved the Housing Element itself and several of the associated actions, but deferred action on some of the ordinances related to the Housing Element, including the one on secondary dwelling units as well as the associated accessory building changes, to allow the Council members more time to better study the information related to those. He said at the April 29 meeting, the Council would consider the official adoption of the ordinances they approved on April 1 as well as consider the deferred ordinances for adoption.

Planner Rogers said the Council also held a study session on the SRI Burgess Drive Reserved ROW Abandonment at their April 1 meeting. He said they studied recommendations to exchange the reserved ROW for a bicycle path along the Ravenswood frontage. He said there would be more Planning Commission and City Council consideration of the overall project in the future.

Commissioner Strehl said she had attended the Academy for City Planning Commissioners and highly recommended it for any Planning Commissioned who had not participated in it previously.

In response to a question from Commissioner Bressler related to the Grand Boulevard Initiative (GBI) Progress Report, Senior Planner Rogers said that this was a compilation of updates from cities that are part of the GBI. He noted this was a collaborative effort but not a legislative effort, and a place to exchange ideas and work together on some shared goals and challenges. He said he did not think the GBI had adopted a position on sidewalk widths, and the diagrams in the Progress Report were concepts for cities to use in working with Caltrans which has jurisdiction of El Camino Real. Commissioner Bressler noted on page 15 that 18-foot-wide sidewalks were shown.

Chair Kadvany said regarding the Specific Plan Initiative that it was being circulated for signatures to be placed on a citywide ballot. He said the Council was proposing to hire a consultant to look into the pros and cons of implementing the initiative or not. He said he had a brief conversation with Mayor Mueller about this and received a report from him that City Council Member Cline, a member of the subcommittee, had discussions with some of the signatories on the Initiative. He said it was indicated that if a consultant was hired to study this Initiative, that Mayor Mueller indicated his individual preference that it should come to the Planning Commission for consideration.

## **B. PUBLIC COMMENT**

There was none.

## **C. CONSENT**

### **C1. Approval of minutes from the March 10, 2014 Planning Commission meeting**

Commission Action: M/S Ferrick/Riggs to approve the consent calendar items as submitted.

Motion carried 6-0 with Commissioner Onken absent.

### **C2. Sign Review/VKK Signmakers Inc./1706 El Camino Real: Request for sign review to allow a second building sign on an office building that would be visible on the El Camino Real frontage in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district.**

Commission Action: M/S Ferrick/Riggs to approve the consent calendar items as submitted.

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current CEQA Guidelines.
2. Make a finding that the sign is appropriate and compatible with the businesses and signage on El Camino Real.

3. Approve the sign review subject to the following **standard** conditions of approval:
  - a. Development of the project shall be substantially in conformance with the plans prepared by VKK Signmakers Incorporated, dated received on April 2, 2014, consisting of seven plan sheets and approved by the Planning Commission on April 7, 2014, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
  - b. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division that are directly applicable to the project.

Motion carried 6-0 with Commissioner Onken absent.

#### **D. PUBLIC HEARING**

- D1. Use Permit/GACA Trust/700 Magnolia Street:** 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 width in the R-1-S (Single-Family Suburban) zoning district. As part of the proposal, a heritage size magnolia measuring 22 inches in diameter, located at the right front corner of the property, and a heritage size English laurel measuring 20 inches in diameter, located at the left front corner of the side yard of the property, and a heritage size apple measuring 15 inches in diameter, located in the middle of the backyard, are proposed for removal.

Staff Comment: Planner Schuller said there was a revision to the notice in that the applicant was no longer proposing to remove the heritage size magnolia at the right front corner of the property. She said neighbors who had received notice of this staff report were contacted to advise them of this error. She said staff recommends that condition 4.a be removed as it was no longer applicable, since the applicants had made staff aware that the second story overhangs the first story.

Public Comment: Mr. Matthew Mosey, Dumican Mosey Architects, project architect, said the application was for a substandard lot as it was 10-feet less than the required width. He noted the parcel was 143 feet long which was 43 feet more than required. He said the design would use only 75 percent of the allowable building coverage. He said related to massing that this proposed home was neighbor to a two-story home on one side and a one-story home on the north side so they stepped back the second story on the north side. He said to protect the privacy of the neighbor to the south they placed windows judiciously and would not have any windows on the second story for the last 16 feet on that side. He said they were also proposing a number of screening measures including plantings along the driveway and southern lot line. He said in

keeping with the design style in the neighboring area they had selected a gabled roof and shingle style. He said the property owners had communicated with the neighbors including the Rosenthals, the neighbors on the south side. He said based on recent conversations with the neighbors, they would, if possible, like to propose some changes to the project.

Ms. Andrea Auerbach said she and her husband Jason owned the property. She said the minor modification they were requesting was to move the second story out of their rear yard creating less of a second story in the view of the neighbors to the south.

In response to Commissioner Eiref, Mr. Mosey said the proposed change was to the second story mass on the south side, to step back the second story eight-feet, three-inches, by reconfiguring the master suite closet, rather than to set it back five feet.

Ms. Nancy Rosenthal, neighbor of the subject parcel, said they were pleased with the additional setback being proposed for the second story, and wanted to express their support for approval of the project.

Chair Kadvany closed the public hearing.

Commission Comment: Commissioner Ferrick noted the design fit within the daylight plane envelope, and the left side nonconformance would be brought into conformance.

Commissioner Strehl said it seemed the terrace on the second story was being eliminated and would now be a closet. Mr. Mosey said the terrace which was an internal spot would be eliminated and the area being stepped back would be a flat roof with no access onto that roof.

Commissioner Eiref said he was pleased that the magnolia tree would be retained. He said the combination of gable and flat roof was very interesting.

Commissioner Riggs said this project demonstrated that form and materials could reply to the neighborhood context and yet end up awkwardly. He said the front elevation looked somewhat like a barn or the front of one of John Sobrato's public buildings. He said he was having difficulty supporting the project.

Chair Kadvany noted the garage in the back was a good feature.

Commissioner Bressler said the design was interesting and not ostentatious. He said he liked the design and noted the applicants had worked with the neighbors.

Commissioner Eiref said this was a strong design and there were some large, shingled homes in the neighborhood. He moved to approve the project. Commissioner Bressler seconded the motion.

Commissioner Ferrick said the applicant had followed the rules but she thought the front elevation would look quite differently from the other homes in the neighborhood. She said the trees would help screen the front elevation.

Planner Schuller asked if the motion included the proposed second-story setback revision. Chair Kadvany said it did and also included the retention of the magnolia tree. He asked if staff had any concerns about the proposed revision to the second story setback on the south side. Planner Schuller said the reconfiguration of interior space would create the additional setback on the south side second story.

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

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 Dumican Mosey Architects, consisting of 18 plan sheets, dated February 18, 2014, and approved by the Planning Commission on April 7, 2014, 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. ~~Prior to building permit issuance, the applicant shall submit a proposed landscape plan for the three foot area at the right rear corner of the first floor that will create a vertical vegetative relief to the two-story plane, subject to review and approval of the Planning Division.~~ ***Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans which are consistent with the plans submitted to the Planning Commission at the April 7, 2014 meeting, which showed a reduction of approximately eight feet of depth of the second story on the right side.***

Motion carried 4-2 with Commissioners Kadvany and Riggs in opposition and Commissioner Onken absent.

Chair Kadvany said in response to Commissioner Ferrick that he had concerns about the aesthetic combination of forms noting the gables and flat roofs.

Commissioner Bressler said that this demonstrated how difficult it would be to create design guidelines with which Commissioner Ferrick agreed.

**D2. Use Permit/Shahriar Amiri and Stephen Mashhoon/712 Harvard Avenue:**

Request for a use permit to demolish an existing single-story, single-family residence, and construct a new two-story, single-family residence with attached garage on a substandard lot with regard to lot width in the R-2 (Low Density Apartment) zoning district.

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

Public Comment: Ms. Jeanette Coran, Jeanette Coran Architects, said they had looked at doing two homes on the R-2 lot. She said in speaking to the neighbors there was strong support for a single-family home. She said this lot was five feet narrower than

the adjacent lot that had two homes and 12 to 15 feet smaller than another nearby home with duplex residences. She said to create two homes meant little open space on the lot. She said they moved forward with a Craftsman style two-story home. She said they would use siding and step back the second story. She said they talked to adjacent neighbors who appreciated their efforts to minimize any impact on the neighbors' open space and privacy.

Commissioner Ferrick asked if they were aware of the possibility to build a secondary dwelling unit. Ms. Coran said the lot was small and noted the need for a driveway. She said neighbors were the property owners and were concerned about rental properties in their neighborhood.

Senior Planner Rogers said the secondary dwelling unit ordinance did not apply to R-2 properties as they were by zoning allowed two residential units. He said one issue for smaller R-2 lots, such as this one, was sometimes the parking requirement of two spaces for each unit. He said for an R-1 lot, by contrast, the secondary dwelling unit parking was allowed to be tandem in addition to the two off street parking spaces for the primary residence.

Chair Kadvany closed the public hearing.

Commission Comment: Chair Kadvany said he liked the scale of the columns on the front elevation and the separation of the garage doors.

Commissioner Eiref said overall he liked the design but noted the garage doors, front doors, columns and windows seemed to not line up quite. He asked if the lot sloped. Ms. Coran said it had to do with the narrow lot and minimizing the impact of the garage doors. She said the window was higher as it was for living space.

Commissioner Ferrick said she liked the design, the double garage doors, the trellis and the details on the wood, the aluminum wood clad windows, and the true divided lights. She said her only reluctance was that a secondary dwelling unit would not be possible because of square footage and regulations. She said she thought a nice small unit would work well in the rear yard.

Commissioner Riggs asked about the arched tops, particularly the arched garage doors. Ms. Coran said originally she had more rectangular linear forms which the client wanted to make softer and requested the arched garage doors. Commissioner Riggs asked about the shingles over the portico. Ms. Coran said it was an enclosed front with shingles and would have gable end treatment. Commissioner Riggs asked if staff had asked them to break up the massing as there were a number of forms on the building. Ms. Coran said staff conveyed the message about breaking up the mass but did not have direct discourse with them regarding how that should be done. Commissioner Riggs said there was a tankless water heater mounted to the wall and not shown in the elevation. He said tankless water heaters were not particularly attractive and were

usually located at least six feet up so a person could walk under them. He said it would be very visible to the neighbor and asked if they enclosed tankless water heaters in their projects. Ms. Coran said they do when they can and typically they like to put them in the garage, which usually works, but in this case staff had a concern that it would obstruct the drive in of a vehicle with a high hood height, which was why they had moved it to the exterior wall.

Commissioner Riggs asked staff if the tankless water heater was located above shoulder height if that would be acceptable. Planner Sandmeier said she thought that would be fine, noting the concern was with the 20-foot by 20-foot clear space. Commissioner Riggs asked if there were any guidelines about screening wall mounted mechanical equipment. Senior Planner Rogers noted there were no overarching residential design guidelines and planning staff review garage dimensions for conformance with regulations. He said the Planning Commission, if it had strong concerns about the aesthetics of the location of the tankless water heater, could direct a change. He said screening requirements were for roof mounted mechanical equipment.

Commissioner Ferrick said the master bedroom window sills were two feet from the floor and that the Commission generally required higher sills for privacy reasons. Ms. Coran said they would not be adverse to that unless they were egress windows which would require a minimum 42-inch sill. Commissioner Ferrick said a three foot sill would be preferable. She said these windows were shown on A6.0 and A7.0.

There was a question as to whether public comment had occurred. Chair Kadvany opened the public hearing. There being no speakers, he closed the public hearing.

Chair Kadvany moved to approve as recommended in the staff report. Commissioner Strehl asked if the applicants would live in the home. Ms. Coran said she did not know. Commissioner Strehl seconded the motion. Commissioner Ferrick asked about the sill heights. She said she thought the bedroom window sills on the left and right second story elevations should be brought up to three feet. Chair Kadvany and Commissioner Strehl, the makers of the motion and second respectively, accepted the friendly amendment. Commissioner Riggs said the applicant and staff seemed amenable to moving the tankless water heater to the interior space. Chair Kadvany and Commissioner Strehl, the makers of the motion and second respectively, accepted the friendly amendment.

Commissioner Riggs noted what he considered were overly complex forms driven he thought by the urging to set back the second story. He said there were nice window and door trim features.

Commission Action: M/S Kadvany/Strehl to approve the item with the following modifications.

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 Jeanette Coran Architects, consisting of 11 plan sheets, dated received March 27, 2014, and approved by the Planning Commission on April 7, 2014, 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 revised elevation plans showing all second-story windows, on the right and left sides of the building, with a minimum sill height of 36 inches, subject to review and approval of the Planning Division.**
- b. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised floor plan showing the tankless water heater mounted on the rear wall of the garage, at a height of not less than four feet, and designed not to require bollards or other ground mounted obstructions, subject to review and approval of the Planning Division.**

Motion carried 6-0 with Commissioner Onken absent:

**D3. Use Permit/Noel Cross/2307 Branner Drive:** Request for a use permit for excavation (removal of more than 12 inches of dirt) within the required interior side yard setback for a walkway, steps, and retaining wall, associated with the construction of an addition to an existing two-story, single-family residence on a standard size lot in the R-1-S (Single-Family Residential Suburban) zoning district. As part of the project, the applicant has requested a front lot line election to identify Branner Drive as the front lot line for Zoning Ordinance development standards.

Staff Comment: Planner Perata said color renderings were being distributed to the Commission.

Public Comment: Mr. Noel Cross, Noel Cross Architects, said his clients Mr. Bill Dower and Christina Black were present. He said the staff report ably covered the facts and arguments basically about whether or not they would be able to excavate in the side yard. He said they wanted to expand to allow for a pool equipment room and remodel the kitchen. He said currently the pool equipment was in a shed and the intent was to move it inside where it would be invisible and also less noisy. He said the owners wanted an outside door to the pool equipment room to allow for maintenance while they were away which triggered the use permit requirement. He said they spoke with adjacent neighbors who supported the project.

Chair Kadvany closed the public hearing.

Commission Comment: Commissioner Ferrick moved to approve the use permit. Commissioner Riggs seconded the motion to make the findings and approve the use permit.

Commission Action: M/S Ferrick/Riggs 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 Noel Cross Architects, consisting of 13 plan sheets, dated received April 2, 2014, and approved by the Planning Commission on April 7, 2014, 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 6-0 with Commissioner Onken absent.

**D4. Use Permit/Avalanche Biotechnologies, Inc./1035 O'Brien Drive:** Request for a use permit for the indoor storage and use of hazardous materials for the research and development of products for sustained delivery of therapeutic proteins to the eye to treat wet age-related macular degeneration (AMD), as well as other retinal disorders, located in an existing building in the M-2 (General Industrial) zoning district. All hazardous materials would be used and stored within the existing building.

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

Public Comment: Mr. Ron Krietemeyer, Vice President, Construction and Operations Officer, Tarlton Properties, said Avalanche Biotechnologies was their first tenant for the renovated 1035 O'Brien Drive.

Mr. Hans Hull, Avalanche Biotechnologies, said they were developing treatments for retinal disorders that lead to blindness. He said they were relocating from San Francisco and hoped to have 35 employees over the next two years.

Chair Kadvany closed the public hearing.

Commission Comment: Commissioner Bressler moved, and Chair Kadvany seconded, to approve as recommended in the staff report.

Commissioner Ferrick said on page G.1 there was a comment by a Hazmat Specialist about which she wanted clarification. Ms. Ellen Ackerman, Green Environment, said the comment was written before County Environmental Health had reviewed their requirements. She said the County had been requiring that any amount of an extremely hazardous substance had to be reported on a hazmat business plan regardless of what the state or federal thresholds for reporting were. She said the County has since

discovered that they do not have the authority to require that reporting, and those materials did not need to be added to the hazmat business plan after all.

Commission Action: M/S Bressler/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. 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 provided by DES Architects/Engineers, consisting of ten plan sheets, dated received March 19, 2014, and approved by the Planning Commission on April 7, 2014 except as modified by the conditions contained herein, subject to review and approval of 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. If there is an increase in the quantity of hazardous materials on the project site, a change in the location of the storage of the hazardous materials, or the use of additional hazardous materials after this use permit is granted, the applicant shall apply for a revision to the use permit.
  - e. Any citation or notification of violation by the Menlo Park Fire Protection District, San Mateo County Environmental Health Department, West Bay Sanitary District, Menlo Park Building Division or other agency having responsibility to assure public health and safety for the use of hazardous materials will be grounds for considering revocation of the use permit.

- f. If the business discontinues operations at the premises, the use permit for hazardous materials shall expire unless a new business submits a new hazardous materials business plan to the Planning Division for review by the applicable agencies to determine whether the new hazardous materials business plan is in substantial compliance with the use permit.

Motion carried 6-0 with Commissioner Onken absent.

**D5. Use Permit/Tricida, Inc./1430 O'Brien Drive, Suite F:** Request for a use permit for the indoor storage and use of hazardous materials for the research and development of therapeutics to address renal, metabolic, and cardiovascular disease, located in an existing building in the M-2 (General Industrial) zoning district. All hazardous materials would be used and stored within the existing building.

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

Public Comment: Mr. Ron Krietemeyer, Vice President, Tarlton Properties, said they were pleased to welcome Tricida, Inc. to their 1430 O'Brien Drive site.

Mr. Gerrit Klaerner, Chief Executive Officer, Tricida, said they had established two startups previously focusing on the development of treatment for kidney disease. He said Tricida, Inc. was a third generation startup with that focus.

Chair Kadvany closed the public hearing.

Commission Comment: Commissioners made general comments about the hazardous materials permit process.

Commission Action: M/S Riggs/Strehl 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. 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 provided by DES Architects/Engineers, consisting of eight plan sheets, dated received April 1, 2014, and approved by the Planning Commission on April 7, 2014 except as modified by the conditions contained herein, subject to review and approval of 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. If there is an increase in the quantity of hazardous materials on the project site, a change in the location of the storage of the hazardous materials, or the use of additional hazardous materials after this use permit is granted, the applicant shall apply for a revision to the use permit.
  - e. Any citation or notification of violation by the Menlo Park Fire Protection District, San Mateo County Environmental Health Department, West Bay Sanitary District, Menlo Park Building Division or other agency having responsibility to assure public health and safety for the use of hazardous materials will be grounds for considering revocation of the use permit.
  - f. If the business discontinues operations at the premises, the use permit for hazardous materials shall expire unless a new business submits a new hazardous materials business plan to the Planning Division for review by the applicable agencies to determine whether the new hazardous materials business plan is in substantial compliance with the use permit.

Motion carried 6-0 with Commissioner Onken absent.

## **E. REGULAR BUSINESS**

### **E1. 2014-15 Capital Improvement Program/General Plan Consistency:**

Consideration of consistency of the 2014-2015 projects of the Five-Year Capital Improvement Plan with the General Plan.

Staff Comment: Senior Planner Rogers said the Commission was being asked to consider the consistency of the Five Year Capital Improvement Plan 2014-2015 projects

with the General Plan. He said the City's Public Works Deputy Director Ruben Nino was present.

Commissioner Strehl asked about the process for the selection of design alternatives for the Pope Chaucer bridge. Mr. Nino said the City Council would review those. Commissioner Strehl asked if there would be a public hearing on those design alternatives. Mr. Nino said there would be.

Commissioner Riggs asked about the undergrounding of utilities for residential. Mr. Nino said the City has money set aside from PG&E for undergrounding utilities that could be used for any priority the City Council chooses for undergrounding utilities.

Commissioner Bressler said there had been discussion about carpeting for the Administration Office and that it would cost \$400,000 which equated to \$150 per square foot for the carpet. Mr. Nino said the cost was around \$13 per square foot. He said previously they carpeted the library and police administration office. He said the carpet for the library cost \$10 per square foot in 2012. He said the library was completely closed for the carpet installation but that was not possible with the administration building. He said there would be significant remodeling to allow the phasing of the carpet installation. He said the carpet for the police department took 11 phases. Commissioner Bressler said he realized the fee was \$150 per square yard. He asked about the bid process. Mr. Nino said they buy the carpet directly and put the installation out to bid. He said they would hire movers for boxed equipment and movers for partitions and electrical. He said staging would take four to six months.

Commissioner Eiref asked what amount of funding was being given to implementation of the downtown public features. Mr. Nino said about \$180,000 and that would be for pilot programs. Commissioner Eiref asked about the playground structure project. Mr. Nino said this was to hire an expert to evaluate all of their playground equipment and create a master plan for playground equipment replacement.

Commission Action: M/S Riggs/Kadvany to find the Five Year Capital Improvement Plan 2014-2015 projects consistent with the General Plan.

Motion carried 6-0 with Commissioner Onken absent.

## **F. COMMISSION BUSINESS**

There was none.

## **ADJOURNMENT**

The meeting adjourned at approximately 9:50 p.m.

Staff Liaison: Thomas Rogers, Senior Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on May 5, 2014