



## PLANNING COMMISSION AGENDA

Regular Meeting  
May 5, 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, Combs, Eiref (Vice Chair), Ferrick, Kadvany (Chair), Onken, Strehl

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

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

Under “Reports and Announcements,” staff and Commission members may communicate general information of interest regarding matters within the jurisdiction of the Commission. No Commission discussion or action can occur on any of the presented items.

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

- a. Housing Element – City Council – April 29 and May 13, 2014
- b. 772 Harvard Avenue Appeal – City Council – May 6, 2014
- c. BMR Guidelines Update – City Council – May 6, 2014

### **B. PUBLIC COMMENTS**

Under “Public Comments,” the public may address the Commission on any subject not listed on the agenda within the jurisdiction of the Commission and items listed under Consent. When you do so, please state your name and city or political jurisdiction in which you live for the record. The Commission cannot respond to non-agendized items other than to receive testimony and/or provide general information.

### **C. CONSENT**

Items on the consent calendar are considered routine in nature, require no further discussion by the Planning Commission, and may be acted on in one motion unless a member of the Planning Commission or staff requests a separate discussion on an item.

- C1.** [Approval of minutes from the April 7, 2014 Planning Commission meeting](#)

### **D. PUBLIC HEARING**

- D1.** [Use Permit/Andrew Young/1153 Santa Cruz Avenue:](#) Request for a use permit to construct a single-story addition and a basement with light wells to an existing nonconforming single-story, single-family residence and for excavation (removal of more than 12 inches of dirt) within the required right side yard setback in the R-1-S (Single Family Suburban) 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.

- D2. [Use Permit/Curt Cline/323 Oakwood Place](#): Request for a use permit for interior and exterior modifications and first and second floor additions that would exceed 50 percent of the value of an existing non-conforming residence located on a substandard lot in the R-1-U (Single-Family Urban) zoning district.
- D3. [Use Permit Revision/Menlo Park Presbyterian Church/700-704 Santa Cruz Avenue](#): Request for a revision to an existing use permit for a social hall in a commercial building in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. The revision would extend the expiration date for the use permit from 2014 to 2024. No building modifications are proposed, and all other conditions would remain in effect.

#### E. STUDY SESSION ITEMS

- E1. **R-4-S Compliance Review/Greenheart Land Co./721-881 Hamilton Avenue**: Study session to review a 195 unit, multi-family residential development relative to the development regulations and design standards of the R-4-S (High Density Residential, Special) zoning district. The Planning Commission's review is advisory only and will be taken into consideration as part of the Community Development Director's determination of whether the proposal is in compliance with the R-4-S development regulations and design standards.  
***Continued to the Planning Commission meeting of May 19, 2014***

#### F. REGULAR BUSINESS

- F1. [Selection of Planning Commission Chair and Vice Chair for May 2014 through April 2015](#)

#### G. COMMISSION BUSINESS - None

#### ADJOURNMENT

##### Future Planning Commission Meeting Schedule

Regular Meeting	May 19, 2014
Regular Meeting	June 9, 2014
Regular Meeting	June 23, 2014
Regular Meeting	July 7, 2014
Regular Meeting	July 21, 2014

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At every Regular Meeting of the Commission, in addition to the Public Comment period where the public shall have the right to address the Commission on any matters of public interest not listed on the agenda, members of the public have the right to directly address the Commission on any item listed on the agenda at a time designated by the Chair, either before or during the Commission's consideration of the item.

At every Special Meeting of the Commission, members of the public have the right to directly address the Commission on any item listed on the agenda at a time designated by the Chair, either before or during consideration of the item.

Any writing that is distributed to a majority of the commission by any person in connection with an agenda item is a disclosable public record (subject to any exemption under the Public Records Act) and is available for inspection at The Community Development Department, Menlo Park City Hall, 701 Laurel Street, Menlo Park, CA 94025 during regular business hours.

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# PLANNING COMMISSION

## Agenda and Meeting Information

The Planning Commission welcomes your attendance at and participation in this meeting. The City supports the rights of the public to be informed about meetings and to participate in the business of the City.

**ASSISTANCE FOR PERSONS WITH DISABILITIES:** Person with disabilities who require auxiliary aids or services in attending or participating in Planning Commission meetings, may call the Planning Division office at (650) 330-6702 prior to the meeting.

**COMMISSION MEETING AGENDA AND REPORTS:** Copies of the agenda and the staff reports with their respective plans are available prior to the meeting at the Planning Division counter in the Administration Building, and on the table at the rear of the meeting room during the Commission meeting. Members of the public can view or subscribe to receive future weekly agendas and staff reports in advance by e-mail by accessing the City website at <http://www.menlopark.org>.

**MEETING TIME & LOCATION:** Unless otherwise posted, the starting time of regular and study meetings is 7:00 p.m. in the City Council Chambers. Meetings will end no later than 11:30 p.m. unless extended at 10:30 p.m. by a three-fourths vote of the Commission.

**PUBLIC TESTIMONY:** Members of the public may directly address the Planning Commission on items of interest to the public that are within the subject matter jurisdiction of the Planning Commission. The City prefers that such matters be presented in writing at the earliest possible opportunity or by fax at (650) 327-1653, e-mail at [planning.commission@menlopark.org](mailto:planning.commission@menlopark.org), or hand delivery by 4:00 p.m. on the day of the meeting.

**Speaker Request Cards:** All members of the public, including project applicants, who wish to speak before the Planning Commission must complete a Speaker Request Card. The cards shall be completed and submitted to the Staff Liaison prior to the completion of the applicant's presentation on the particular agenda item. The cards can be found on the table at the rear of the meeting room.

**Time Limit:** Members of the public will have **three** minutes and applicants will have **five** minutes to address an item. Please present your comments clearly and concisely. Exceptions to the time limits shall be at the discretion of the Chair.

**Use of Microphone:** When you are recognized by the Chair, please move to the closest microphone, state your name and address, whom you represent, if not yourself, and the subject of your remarks.

**DISORDERLY CONDUCT:** Any person using profane, vulgar, loud or boisterous language at any meeting, or otherwise interrupting the proceedings, and who refuses to be seated or keep quiet when ordered to do so by the Chair or the Vice Chair is guilty of a misdemeanor. It shall be the duty of the Chief of Police or his/her designee, upon order of the presiding officer, to eject any person from the meeting room.

**RESTROOMS:** The entrance to the men's restroom is located outside the northeast corner of the Chamber. The women's restroom is located at the southeast corner of the Chamber.

*If you have further questions about the Planning Commission meetings, please contact the Planning Division Office (650-330-6702) located in the Administration Building.*



## PLANNING COMMISSION DRAFT 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.



# PLANNING COMMISSION STAFF REPORT

FOR THE PLANNING COMMISSION  
MEETING OF MAY 5, 2014  
AGENDA ITEM D1

**LOCATION:** 1153 Santa Cruz Avenue

**APPLICANT:** Andrew Young

**EXISTING USE:** Single-Family Residence

**OWNER:** Rosemary Labanara and Ben Eiref

**PROPOSED USE:** Single-Family Residence

**APPLICATION:** Use Permit

**ZONING:** R-1-S (Single Family Suburban Residential)

	PROPOSED PROJECT	EXISTING DEVELOPMENT	ZONING ORDINANCE
Lot area	14,560 sf (gross) 12,480 sf (net)	14,560 sf (gross) 12,480 sf (net)	10,000 sf min.
Lot width	104 ft.	104 ft.	80 ft. min.
Lot depth	130 ft.	130 ft.	100 ft. min.
Setbacks			
Front	16.0 ft.	16.0 ft.	20 ft. min.
Rear	52.8 ft.	55.0 ft.	20 ft. min.
Side (left)	8.2 ft.	8.2 ft.	10 ft. min.
Side (right)	10.5 ft.	23.5 ft.	10 ft. min.
Building coverage	3,204.9 sf 22.0 %	2,359.8 sf 16.2 %	5,096 sf max. 35 % max.
FAL (Floor Area Limit)	3,090.9 sf	2,227.5 sf	4,170 sf max.
Square footage by floor	789.7 sf/basement 2,642.9 sf/1st 388.1 sf/garage 59.9 sf/shed 114.0 sf/porches, trellis, and fireplace	1,779.5 sf/1st 388.1 sf/garage 59.9 sf/shed 132.3 sf/porches, trellis, and fireplace	
Square footage of building	3,994.6 sf	2,359.8 sf	
Building height	12.0 ft.	11.9 ft.	28 ft. max.
Parking	1 covered	1 covered	1 covered/1 uncovered
Note: Areas shown highlighted indicate a nonconforming or substandard situation.			
Trees	Heritage trees 9	Non-Heritage trees 1	New Trees 1
	Heritage trees proposed for removal 0	Non-Heritage trees proposed for removal 0	Total Number of Trees 11

## **PROPOSAL**

The applicant is requesting use permit approval to construct a single-story addition and a basement with light wells to an existing nonconforming single-story, single-family residence and for excavation (removal of more than 12 inches of dirt) within the required right yard side setback in the R-1-S (Single Family Suburban) 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.

## **ANALYSIS**

### Site Location

The subject site is located on the east side of Santa Cruz Avenue between Arbor Road and Windsor Drive. The subject site is a panhandle lot which accesses Santa Cruz Avenue through a driveway that is shared with 1155 Santa Cruz Avenue. Adjacent parcels on all sides are also in the R-1-S zoning district, and are occupied by single-family residences. The surrounding area contains a mixture of one- and two-story residences featuring a variety of traditional architectural styles.

### Project Description

The subject site is currently occupied by a single-story residence that is nonconforming with respect to the front and left side setbacks. The existing residence contains approximately 2,168 square feet of floor area, inclusive of the existing 388-square-foot one-car garage. The property currently has a one-car attached garage, and two uncovered guest parking spaces as required for panhandle lots. The property would remain nonconforming with regard to parking with only one covered parking space, although the uncovered area between the property line and garage would continue to provide flexibility with additional “unofficial” parking spaces. Options to add additional conforming parking appear limited, absent redevelopment of the entire site.

The applicant is proposing to remodel and construct a single-story addition with a basement. The approximately 863-square-foot single-story addition would be to the right and rear of the existing residence. A new basement that is approximately 790 square feet would be constructed below the proposed addition along the right side. The existing three-bedroom, three-bathroom residence is proposed to become a four-bedroom, four-and-a-half-bathroom residence, with one bedroom and one bathroom located in the basement. The proposed residence would have a total Floor Area Limit (FAL) of 3,068 square feet, and the proposed building coverage would be approximately 21.9 percent, where 35 percent is the maximum permissible. The maximum height of the residence would be 12 feet, well below the maximum allowable height of 28 feet, and the proposed structure would be well within the daylight plane requirements.

The proposed addition would comply with front, side and rear yard setback requirements, and would not expand the nonconformities of the front and left side walls,

which are proposed to remain in their current locations. Structural elements (i.e., foundation and stud walls) in the nonconforming areas would remain, and could not be rebuilt in their current locations if demolished. The proposed light well in the right side would require excavation into required right side setback, as discussed in more detail in the Excavation section below. The applicant has provided a project description letter, which discusses the proposal in more detail, included as Attachment C.

### Design and Materials

The existing residence is a mid-century modern Eichler design, with a mix of flat and shed roof forms with deep eaves on exposed rafter tails, and is clad in wood siding. The proposed addition is designed to blend seamlessly with the existing structure, with a shed roof, deep eaves on exposed rafters, and wood siding. The proposed shed roof form would have the same pitch as the existing shed roof, and would mirror and balance the existing shed roof. The proposed doors and windows would match the material and design of existing doors and windows. The proposed addition has been designed maximize privacy with the adjacent neighbor to the right, with high sill heights for all the windows on the proposed right side elevation.

The residences surrounding the parcel are varied in size and height, and are designed in a variety of architectural styles. Staff believes that the scale, materials, and style of the proposed residence are in keeping with those of the greater neighborhood.

### Excavation

Per Zoning Ordinance requirements, excavation in the required setbacks requires use permit approval. The proposed residence would include a basement, and light wells are needed to meet minimum building code requirements for egress and light/ventilation. The light well on the right side of the residence would accommodate windows, doors, and an exterior staircase, and would encroach a maximum of four feet, three inches into the required 10-foot right side yard setback and span approximately 31 feet in length. Shoring piers would be constructed along the length of the basement in order to stabilize the soil and minimize the amount of excavation during construction. The light well in the rear yard would accommodate a window and would be outside of any required setbacks. Visibility of the light wells would be minimized by existing fencing and landscaping.

### Valuation

To calculate the replacement and new construction costs on which the 75 percent limit is based, the City uses standards established by the Building Division. The City has determined that the replacement cost of the existing structure would be \$383,067 meaning that the applicants would be allowed to propose new construction and remodeling at this site totaling less than \$287,300 in any 12-month period without applying for a use permit. The City has determined that the value of the proposed work would be approximately \$404,090. Based on this estimate, the proposed project

exceeds 75 percent of the replacement cost of the existing structure, and requires use permit approval by the Planning Commission.

### Trees and Landscaping

The applicant was granted a Heritage Tree Removal Permit in July 2013, prior to the application for the use permit, to remove a heritage coast live oak measuring 24 inches in diameter in the right side yard on the subject property. The approval cited the poor structure of the tree, and the tree has since been removed. As part of the permit, the applicant must plant a new tree to replace the removed tree. One new 36-inch box October glory maple tree is proposed to be planted in the front yard, as shown on the proposed plans.

The applicant has submitted an arborist report detailing the species, size, and conditions of the trees on or near this site, and is included as Attachment D. The report determines the present condition, discusses the impacts of the proposed improvements, and provides recommendations for tree preservation. There are currently a total of ten trees on the subject property, of which nine are heritage trees. Under the proposed development, all ten trees will be retained.

The proposed excavation of the rear light well could potentially impact the heritage coast live oak (tree #1). Tree preservation measures recommended in the arborist report would be required through condition 3g. In addition, the City Arborist recommends that an arborist be on-site to properly prune and cover any roots encountered during excavation of the rear light well, which is included as condition 4a.

### Correspondence

The applicant has reached out to adjacent neighbors on Santa Cruz Avenue and Windsor Drive, and received emails in support of the proposed project from neighbors at 1117 and 1155 Santa Cruz Avenue (adjacent neighbors to the north and east, respectively), 1054 Windsor Drive (adjacent neighbor to the south), and 1148 Windsor Way. These emails are included as part of neighborhood outreach attachment to the project description letter (Attachment C).

Staff received email correspondence from Scott and Rebecca Morrow of 1151 Santa Cruz Avenue (adjacent neighbor to the west), expressing concerns about potential impacts of the proposed excavation within the setback area. Staff and the applicant met with Mr. Morrow to address concerns with respect to the proposed excavation, and subsequent to the meeting, staff received a follow-up email from Mr. Morrow expressing concerns over the project due to a discrepancy between the survey included in the plan set and a previous 2009 survey. Staff has reviewed the boundary and topographic survey prepared by SMP Engineers included in the plan set, and this survey appears to accurately portray the property lines. Staff has not received any information from Mr. Morrow that would indicate that the survey prepared by SMP Engineers is inaccurate. The email correspondence with Mr. Morrow is included as Attachment E.



## Conclusion

Staff believes that the scale, materials, and style of the proposed addition to the existing residence are in keeping with those of the greater neighborhood. The proposed addition is designed to be consistent with the architectural design of the existing residence, and the proposed basement and light wells would be minimally visible from adjacent properties. The proposed excavation would be limited in both size and visibility. The proposed shoring piers and tree protection measures would further minimize any impacts from excavation. Staff recommends that the Planning Commission approve the proposed project.

## **ENVIRONMENTAL REVIEW**

The project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.

## **RECOMMENDATION**

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 prepared by Young and Borlik Architects, consisting of 15 plan sheets, dated received April 30, 2014, and approved by the Planning Commission on May 5, 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 applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
  - c. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.

- d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval 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. Prior to issuance of a demolition or building permit, the applicant shall implement the tree protection plan and recommendations in the Arborist Report for all applicable heritage trees for review and approval by the Building Division.
4. Approve the use permit subject to the following **project specific** condition:
- a. The project arborist shall be present to prune and cover any roots encountered during excavation of the rear light well. This requirement shall be incorporated into the site plan and/or revised arborist report as part of a complete building permit application, subject to review and approval of the Planning Division.

Report prepared by:  
*Jean Lin*  
*Associate Planner*

Report reviewed by:  
*Thomas Rogers*  
*Senior Planner*

## **PUBLIC NOTICE & APPEAL PERIOD**

Public notification consisted of publishing a legal notice in the local newspaper and notification by mail of owners and occupants within a 300-foot radius of the subject property. Planning Commission action will be effective after 15 days calendar days

unless the action is appealed to the City Council, in which case the outcome of the application shall be determined by the City Council.

## **ATTACHMENTS**

- A. Location Map
- B. Project Plans
- C. Project Description Letter
- D. Arborist Report by Joe Bathurst Certified Arborist, dated February 2, 2014
- E. Correspondence
  - Email chain with Scott Morrow, dated February 26, 2014 through April 2, 2014

**Note:** Attached are reduced versions of maps and diagrams submitted by the applicants. The accuracy of the information in these drawings is the responsibility of the applicants, and verification of the accuracy by City Staff is not always possible. The original full-scale maps, drawings and exhibits are available for public viewing at the Community Development Department.

## **EXHIBITS TO BE PROVIDED AT MEETING**

None

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# PLANNING COMMISSION STAFF REPORT

FOR THE PLANNING COMMISSION  
MEETING OF MAY 5, 2014  
AGENDA ITEM D2

**LOCATION:** 323 Oakwood Place      **APPLICANT:** Curt Cline

**EXISTING USE:** Single-Family Residence      **OWNER:** Alan A. and Sandy Ritchie

**PROPOSED USE:** Single-Family Residence      **APPLICATION:** Use Permit

**ZONING:** R-1-U (Residential Single-Family, Urban)

	PROPOSED PROJECT	EXISTING DEVELOPMENT	ZONING ORDINANCE
Lot area	8,523 sf	8,523 sf	7,000 sf min.
Lot width	60.0 ft.	60.0 ft.	65 ft. min.
Lot depth	142.1 ft.	142.1 ft.	100 ft. min.
Setbacks			
Front	20.0 ft.	28.0 ft.	20 ft. min.
Rear	56.5 ft.	56.5 ft.	20 ft. min.
Side (left)	5.1 ft.	5.1 ft.	6 ft. min.
Side (right)	9.0 ft.	9.0 ft.	6 ft. min.
Building coverage	2,621.8 sf 30.8 %	2,333.3 sf 27.4 %	2,983 sf max. 35 % max.
FAL (Floor Area Limit)	2,962.6 sf	2,333.3 sf	3,180.7 sf max.
Square footage by floor	1,987.0 sf/1 <sup>st</sup> 52.2 sf/fireplaces 541.8 sf/2 <sup>nd</sup> 433.8 sf/detached garage 148.8 sf/covered porch	1,899.5 sf/1st 433.8 sf/detached garage	
Square footage of building	3,163.6 sf	2,333.3 sf	
Building height	18.75 ft.	9.6 ft.	28 ft. max.
Parking	1 covered	1 covered	1 covered/1 uncovered
Note: Areas shown highlighted indicate a nonconforming or substandard situation.			
Trees	Heritage trees* 3	Non-Heritage trees 8	New Trees 0
	Heritage trees 0 proposed for removal	Heritage trees 0 proposed for removal	Total Number of 11 Trees
*Includes one street tree			

## **PROPOSAL**

The applicant is requesting a use permit for interior and exterior modifications and first and second floor additions that would exceed 50 percent of the value of an existing non-conforming residence located on a substandard size lot in the R-1-U (Single-Family Urban) zoning district.

## **ANALYSIS**

### Site Location

The subject property is located at 323 Oakwood Place, between Sonoma and Tehama Avenues in the Flood Triangle neighborhood. The subject parcel is surrounded by other single-family residences that are also in the R-1-U zoning district. The neighborhood contains predominately single-story developments, with two-story developments intermittently located within the neighborhood. In general, the two-story designs are associated with more recent developments. The neighborhood contains a mix of architectural styles and site layouts.

### Project Description

The applicant is proposing to construct first- and second-story additions to the existing single-story residence, as well as conduct interior and exterior remodeling. The existing nonconformity on the left side of the property is proposed to remain, with the wall framing (studs) retained; however, all areas of new construction would comply with current setbacks and other development standards of the R-1-U zoning district.

The existing single-story main residence contains approximately 1,899.5 square feet of floor area, and the site contains a 433.75 square foot garage. The existing three bedroom, two bathroom residence is proposed to become a three bedroom, three-and-a-half bathroom residence with a new family room. The second story addition would be a new master suite. The applicant proposes to add approximately 88 square feet to two locations along the front façade of the first floor for a new staircase and foyer, and to construct a new approximately 542-square foot second story. The applicant is also proposing to demolish a portion of the left-front façade to accommodate a new staircase and gallery, with the resulting increase being 88 square feet.

The detached single-car garage will not be expanded or modified as part of the proposed project. Since the existing garage provides one covered parking space for the residence, the parking situation at the site would remain legal, nonconforming with regard to the number of parking spaces. The driveway would continue to provide a number of tandem parking spaces, which would provide flexibility even though they would not count as official parking spaces.

The modified residence would have a total Floor Area Limit (FAL) of approximately 2,962.6 square feet (inclusive of covered parking), which is below the maximum permissible FAL of 3,180.75 square feet. The proposed project includes a new 47.5

square foot entry porch. In addition, the proposed project would contain eave area that is applicable to building coverage. The total proposed building coverage at the site is approximately 2,716.7 square feet or 31.9 percent, where 2,983 square feet or 35 percent is the maximum permissible. The maximum height of the residence would increase from 9.6 feet to 18.75 feet, but would be well below the maximum permissible height of 28 feet. The proposed structure complies with the daylight plane requirements.

The applicant is proposing to locate a spa on a new roof deck adjacent to the second story addition. Roof decks are regulated as balconies and therefore are required to maintain a 20-foot side setback and a 30-foot rear setback. The proposed deck would meet the required right-side and rear setbacks (36.1 feet and 84 feet respectively). The proposed deck would be located 16 feet, six inches from the left side property line, but would be completely screened by the proposed second story addition, which staff has determined meets the intent of the ordinance as it relates to privacy. The applicant has submitted a project description letter, which discusses the proposal in more detail (Attachment C). In addition, the applicant has submitted color renderings of the proposed project that will be provided to the Planning Commission at the meeting.

### Design and Materials

The existing residence is a single-story structure, designed in the mid-century modern style. The existing residence contains large curvilinear eaves, floor to ceiling windows, and minimal articulation along the facades. The proposed exterior modifications are intended to retain the existing modern style, while adding a second story. The existing home contains a smooth cement plaster finish. The applicant is proposing to use a mixture of smooth stucco and vertical tongue and groove (T&G) siding. The existing residence contains a prominent stone chimney feature in the middle of the structure, and the applicant is proposing to expand this existing feature both vertically and horizontally. The expanded stone wall would extend upwards from the existing chimney and over to the left side of the building, where it would become a wing wall. The proposed architectural feature is proposed to encroach 13 inches into the required side setback, which is permitted by the Zoning Ordinance. The applicant states that the chimney wall defines a clear separation between the house's bedroom and living spaces, and separates the private spaces from the street. The new stone clad wall/chimney would be designed to match the existing chimney feature.

The existing roof and eaves would be modified to remove the curvilinear features, and would contain shorter overhangs from the façade of the building. The eaves would contain zinc clad fasciae. The entry foyer would be relocated to align with the existing right-side façade of the building, and a new covered porch would be added to the entry. The porch roof would be tempered glass. The second floor addition would be located along the left-side wing of the structure. The applicant is proposing to utilize etched glass on the windows within the hallway, in order to ensure the privacy of both the owners and the adjacent neighbor. The overall height of the residence is proposed to be 18.75 feet where a maximum of 28 feet is permitted in the R-1-U zoning district.

The project site is unique in that it currently contains a more modern architectural style than the surrounding neighborhood, which is composed of a mixture of architectural styles, including ranch homes, Spanish style, craftsman, and other mid-century designs. The existing home is designed in a more Modernist style than the other mid-century designs. However, staff believes that the scale, materials, and style of the proposed residence are compatible with the neighborhood due to the mixture of existing styles, and the relatively small scale of the second story addition, which complies with the daylight plane and height requirements.

### Trees and Landscaping

The site contains three heritage trees, inclusive of one street tree, and eight non-heritage trees. The proposed first and second floor additions would be located outside the drip lines of the heritage trees. The proposed site improvements should not adversely affect the existing trees given their proximity to the construction, although standard tree protection measures will be required through recommended condition 3g.

### Valuation

To calculate the replacement and new construction costs on which the 50 percent limit is based, the City uses standards established by the Building Division. The City has determined that the replacement cost of the existing structure would be \$410,262.50, meaning that the applicants would be allowed to propose new construction and remodeling at this site totaling less than \$205,131.25 in any 12-month period without applying for a use permit. The City has determined that the value of the proposed work would be approximately \$287,035.75. Based on this estimate, the proposed project exceeds 50 percent of the replacement cost of the existing structure, and requires use permit approval by the Planning Commission.

### Correspondence

Staff received a number of items of correspondence on the project, including eight letters in opposition to the project, and ten letters of support. Recurring themes in the letters of opposition include:

- Lack of compatibility of the proposed architectural style (modern) with the neighborhood and overall concerns with the style, specifically staircase, exterior finishes/materials, and massing/vertical walls ;
- Privacy impacts, specifically to the left side and rear neighbors;
- Light and noise impacts from second story and roof deck;
- Visual prominence of property within the neighborhood and the design of the residence; and
- Concern that project renderings show more vegetation than currently exists.

Each individual letter of opposition is attached in Attachment D for the Commission's reference. In addition to the eight letters in opposition to the project, staff received seven form letters of support from neighbors in the vicinity of the project, stating that:

- The renovation will improve the property's condition and value;
- The design is attractive and not disruptive to the neighborhood with its mix of architectural styles; and
- The proposed scale is appropriate and the design enhances the original mid-century modern style.

Staff also received three individual letters of support for the project. One individual letter of support was provided by a signer of the form letters. Therefore, there are a total of nine addresses represented in the letters of support. Jennifer (undisclosed address) states that she is very excited about the proposed project and believe the updated look will benefit the neighborhood. Sven Anderson, of 1043 Del Norte Avenue, states that the neighborhood does not have a cohesive style and that the continuing diversity of the neighborhood would be a benefit. Christie Goodin, of 1039 Sonoma Avenue, states that she supports the project, and believes that homeowners have the right to determine how the home will look in terms of style, color, and landscaping. She also states that the home does not blend with the existing style; but that the style should not be used to object to the proposed project. Each letter of support is included in Attachment E for the Commission's reference.

While the existing residence is nonconforming to the left-side setback, the proposed second floor addition would comply with the required setbacks, daylight plane, and height requirements of the Zoning Ordinance. Since the initial application, the applicant has modified the proposed project to use etched glass in the second floor hallway along the left-side façade to reduce possible privacy impacts. The rear windows would remain clear glass; however, the proposed addition is set back 61.8 feet from the rear property line, and the master bedroom sleeping area does not contain any windows along the left-side façade. The proposed roof deck would comply with the Zoning Ordinance setback requirements, and any noise created from the use of the deck would be regulated through the Noise Ordinance limitations of the Municipal Code. While the architectural style is unique for the neighborhood, the applicant is proposing to expand an existing mid-century modern structure. The proposed design is in keeping with the existing design and the proposed modifications would allow for a cohesive design between the existing and proposed elements of the structure. In addition, the applicant's project description letter (Attachment C) discusses their outreach to neighbors, specifically after receiving the comments on the project.

### Conclusion

Staff believes the proposed addition would allow for an existing unique architectural style to be retained and enhanced. The proposed project would result in a comprehensive update and create a unified design theme for the building. With the exception of the existing nonconforming wall, the proposed modifications would comply



with the setback, daylight plane, and height requirements of the Zoning Ordinance. The applicant is utilizing etched glass on the upper level side windows to help protect privacy. The architectural style is unique to the area, but the overall neighborhood does contain a single defined architectural style. Staff recommends that the Planning Commission approve the proposed project.

## ENVIRONMENTAL REVIEW

The project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.

## RECOMMENDATION

1. Make 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. 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 Modern House Architecture & Design, consisting of 16 plan sheets, dated received April 24, 2014, and approved by the Planning Commission on May 5, 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 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.

Report prepared by:

*Kyle Perata*

*Associate Planner*

Report reviewed by:

*Thomas Rogers*

*Senior Planner*

## **PUBLIC NOTICE & APPEAL PERIOD**

Public notification consisted of publishing a legal notice in the local newspaper and notification by mail of owners and occupants within a 300-foot radius of the subject property. Planning Commission action will be effective after 15 days unless the action is appealed to the City Council, in which case the outcome of the application shall be determined by the City Council.

## **ATTACHMENTS**

- A. Location Map
- B. Project Plans
- C. Project Description Letter
- D. Letters of Opposition From:
  - Lee and Linda Miller of 312 Oakwood Place
  - Daniel McMahon of 1025 Tehama Avenue
  - Bill Lamkin of 1055 Tehama Avenue
  - Richard and Margaret Durando of 1026 Tehama Avenue
  - Doug and Muff Bui of 319 Oakwood Place
  - Jeffrey and Michelle Bui of 311 Oakwood Place
  - Don and Jody Harrier of 1030 Tehama Avenue
  - Fred Webster of 1027 Del Norte Avenue
- E. Letters of Support From:
  - Robert Giannini of 328 Oakwood Place

- Rebeca Burciaga and David Tremblay of 318 Oakwood Place
- April Fallon and Ramzi Nahas of 324 Oakwood Place
- Salima and Vincent Voron of 331 Oakwood Place
- Christine Goodwin of 1039 Sonoma Avenue
- Cindy Nathan of 1044 Sonoma Avenue
- Julie Richards and Sanjay Saigal of 327 Oakwood Place
- Jennifer (Address not disclosed)
- Sven Anderson of 1043 Del Norte
- Christie Shuchat Goodin of 1039 Sonoma Avenue

**Note:** Attached are reduced versions of maps and diagrams submitted by the applicants. The accuracy of the information in these drawings is the responsibility of the applicants, and verification of the accuracy by City Staff is not always possible. The original full-scale maps, drawings and exhibits are available for public viewing at the Community Development Department.

## **EXHIBITS TO BE PROVIDED AT MEETING**

### **Color Renderings**

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# PLANNING COMMISSION STAFF REPORT

FOR THE PLANNING COMMISSION  
MEETING OF MAY 5, 2014  
AGENDA ITEM D3

<b>LOCATION:</b>	<b>700-704 Santa Cruz Avenue</b>	<b>APPLICANT:</b>	<b>Menlo Park Presbyterian Church</b>
<b>EXISTING USE:</b>	<b>Social Hall and Retail with Outdoor Displays</b>	<b>OWNER:</b>	<b>Arco General</b>
<b>PROPOSED USE:</b>	<b>Social Hall and Retail with Outdoor Displays</b>	<b>APPLICATION:</b>	<b>Use Permit Revision</b>
<b>ZONING:</b>	<b>SP-ECR/D (El Camino Real/Downtown Specific Plan) - D (Downtown)</b>		

## PROPOSAL

The applicant is requesting a revision to an existing use permit for a social hall in a commercial building in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. The revision would extend the expiration date for the use permit from 2014 to 2024. No building modifications are proposed, and all other conditions would remain in effect.

## BACKGROUND

In 2004, the Menlo Park Presbyterian Church (MPPC) received use permit approval to use a portion of the building located at 700 Santa Cruz Avenue for a social hall, and architectural control approval for modifications to the facade of the building. The use permit carried with it a number of conditions, including a limitation on the days and times of operation, the yearly payment of a sales tax in-lieu contribution to approximate the revenue that would have been generated by a retail use, and a five-year time limit for the permit, to 2009.

In 2009, the Planning Commission reviewed and approved a request for a revision to the use permit. The modifications included increasing the permitted days of operation to allow for use of the social hall seven days a week and extending the expiration date for the use permit to 2014. In response to public input at this time, conditions were added limiting youth programs to weekends, requiring that doors/windows be kept closed when

live music or other amplified sound is occurring, and providing public contact information for the facility's supervisor.

In 2010, the Planning Commission reviewed and approved a use permit revision to expand the social hall into the rear portion of the then-vacant, adjacent tenant space at 704 Santa Cruz Avenue. This use permit revision also included approval of outdoor sales and displays associated with the adjacent retail use (Ace Hardware) that occupies the front portions of 700-704 Santa Cruz Avenue. Ace Hardware is a subtenant of the MPPC. This revision did not modify the term limit or other operating conditions of approval for the social hall, aside from a small increase to the occupancy limit, to reflect the square footage expansion.

In general, staff believes the social hall use has been compatible with other uses in the downtown area during its decade of existing operations, and that the potential for issues has been minimized through the conditions of approval. In particular, use of the social hall is prohibited on weekdays between 10:00 A.M. and 6:00 P.M. and during the day on Saturday (typically the most active time periods with regard to downtown parking demand), which has helped limit potential conflicts with nearby businesses. The use has not generated any current or recent Code Enforcement complaints, and the City itself has used the social hall for events such as the El Camino Real/Downtown Specific Plan community workshops.

## **ANALYSIS**

### **Site Location**

The subject property is located at 700-704 Santa Cruz Avenue, in the downtown. The other nearby parcels are also part of the SP-ECR/D zoning district and are occupied by a variety of uses, including retail, personal services, financial services, and offices. The property is part of the downtown parking assessment district, and its off-street parking space requirement is provided in the City's parking plazas.

### **Project Description**

The applicant is proposing to extend the use permit term for an additional 10 years. The new use permit term would align with a pending lease term. The applicant states that the property owner is looking for assurances that both the MPPC social hall and Ace Hardware will occupy this site for a longer timeframe than the previous five-year terms.

The social hall would continue to be used for MPPC activities (Sunday morning "Cafe" services, family movie night, singles events, etc.) and community events (City project workshops, Block Party events, etc.). The MPPC would continue to have the discretion to allow or not allow certain community events.

No modifications to the building or the existing outdoor sales and display areas would take place, and conditions relating to live music, youth programs, and posting of contact

information and facility hours would continue to apply. The sales tax in-lieu contribution would remain in effect, automatically indexed to inflation.

The applicant has submitted a project description letter, which describes the proposal in more detail (Attachment C).

### Correspondence

Fran Dehn, President/CEO of the Menlo Park Chamber of Commerce, has submitted a letter of support for the proposal (Attachment D). The letter notes that the social hall is a multi-functional community asset, and states that the Chamber supports the renewal request.

### Conclusion

Staff believes that the social hall would continue to complement and not conflict with the majority of downtown business operations, as enforced by the conditions of approval. The payment of the sales tax in-lieu contribution would approximate the revenues the City would otherwise receive if this site were used as a completely retail space. The 10-year term would align with the pending lease, and a longer term would acknowledge the positive operations of this use over the last decade. Staff recommends that the Planning Commission approve the proposed project.

## **ENVIRONMENTAL REVIEW**

The project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.

## **RECOMMENDATION**

1. Make 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. 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 revision subject to the following **standard** conditions:
  - a. Development of the project shall be substantially in conformance with the plans submitted by the applicant, consisting of two plan sheets, dated received March 31, 2014, and approved by the Planning Commission on May 5, 2014, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.

4. Approve the use permit revision subject to the following ***ongoing, project-specific*** conditions:

a. The social hall shall be limited to the following days and times of operation:

i. Monday – Friday:

1. 7:00 a.m. – 10:00 a.m.; limited to one event per week

2. 6:00 p.m. – 10:00 p.m.

ii. Saturday: 6:00 p.m. – 10:00 p.m.

iii. Sunday: 7:00 a.m. – 10:00 p.m.

b. Attendance shall be limited as follows:

i. Weekday mornings: 75 persons

ii. All other times: 250 persons

c. Youth programs shall be limited to weekends. Attendees at youth programs shall be properly supervised at all times, and loitering before, during, and after the events shall be minimized. The Community Development Director shall review complaints received by the City regarding the youth programs. The Community Development Director shall have the discretion to modify the use permit conditions to address problems and/or bring complaints to the Planning Commission for review.

d. The facility doors and windows shall be kept closed when live music is being performed and when other amplified sound is being used. The Community Development Director shall review complaints received by the City regarding noise. The Community Development Director shall have the discretion to modify the use permit conditions to address problems and/or bring complaints to the Planning Commission for review.

e. During the period of the use permit, the applicant or property owner shall pay a fee (plus applicable yearly Business License fees) to the City in lieu of sales tax for the 10,898 square feet of ground-floor area leased by the applicant. The fee for the most recent year (effective April 1, 2013) is set at \$2.47 per square foot. The fee for each year thereafter shall be adjusted annually according to the percentage change in the All Urban Consumer Price Index (CPI) for the San Francisco-Oakland-San Jose area. Any annual sales tax generated for the City by the retail use (currently Ace Hardware) would offset this sales tax in-lieu fee. The procedure for collecting the in-lieu fee shall be established by the Finance Division.

- f. Contact information (e.g., cell phone numbers) for on-site facility supervisors shall be posted in a prominent location on the Menlo Park Presbyterian Church web site.
- g. The use permit shall expire on August 31, 2024, unless the applicant obtains approval of an extension of the use permit.

Report prepared by:

*Thomas Rogers*

*Senior Planner*

Report reviewed by:

*Arlinda Heineck*

*Community Development Director*

## **PUBLIC NOTICE & APPEAL PERIOD**

Public notification consisted of publishing a legal notice in the local newspaper and notification by mail of owners and occupants within a 300-foot radius of the subject property. Planning Commission action will be effective after 15 days unless the action is appealed to the City Council, in which case the outcome of the application shall be determined by the City Council.

## **ATTACHMENTS**

- A. Location Map
- B. Project Plans
- C. Project Description Letter
- D. Correspondence

**Note:** Attached are reduced versions of maps and diagrams submitted by the applicants. The accuracy of the information in these drawings is the responsibility of the applicants, and verification of the accuracy by City Staff is not always possible. The original full-scale maps, drawings and exhibits are available for public viewing at the Community Development Department.

## **EXHIBITS TO BE PROVIDED AT MEETING**

None

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## MEMORANDUM

**DATE:** May 5, 2014

**TO:** Planning Commission

**FROM:** Thomas Rogers, Senior Planner  
Community Development Department

**RE:** **Agenda Item F1: Selection of the Planning Commission Chair and Vice Chair for May 2014 through April 2015**

On April 5, 2011, the City Council adopted revisions to City Council Policy CC-01-0004 *Commissions/Committees Policies and Procedures and Roles and Responsibilities*. Per this policy, selection of the Chair and Vice Chair follows the timing of City Council appointments of Commissioners, which occurs annually in April.

Section F5 of CC-01-0004 also states that each Commission shall annually rotate its Chair and Vice Chair.

At this time, the Commission should seek nominations for the position of Chair and Vice Chair in two separate motions. Each position needs to receive a majority of votes of a quorum present and voting. The Chair and Vice Chair selected would serve through April 2015.

For background and ease of reference, the table on the following page summarizes the service of each commissioner to date.

<b>Commissioner</b>	<b>Date Appointed</b>	<b>Previously Served as Chair</b>	<b>Term Expiration</b>	<b>Eligible for Reappointment when Current Term Expires</b>
Bressler	April 2007; Reappointed April 2011	Yes – January 2011 to March 2012	April 2015	No
Eiref	May 2010; Reappointed April 2014	No	April 2018	No
Ferrick	August 2008; Reappointed October 2012	Yes – March 2012 to May 2013	April 2016	No
Kadvany	August 2008; Reappointed October 2012	Yes – May 2013 to April 2014	April 2016	No
Onken	October 2012	No	April 2015	Yes
Combs	April 2014	No	April 2018	Yes
Strehl	April 2013	No	April 2017	Yes

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