



REGULAR MEETING MINUTES

Date: 10/19/2015
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

Chair John Onken called the meeting to order at 7:01 p.m.

Roll Call

Present: Drew Combs, Katie Ferrick, Susan Goodhue, John Kadvany, Larry Kahle, John Onken and Katherine Strehl

Absent: None

Staff: Thomas Rogers, Interim Principal Planner, Michele T. Morris, Assistant Planner, Jean Lin, Associate Planner, David Hogan, Contract Planner

C. Reports and Announcements

Interim Principal Planner Thomas Rogers reported that the City Council received a General Plan Update (ConnectMenlo) status report on October 6 and comments from the public, and provided direction for the next phase of the project. He said the Council started the biennial review of the Downtown/El Camino Real Specific Plan late in the October 6 meeting and that would be continued with November 17 as a tentative date. He said before the Council on October 20 was a consideration of parking and potential change to parking limits as well as a report on the El Camino Real Corridor Study and a recap of what staff and the consultant had heard about the General Plan Update at the October 6 Council meeting.

D. Public Comment

There was none.

E. Consent Calendar

- E1. Approval of minutes from the September 21, 2015 Planning Commission meeting. ([Attachment](#))
Continued from the meeting of October 5, 2015.

Chair Onken noted suggested changes to the minutes sent in by Commissioner John Kadvany.

ACTION: Motion and second (Onken/Goodhue) to approve the minutes with the following modifications; passes 7-0.

- Page 15, 2nd paragraph, 7th line: Replace “He said the street classification map would be more challenging noting the indication of priorities for the different classified streets was quite ambiguous. He said for example if they cared about safety and probability of death than

bicycle riders on El Camino Real were more likely to be killed than cyclists on less busy streets so that should be a priority and the number of people affected should include the 30,000 vehicle drivers a day on that road.” with *“Commissioner Kadvany said that the priorities associated with draft street designations were ambiguous. For example if safety and probability of death is a priority, then bicycle riders on El Camino Real should be considered a priority on El Camino Real right now, as there are bicycle riders there regardless of people’s views on new bike lanes or other changes. On the other hand, others will say that 30,000 vehicle drivers a day are on that road, and so they should be the priority. The meanings of new street designation priorities will have to be worked out to address such competing interpretations.*

- Page 15, 2nd paragraph, 13th line: Replace “He said vision zero it was great in the Plan and it’s goal was to get the number of traffic fatalities in the City down to zero. He said to him that meant how transportation systems were designed and providing infrastructure for other modes of transit. He encouraged stronger language there about what they were really trying to do. He said they were not quite there in saying what they wanted to do to take the City forward. He said there was not enough detail about Willow Avenue. He asked what their expectation for congestion was as they would live with that for years” with *“He said that including Vision Zero was great in the Plan and recognized that its goal is to get City traffic fatalities to zero. He said to him, based on what other cities did, that Vision Zero also meant greater commitment on how transportation systems were designed and providing infrastructure for other modes of transit, particularly bicycles and pedestrian modes which had received much less attention in the past compared to cars. He encouraged stronger language in the text about what Vision Zero was trying to do. He said the City was not quite there in saying what was to be achieved to address automobile congestion, even if bicycle and pedestrian options get better. He said there was not enough detail about expectations for streets such as Willow Avenue, El Camino Real, Middlefield and Bay. He asked what were expectations for congestion which would likely be present for some years regardless of other improvements. He said the City was not being completely honest with itself about automobile congestion challenges.”*
- Page 16, last paragraph, 1st line: Replace “Kadvany said he thought they could use more language about what was public benefit to include what the City’s policies were and where they were going with that. He said in the M-2 many of the amenities would only occur if there was sufficient financing through growth to obtain them. He suggested there were amenities so essential and fundamental that the City needed a policy to make those happen within some identified time period. He said the rail corridor was something along those lines and should be repurposed for pedestrians, bicycles and light transit. He said it would energize the area, and he thought that was something they would want to do that was not dependent upon development above the baseline. He said he did not see enough in the Plan about tree canopy management for city and residential trees. He said they needed stronger language about water management and water supply” with *“Commissioner Kadvany said he thought the Plan could use more language about public benefit policies. He said that in addition, in the M-2 area, many of the proposed amenities would only occur if there was sufficient financing through growth to obtain them. He suggested there were amenities so essential and fundamental that the City needed a policy to make those happen within some identified time period. He said the rail corridor could be one of those options, along with a grocery and pharmacy. He recommended that the rail corridor should be repurposed for pedestrians, bicycles and light transit, and not a larger and more expensive rail line, on which he was in agreement with other Planning Commissioners. He said this amenity would energize the area, and he thought that was something the City should want to do, regardless of development above the baseline. The cost of such a project might be considered in the range of \$100M to \$200M, sufficient that it could*

be partly financed by the City through a bond or other means. He also said he did not see enough in the Plan about tree canopy management for city and residential trees, relevant given the stress on trees due to drought and their aesthetic importance for the City. He said the Plan also needed stronger language about water management and water supply."

F. Public Hearing

- F1. Use Permit/Farnad Fakoor and Aria Vatankhah/755 Cambridge Avenue:
Request for a use permit to demolish two single-family dwelling units and to construct two two-story, single-family dwelling units on a substandard lot with regard to lot width in the R-2 (Low Density Apartment) zoning district. The project includes a request for excavation within the right side setback for basement lightwells. As part of the project, two heritage laurel trees in poor condition on the left side of the parcel are proposed for removal. ([Staff Report #15-018-PC](#))

Staff Comment: Interim Principal Planner Rogers said they had included plan sheets from the previous project submittal as part of Attachment H so the Commission could see the areas changed and refined in the current design. He said the applicant had also provided a more detailed arborist report and there were heritage tree removals proposed as part of the final design.

Applicant Presentation:

Applicant Ms. Farnad Fakoor said she had previously met with the Commission for a study session on the proposed project in July. She said the plan had been completely redone including making aesthetic changes and was now she thought a harmonious, compatible and appealing design that would fit within the neighborhood context. She noted they had removed the circular staircase and added architectural details to the lightwells.

Commissioner Larry Kahle asked if there was a patio where the 36-inch wrought iron rail was shown. Ms. Fakoor said that this was a small deck in the front yard of the front home.

Chair Onken asked for public comment. There was none. Chair Onken closed the public hearing.

Commission Comment: Chair Onken thanked the applicant for their efforts.

Commissioner Kadvany said he thought the proposal was a great improvement noting the garage was small and located to the back. He said his only concern was the quality of the stone veneer. Ms. Fakoor said the stone veneer on the stucco would be blended with other details.

Commissioner Kahle commented that the chimney was short and would like to have it extended higher. He said his biggest concern was the stair tower noting some short ridges at the roof, and suggested perhaps it could be lowered to bring the mass down and resolve the roof lines. Ms. Fakoor said they would look at that, noting they had done extensive work to keep things within the guidelines.

Commissioner Kahle moved to approve as recommended by staff and to require raising the chimneys in height on both homes and look at reducing the height of the stair tower with staff review. Chair Onken seconded the motion.

ACTION: Motion and second (Kahle/Onken) to approve the item with the following modifications; passes 7-0.

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 Behrooz Nemati Construction, consisting of 18 plan sheets, dated received on October 13, 2015, and approved by the Planning Commission on October 19, 2015, 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 or simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised Tentative Map and any associated documents (e.g., grading and drainage plan and/or hydrology report), reflecting all project changes made since their earlier review, subject to review and approval of the Engineering Division.
 - b. Simultaneous with the submittal of a complete building permit application, the applicant

shall submit an engineered shoring plan with supporting structural calculations for the basement excavation, subject to review and approval by the Building Division. Prior to issuance of the building permit, the applicant shall submit documentation of OSHA (Occupational Safety & Health Administration) approval of the shoring plan, subject to review and approval of the Building Division.

- c. *Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans with a raised chimney height, subject to review and approval by the Planning Division.*
- d. *Simultaneous with the submittal of a complete building permit application, the applicant may submit revised plans with a reduced height for the front residence's stair element, subject to review and approval by the Planning Division.*

F2. Use Permit/Lauren Goldman/219 Santa Margarita Avenue:

Request for a use permit to construct a rear addition and conduct interior modifications to an existing nonconforming single-story residence in the R-1-U (Single-Family Urban) zoning district. The value of the proposed work would exceed 75 percent of the replacement cost of the existing structure. As a part of the proposal, a heritage tree (Norway spruce) in the rear yard is proposed for removal. ([Staff Report #15-019-PC](#))

Staff Comment: Assistant Planner Michele T. Morris said the Commission had just been provided pictures of the Norway spruce made available by the property owners. She said there were no other additions to the report.

Applicant Presentation:

Ms. Lauren Goldman, project architect, introduced Kennith and Elizabeth Fluharty, the property owners. She said the goal for the remodel and the addition was for a modest increase in square footage, improved access to and better use of the rear yard. She said the exterior of the home would be upgraded with board and batten siding. She said the Norway spruce proposed for removal was in poor health and had low hanging limbs that limited the use of the rear yard. She said construction would take about eight months.

Mr. Fluharty said they needed another bathroom and in adding that square footage, they lost some yard. He said they would replace the tree proposed for removal but in a better location.

Commissioner Katherine Strehl asked how far the spruce would be from the new addition. Ms. Goldman said it would be about eight feet from the patio that was part of the addition and a person would be looking right into the tree. Commissioner Strehl asked if the tree could be trimmed. Mr. Fluharty said the way the tree had been topped the branches drooped. He said he did not think it was safe.

Commissioner Drew Combs said the City Arborist had indicated he would not approve the tree removal and asked what impact the Commission's decision would have on that. Assistant Planner Morris said the City Arborist was the final decision maker on the tree removal application. She said the applicants would have to appeal the City Arborist's decision if he denied the application.

Chair Onken asked for public comment. There being none, he closed public comment.

Commission Comment: Chair Onken said the project was easy to support as it was a modest one-story addition. He said the plan worked with the tree there or not.

Commissioner Kahle asked about the spacing of the board and batten siding as it seemed it was 24-inches. Ms. Goldman said it was 18-inches. Commissioner Kahle asked about the three remaining windows and if the shutters could be removed from the one so they were more consistent. Ms. Goldman said that was acceptable. Commissioner Kahle said he liked the metal roof but was concerned with the width of the hips as it tended to distract from the metal roof. He suggested gables in the front like the two gables in the rear. Ms. Goldman indicated they would consider that modification.

Commissioner Katie Ferrick said the project proposal looked great. She said she thought the tree should be removed. She said however that she has noticed generally there were a lot of heritage trees being removed and would like to have assurance that appropriate trees would be planted in appropriate areas of a size that would not take 40 years to mature. She said she would like to see more policy-based tree replacement.

Commissioner Combs said the project was very tasteful and fitting within the character of the neighborhood.

Mr. Fluharty said they thought the Commission would be able to make a decision about the proposed tree removal.

Chair Onken noted that the Heritage Tree Removal Permit was processed through the City Arborist.

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

ACTION: Motion and second (Combs/Strehl) to approve the item as recommended in the staff report; passes 7-0.

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 L'Oro Designs, consisting of 16 plan sheets, dated received September 25, 2015, and approved by the Planning Commission on October 19, 2015 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** condition:

- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised arborist report with tree protection measures for the Norway spruce tree in the rear yard. The revised arborist report shall be subject to review and approval of the Planning Division. If revisions to the project plans (for example, adjustments to the location or size of the patio) are recommended by the project arborist, City Arborist or as the result of an appeal of the decision regarding this project by the Planning Commission, such changes shall be subject to review and approval of the Planning Division. This condition shall not be applicable if a Heritage Tree Removal permit is granted for the Norway spruce tree.

F3. Development Agreement Annual Review/Facebook/1 Hacker Way and 1 Facebook Way: Annual review of the property owner's good faith compliance with the terms of the Development Agreements for their East and West Campus Projects. ([Staff Report #15-020-PC](#))

Commissioner Combs recused himself as he is a Facebook employee.

Staff Comment: Contract Planner Dave Hogan said the report presented a thorough review in consideration of Facebook's compliance with the conditions of the Development Agreements and information on their status in building the required infrastructure.

Applicant Presentation:

Ms. Lauren Swezy, Facebook, Sustainability and Community Outreach Manager, said she has prepared the annual reports. She said they were pretty close on meeting some items while there were some ongoing ones identified.

Responding to questions from Commissioner Kadvany, Ms Swezy said the goal was to get bicycle lanes over the Highway 101 overpass on Willow Road but Caltrans said there was no room for that. She said upon retrofit of that overpass bicycle lanes were possible. She said regarding trip caps that the technology to do seamless reporting was evolving and improving in terms of producing and access to the reports.

Responding to a question from Commissioner Strehl, Ms. Swezy said her understanding from their consultants was the retrofit design of the overpass would support pedestrian and bicycle lanes.

Responding to questions from Commissioner Ferrick, Ms. Swezy said that Midpeninsula Regional Open Space District (MROSD) showed them a design to close the gap in the Bay Trail. She said MROSD considered this to be a fully funded project even though some funds needed to be raised by one of their project partners. She said they were currently doing community outreach.

Responding to questions from Chair Onken regarding future Facebook developments and development agreements, Ms. Swezy said they would wait to see whether they would use existing agreements or create a new one. Mr. Justin Gurvitz, Facebook, said they would want to hear from the City Council and community on key areas of focus for agreement.

There being no public comment, Chair Onken closed the public hearing.

Commission Comment: Commissioner Kadvany moved to make the determination to that Facebook over the course of the past year has demonstrated good faith compliance with the provisions of both the Development Agreements for both the East and West Campuses for the period of October 2014 through September 2015.

ACTION: Motion and second (Kadvany/Goodhue) to make a determination that Facebook, over the course of the past year, has demonstrated good faith compliance with the provisions of both the Development Agreements for both the East and West Campuses for the period of October 2014 through September 2015; passes 6-0 with Commissioner Combs recused.

Chair Onken said he would need to recuse himself from the next item as he owns property in the same area, and that Vice Chair Strehl would conduct the hearing for the item.

- F4. Architectural Control, Major Subdivision, and Below Market Rate (BMR) Housing Agreement /Hunter Properties/133 Encinal Avenue:
Request for architectural control and major subdivision to allow the demolition of existing garden nursery buildings, and construction of 24 attached townhouse-style residential units and associated site improvements in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. A tentative map would be required to create 24 residential condominium units. Five heritage trees are proposed for removal as part of the proposed development. In addition, the applicant is requesting approval of a Below Market Rate (BMR) Agreement for the provision of three on-site BMR units for this project. ([Staff Report #15-021-PC](#))

Staff Comment: Associate Planner Jean Lin said a colors and materials board was provided for the Commission's review. She said additional correspondence had been received since the

publication of the staff report, which had been distributed to the Commission and copies of which were available for the public at the information table in the rear of the room. She said the project was located within the Specific Plan area and subject to the guidelines and standards within that Plan. She said Attachment F was a "Standards and Guidelines Checklist" that summarized how the project would be in compliance with the Specific Plan. She said the project was also in conformance with the Specific Plan Environmental Impact Report (EIR). She said the "Environmental Compliance Checklist" was Attachment K. She said Planning Consultant Arnold Mammarella was present and was assigned to the project design review. She said a representative from Hunter Properties, the applicant, was also present.

Questions of Staff: Commissioner Kahle said one of the pieces of correspondence received talked about traffic. He asked if the Transportation Division had reviewed and approved the current project layout. Planner Lin said the Transportation Division had looked at the project. She said the driveways were as far from the railroad tracks as they could be. She said they were fairly close to the existing driveway at 1600 El Camino Real being separated by 20 to 30 feet. She said staff did not think this would create a safety issue as the overall project would result in less traffic than the previous commercial nursery use.

Commissioner Kahle asked why the Commission had not seen this project prior to this seemingly final proposal. Associate Planner Lin said the project was being proposed at the Specific Plan base level and was not required to come to the Planning Commission for a study session. She said projects proposed at the Specific Plan bonus level were required to come to the Planning Commission as a study session.

Commissioner Combs asked if the applicant could have voluntarily chosen to do a study session and wondered if there had been a suggestion to do so considering the neighbor concerns. Associate Planner Lin said there had been no suggestion of a study session. She said the applicant and neighbors have met several times to discuss the project and neighbors' concerns.

Commissioner Combs asked staff to clarify if the Planning Commission's role with this project proposal was only the architectural control. Associate Planner Lin said as part of the architectural review the Commission would insure that the project proposal was in compliance with the Specific Plan standards and guidelines.

Applicant Presentation:

Mr. Deke Hunter, project applicant, said the project architect would provide an overview of the project.

Ms. Jessica Musick, project architect, KTG Y Group, described the project site. She said constraints and opportunities on the property influenced their proposal such as the existing heritage trees and an SFPUC easement running the eastern edge of the site adjacent to the Southern Pacific railroad tracks. She said the carriage house on the site was not a historic building but one which the project team has thought fondly of and tried to incorporate as the project developed. She said they were proposing 24 townhome units, three to four bedrooms each, on nearly two acres, with personal garages for the units and seven guest parking spaces. She said 43% of the site was open space made up of the area within the SFPUC easement as garden spaces, a central paseo and areas around the existing heritage trees. She said a variety of building heights were proposed for the two and three-story eight buildings including the one-story amenity structure. She said the one-story and two-story were located along the northern edge

where there were sensitivities to the existing Stone Pine Lane neighbors. She said the carriage house would be reconstructed as the amenity building, which would have a fitness room. She said there were a number of entry orientations with the frontage along Encinal Drive and the main vehicular and pedestrian streets. She said they were using cedar siding and shingles, smooth wood trims, stone cladding and aluminum clad windows. She said Building D was two units and two-story in height. She said they had gone to great lengths to articulate the rear elevation of that building and protect the privacy of the neighbors. She said they were aiming for LEED for home silver certification. She said there would be three electrical vehicle chargers and water efficiencies in the buildings and landscaping, and energy efficiencies would be used. She said the reconstructed carriage house would have a cedar shake roof, wood windows, and wood board and batten.

Mr. Hunter said the owners of the Reynolds Nursery property had contacted him when they wanted to sell their property. He said although the project setbacks were generous, the change in use was a big change for the Stone Pine Lane neighbors. He said through neighborhood meetings they had discussed and reduced Building D from three stories to two stories and were continuing to discuss further modulations to that building.

Replying to questions from Commissioner Combs, Mr. Hunter said before they had known whether the carriage house was a historical building and what its condition was, they had considered repurposing it in some commercial application. He said once they found out the structure was not historic and determined its condition, they decided to reconstruct and relocate it. He said the looser he could make the fence line for Stone Pine Lane neighbors and soften the massing the better.

Responding to Commissioner Kadvany's suggestion that the driveway width could be reduced for Building C to what it was for Buildings A and B and that would enable Building D to move away from Stone Pine Lane, Associate Planner Lin said the need for the wider driveway with the hammerhead turnaround in the back was for access for fire trucks and equipment required by the Fire District.

Commissioner Kadvany said the project was parked more greatly at 53 spaces than the required 45 spaces, and asked about more units. Mr. Hunter said that increasing the number of units would not fit the area and rather than providing minimum parking he wanted to provide some guest parking. Commissioner Kadvany asked about double asterisks and bathrooms without windows. Ms. Musick said that the end units would have bathrooms with windows and the other internal units' bathrooms would not have windows or skylights.

Commissioner Kahle asked about the commercial neighbor's concerns with the two driveways and the suggestion to paint the curb red. Mr. Hunter said that Ron and Laurie Shepherd, the next door property owners, were concerned with a large truck parking along the street and that would create a visual obstruction. He said they thought painting the curb red was the solution. Associate Planner Lin said also that the Specific Plan called for a Class 2 or 3 bicycle lane along that side of Encinal Avenue. She said if that occurred on street parking would be eliminated on that side of the street.

Commissioner Kahle said there were discussions about planting more trees between the two properties. Mr. Hunter said Building F was a triplex and its courtyard receives the courtyard off the spine of the other two buildings and the commercial property owners were concerned about impacts from the massing there to their first story office space so they wanted to have a robust tree

plan. He said those neighbors were also concerned about their trees so once grading was to commence they would review the project tree protection plan with them.

Commissioner Kahle said the distance between Buildings E and F had been 15 feet and was now 9 feet and there was a suggestion to move something forward. Mr. Hunter said talking to staff it was important to have the internal features and courtyards and that changed the massing along that line. He said their other issue was a trash enclosure there which they wanted to be sure was disclosed to tenants of the new project.

Public Comment:

- Mr. John Onken, Stone Pine Lane, said his property was adjacent to this project. He said they appreciated the good faith efforts of the developer. He said the development plan had not really changed except for some tweaks along the Stone Pine Lane edge. He said the project was a lot of townhomes packed together and facing each other with 26 and 30 feet between windows, which was tight. He said there was as little as 31 feet between windows of the project and Stone Pine Lane residences, which effectively brought Stone Pine Lane into this development. He said they did not think the project had done enough to protect Stone Pine Lane. He said if Council did permit this project, they would want to see specific screening trees along the back edge as what was shown now were azaleas. He said the neighbors had no interest in the carriage house. He said if that building could be removed and the building facing Stone Pine Lane could be located further away and its height dropped that would help. He suggested the Commission not recommend the project for approval until the plans were changed and the carriage house removed and other suggested changes made.
- Mr. In Lee said the principle living spaces in the Stone Pine Lane homes face the proposed project. He said their living rooms, dining rooms and bedrooms had floor to second story ceiling windows and they would be looking into the back wall of the proposed adjacent townhomes. He said his home was a short three-story, about 30 feet total in height, and the proposed project's three stories had been planned at 36 foot height. He said the building had been reduced to two-story in these plans but would still be at 27 feet in height and that impact his neighborhood's sun and light. He said this property and Stone Pine Lane were too close together and he hoped changes were made and implemented in the plans.
- Ms. Fran Dehn, resident, said the carriage house was a delightful structure but thought if it was going to be reconstructed perhaps someone would like to move it. She said she would like the project to be most aesthetically pleasing for all concerned rather than trying to preserve the carriage house but reconstructing it. She supported removing the carriage house if it would make the project better. She said this property was for sale purposes and having four bedrooms close to jobs and schools could be attractive to someone wanting an investment to rent to others. She said she wanted the occupancy kept to single-family. She said if a four bedroom unit in this project was rented out there would definitely not be enough parking.
- Mr. Scott Philips, Stone Pine Lane, said the project asked the City to make the finding that the development of it would not impair the desirability of investment or occupation in the neighborhood. He said the proposal would have a significant impact. He said his property's master bedroom window would be only 29 feet from the adjacent building D. He said his home was two-story and 18-feet tall. He said the original project at three stories would have made the project building twice the height of his home. He said even the two-story proposed was significantly taller than his home and would virtually eliminate all morning light in his backyard.

He said he understood the need for additional housing and the desire to achieve a certain density but this project would make their yards practically unusable. He said he was concerned with the heritage oak noting that story poles for building D clearly extended into the tree's canopy, and it was clear the lower part of the tree canopy would need to be removed to construct the building. He said that would seriously impair the viability of that tree.

- Ms. Ursula Feusi, Stone Pine Lane, said her residence faced Building D directly. She said the developer had listened to some of their concerns and made some moves to accommodate by redesigning the site facing the living patio areas of their stone Pine Lane homes, but the results were far from satisfactory. She said their fundamental concerns with the project remained the same. She said the proposed project was vast and invasive. She said the townhouses were too close together blocking sun and light. She said the development would cause harm to the conditions and value of their properties and affect negatively the aspects of their lives. She said the proposed Building D was very lacking in visual interest. She said the design would put their patios approximately five feet from the project patios and they would lose their privacy. She strongly urged the Commission to reconsider the open space issue along the boundaries and continue the park-like setting starting at the redwood grove all the way down to the oak tree. She suggested keeping the area as open space that they all could enjoy. She said if Building D was built it would jeopardize that oak tree. She said the 36-inch redwood tree should not be eliminated. She suggested that a mixed-use project would be better suited to this site.
- Ms. Bianka Skubnik, Stone Pine Lane, said her unit would directly face the proposed Building D and put her outdoor living space in a canyon. She said that the layout of Stone Pine Lane was much less urban than the proposed project.
- Mr. Jason Thrasher, Stone Pine Lane, said the proposed project would degrade the privacy he currently enjoyed in his home. He said the project's living spaces and patios were very close to the homes on Stone Pine Lane, and raised significant privacy concerns. He said the plans did not describe a fence or landscape screening between the project and Stone Pine Lane. He said sunlight currently entering their homes would be disrupted by the height of the proposed development. He said in a meeting with Mr. Hunter he had indicated he would be willing to have the adjacent townhouses with a pop-up partial second story to allow for more sunlight access but that was not reflected in the revised design proposal. He said the construction of 24 high density townhomes would significantly increase the traffic and parking problems in the area. He said a mix of residential and commercial or a park would help reduce traffic along El Camino Real, make the neighborhood more walkable and increase the privacy for the Stone Pine Lane residents. He said he was opposed to the project and recommended the Commission deny the proposal and require a redesign.

Vice Chair Strehl closed the public hearing.

Commission Comment: Commissioner Kadvany asked for context on the Davis Polk property on El Camino Real and its relationship to homes on Stone Pine Lane. Interim Principal Planner Rogers said he believed the project was approved in the late 1990s and it was either appealed to the City Council or approved by them, and there had also been an unsuccessful lawsuit. Commissioner Kadvany asked if the project setbacks were greater than the Davis Polk project setbacks with Stone Pine Lane. Associate Planner Lin said the Davis Polk setbacks were greater than the proposed project's rear setbacks and were at about 100 feet as opposed to 20 feet.

Commissioner Kadvany said the Specific Plan made considerations for projects that abut residential neighborhoods and asked if this proposal met the model for residential interface. Associate Planner Lin said that the Specific Plan was designed with a 20-foot setback at the border of the Plan area with adjacent properties and that was to address the transition between existing development and the higher density Plan development. She said this project has a 20-foot rear setback. Interim Principal Planner Rogers said sheet A4.3 has a helpful diagram showing a section of Building D relative to the property line and references the 20-foot rear setback, which was achieved at the first story, and increased at the second story at different points. He said the Plan also specifically defined a façade height applied to the front and rear of a property that clipped into a 45 degree angle. He said the diagram of the proposed revised plan from Hunter Properties has fallen well below the 45 degree angle and 30-foot maximum façade height.

Commissioner Kadvany asked how many Stone Pine Lane residences were directly behind Building D. Ms. Musick said there were three. Commissioner Kadvany asked about the Stone Pine Lane residents' perceived loss of value of their homes by the proposed project. Interim Principal Planner Rogers said that generally real property prices in Menlo Park were rising. He said in working with the appraisers their primary interest was what could be built on a particular property itself, and less what could be done on adjacent properties.

Responding to a question from Commissioner Ferrick, Associate Planner Lin said the proposal was well under the 20 housing units allowed per acre.

Commissioner Ferrick asked why they chose to make the units fewer and larger rather than more and smaller. Mr. Hunter said he was trying to do a transitional product that was looser than other townhouse projects that would come in a price point that younger families could afford to buy. Commissioner Ferrick asked why not smaller units, noting the need for workforce and senior housing. Mr. Hunter said the homes were such that they could be a step down for people to sell their Menlo Park or Atherton homes and move into a smaller space. He said the homes have a room that could be a den or office, or a fourth bedroom. Ms. Musick said they have 40% open space and that was a product of the heritage tree and SFPUC easement, and that caused a loss of buildable area, or about 33,000 square feet.

Commissioner Ferrick said the project was only being built to the state's green requirements, LEED silver, and asked if they could add some greater water related efficiencies. Ms. Musick said they were using those requirements as a starting point and were exploring other options and strategies. Commissioner Ferrick asked if this project allowed for a greater setback that might be needed for the Caltrain electrification project. Mr. Hunter said the additional 40-foot needed for that project was within the SFPUC easement.

Responding to a question from Commissioner Ferrick, Interim Principal Planner Rogers said the bonus density for residential was 30 dwelling units per acre, which would be approximately 51 units for the project acreage.

Responding to a question from Commissioner Goodhue in reference to whether a shadow study had been done for Stone Pine Lane residences, Interim Principal Planner Rogers said the EIR for the Plan looked at shadow studies of representative uses. He said there were certainly areas where shadows were cast where there had not been shadows before but the EIR determined that did not impair the use, and made a finding that there were no shadow impact. He said this project was consistent with that and no additional analyses were required to be done.

Commissioner Goodhue said the applicant had indicated that if Building H was removed there could potentially be a sideways shift to move Building D to the left. Mr. Hunter said the property line was almost on a true east-west. He said if that mass of buildings were moved hypothetically 10 feet to the west, it would move them away from the oak tree in the Hetch-Hetchy right-of-way and would loosen up the project. He said the hammerhead for the fire access turnaround would also move or could be relocated.

Commissioner Kahle said the front massing of Building A was rather tall and articulated well. He said he had more concern with the sides of Building G as that was a blank wall that would be seen traveling down Encinal Avenue. He said he liked the detailing but the brackets at six by eight looked chunky and asked that more attention be paid to those. He said it was good that Building D was a two-story rather than three-story, had small windows on the second floor, and with the separation at the tightest being 29 feet, he was inclined to support.

Responding to questions from Commissioner Combs, Associate Planner Lin said the project would go to the City Council for consideration including the Commission's recommendation(s) from this evening. She said because these were for sale units, the project needed to go to the City Council because it would need a major subdivision tentative map. She said the Specific Plan boundaries on three sides wrap around this property and included the Davis Polk property but did not extend past the Caltrain railroad tracks. Interim Principal Planner Rogers said prior to the Plan, the project property was a rare mismatch property, an R3 parcel with a commercial use on it. He said the R3 zoning was complex but would allow a maximum of 18 housing units per acre. He said R3 zoning had a rear setback based on a percentage of the lot width but was at maximum 20-feet. He said it had no building profile requirements and maximum building height was 35-feet.

Responding to questions from Commissioner Ferrick, Associate Planner Lin said one of the three BMR units onsite would be for low income and the other two BMR units would be for moderate income. She said the project has a requirement for 3.6 BMR units. She said the original proposal was to provide three BMR units for moderate income and pay an in-lieu fee for the 0.6 BMR unit. She said the applicant considered staff's suggestion of incorporating a low income unit and eliminating the in-lieu fee. She said the Housing Commission expressed strong interest in a low income unit rather than an in-lieu fee. She said if it were a bonus density project of 45 units the requirement would have been for 7 BMR units.

Commissioner Ferrick said she would have preferred this project to have the highest and best use for the City's unmet housing need and near transit but what was proposed was more fitting for the adjacent neighborhood. She said she very much liked the homes on Stone Pine Lane and thought this project would be similar in quality and not detrimental to that neighborhood. She said she had empathy for the owners' of the three units whose views would be impacted. She said it was a change but she thought the applicants had been responsive. She said it would be important for the applicant to work with the neighbors on appropriate screening trees behind Building D. She said the City had a housing shortage and an allocated number of housing units to generate which was why she wanted more and smaller units. She said the project could be a lot bigger and much denser than was proposed. She said the Craftsman-style design proposed was acceptable.

Vice Chair Strehl said she visited the properties on Stone Pine Lane and all of their living spaces looked out onto this project property and their sunlight would be diminished. She asked if Building H was removed whether the three units in Building D could be broken up so it wasn't just one mass. Mr. Hunter said he could possibly do two duplexes and break them apart if Building H was removed but he would have to look at the driveway requirements. He said he would like to make

the Stone Pine Lane neighbors as happy as they possibly could be with the project. Vice Chair Strehl said she was worried about the impact to the oak tree canopy. Mr. Hunter said they would meet all the tree protection standards but it would feel better to be able to move away even another five feet. She suggested improved landscaping between the property and Stone Pine Lane residences. Mr. Hunter said they would work with their neighbors on the type of fence and trees.

Commissioner Kadvany said like Commissioner Ferrick he would prefer a denser project. He said he agreed with John Onken that this project with its big driveways was similar to Stanford West and was very auto-centric. He said this project was much better than some projects that could have been proposed for this site noting the higher end materials. He said Building D seemed to have the most impact on the Stone Pine Lane residences and the developer seemed willing to look at Building D further. He said there was a question of visual interest for the back of Building D but as proposed it protected privacy. He said for the Stone Pine Lane residents the visual massing of Building D was an impact.

Commissioner Goodhue said there were demonstrable differences between this project and Stanford West. She said she understood the desire for more units but thought the developer was hitting the spirit of the Specific Plan as a transition project with an existing neighborhood. She said it related well with Felton Gables and the other residences east of the railroad tracks. She said the Stone Pine Lane homes were built to view the Roger Reynolds Nursery and that was expected to remain. She commended the applicant for the provision of garages and their locations.

Commissioner Ferrick said she was neutral about the carriage house. She asked if it was removed could Building D be lengthened as a one-story with a pop-up. Mr. Hunter said that giving up height meant the homes would be wider and a partial pop-up would be preferable. He said they could look at that with City staff.

Commissioner Kahle said the carriage house was a focal point to the driveway and a homage to what had been there previously.

Commissioner Combs said the three main things he heard from the neighbors was the concern that the project was not mixed use and that would be better rather than solely residential, concern about the massing of residential blocks that did not fit within the character of the overall neighborhood, and the issue of privacy and setbacks in regard to Building D. He said the concerns were valid and he was empathetic. He said the property was under the Specific Plan and fell within all the guidelines and was even restrained. He said he did not know what could be basis there could be to recommend denial.

Commissioner Kadvany said he liked Building H and would not like the project to lose it. He suggested they might be able to do something different with Building D such as reduce the garage size and step the second story back more.

Vice Chair Strehl said she responded first to the massing of the project. She said she appreciated the detail and the work that had gone into the project. She said she supported getting rid of Building H if it would help with changing the mass and/or location of Building D to address some of the Stone Pine Lane neighbors' concerns. She said if eliminating Building H would enable options the developer could do to address the neighbors' concerns, and if the developer provided appropriate screening along the back, and protected the heritage trees, she could support the project.

Commissioner Ferrick said she liked Commissioner Kadvany's idea to have one covered and one uncovered parking on the three rear units. She said she liked Building H and it was the one thing in this property that made the project not a cookie-cutter townhome project. She said the project met the checklists of the Specific Plan and responded well to adjacencies. She moved to recommend the project to City Council.

Commissioner Kadvany said if the developer wanted to do something with Buildings H and D, should they include something about that.

Commissioner Combs said he was in favor of eliminating Building H if it would help to address identified concerns about Building D.

Commissioner Goodhue suggested a motion to allow for modifications to address Stone Pine Lane residents' concerns.

Interim Principal Planner Rogers said the project would not go to the City Council until December so if they wanted to recommend some changes to the project, the developer could be working on those during the interim.

Commissioner Ferrick said she would amend her motion to recommend the project to the City Council with the modification to revisit and revise the plan for Building D in response to Stone Pine Lane residents' concerns.

Commissioner Kahle said he would also like to have a review of the west elevation of Building G and the front elevation of Building A, particularly the three story massing, and the brackets with staff review.

Commissioner Ferrick said she would decline that modification.

Commissioner Combs seconded the motion made by Commissioner Ferrick.

Vice Chair Strehl said her understanding of the motion was to recommend the plan to the City Council with a request that the applicant work with staff and the Stone Pine Lane neighbors to re-do Building D, optionally to eliminate Building H and moderate the size of Building D to the extent they were able.

Mr. Hunter said it was important to have very clear directives. He restated that the Commission was recommending the project to City Council but in the interim until the project was considered by Council to modify Building D to all parties' favor. He noted that might not result in any changes. Vice Chair Strehl said that included eliminating Building H if that helped improve Building D.

ACTION: Motion and second (Ferrick/Combs) to recommend that the City Council approve the item with the modification to work with neighbors/staff on Building D; passes 6-0, with Commissioner Onken recused.

Commissioner Kadvany said he agreed with Commissioner Kahle's comments about the west elevation of Building G.

G. Regular Business

- G1. Architectural Control and Below Market Rate (BMR) Housing Agreement /Lane Partners/1010-1026 Alma Street:
Request for architectural control to demolish two existing commercial buildings, construct a new three-story office building with two underground parking levels in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. The proposed development would be at the public benefit bonus level, which would exceed the Base level floor area ratio (FAR) for office uses on the subject site. The public benefit bonus proposal includes the provision of public plazas along Alma Street, a small pavilion for a cafe, and a financial contribution to the City. A lot merger would merge five existing parcels into one parcel. As part of the proposed project, two heritage trees are proposed for removal. In addition, the applicant is requesting approval of a Below Market Rate (BMR) In Lieu Fee Agreement for this project. *Continued to the meeting of November 2, 2015.*

H. Commission Business

- H1. There is no Commission Business.

I. Informational Items

- I1. **Future Planning Commission Meeting Schedule** – The upcoming Planning Commission meetings are listed here, for reference. No action will be taken on the meeting schedule, although individual Commissioners may notify staff of planned absences.
- Regular Meeting: November 2, 2015
 - Regular Meeting: November 16, 2015
 - Regular Meeting: December 7, 2015
 - Regular Meeting: December 14, 2015

J. Adjournment

Vice Chair Strehl adjourned the meeting at 10:10 p.m.

Staff Liaison: Thomas Rogers, Interim Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on November 16, 2015