



## REGULAR MEETING MINUTES

**Date:** 12/7/2015  
**Time:** 7:00 p.m.  
**City Council Chambers**  
**701 Laurel St., Menlo Park, CA 94025**

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

**B. Roll Call**

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

Absent: Katie Ferrick

Staff: Thomas Rogers, Interim Principal Planner, Corinna Sandmeier, Associate Planner, Tom Smith, Associate Planner

**C. Reports and Announcements**

Interim Principal Planner Thomas Rogers reported the City Council considered the El Camino Real/Downtown Specific Plan Biennial Review at the meeting of November 17, and that the Council directed that the staff-recommended changes be pursued, and also discussed a number of additional topics. As a result, staff will be going back to the Council on December 15 to get clarity on the new recommendations. He said the City Council did their annual reorganization and selected Rich Cline as Mayor and Kirsten Keith as Vice Mayor. He said starting in 2016, Justin Murphy, who had served most recently as the Assistant Community Development Director for Planning, would now serve as the City's Director of Public Works.

**D. Public Comment**

There was no public comment.

**E. Consent Calendar**

E1. Approval of minutes from the November 2, 2015 Planning Commission meeting. (Attachment)

**ACTION:** Motion and second (Katherine Strehl/Susan Goodhue) to approve the minutes; passes 6-0 with Commissioner Katie Ferrick absent.

**F. Public Hearing**

F1. Use Permit/Cheryl Foug/1031 Henderson Avenue: Request for a use permit to allow construction of a second story on an existing single-story, single-family residence on a substandard lot with regard to lot width and area, in the R-1-U (Single-Family Urban Residential) zoning district. The proposal, which includes expansion of the existing first floor, would exceed 50 percent of the

existing floor area and is considered equivalent to a new structure. (Staff Report #15-030-PC)

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

Questions of Staff: In response to a question from Commissioner Larry Kahle about proposed vinyl windows rather than wood windows, Associate Planner Sandmeier said the vinyl clad windows would have wood trim.

Applicant Presentation: Mr. Daniel Warren, Warren Design, the project designer, said the main intent of the project was to take a very small single-story home and increase its space so a family with children would be able to live there. He said the existing two-car garage in the rear was nonconforming and encroached into a utility easement. He said they were proposing a one-car garage that would be moved out of the easement and also away from a large oak tree on a neighboring property. He said the intent of the design of a second-story addition was to keep the charm of the existing front façade and reduce any impacts to the large redwoods in the front yard.

Questions of the Applicant: In response to Commissioner John Kadvany's question about wood batting under the front windows and the wood band mentioned in the staff report, Mr. Warren said that the wood band would go around the entire home between the first and second floor break. He said that wood band was different from the existing wood batting of the front windows.

Commissioner Larry Kahle asked if they had thought about using a clay tile roof rather than an asphalt shingle roof, or wrapping the stucco into the windows rather than using wood trim and the batting, or about using stone for accent to break up the stucco.

Mr. Warren said the focal point for the home was the existing front entry window with the grid windows trimmed with wood, and the design was consistent with that. He said the two front windows on the right bumpout also would have some wood trim. He said they added wood trim all around the windows at the preference of the owner to keep the home traditional looking and to break up the stucco. He said they wanted to use a good architectural composition shingle as opposed to clay tiles to try to keep the ranch style look of the home.

Public Comment: Chair Onken asked for public comment. There being none, he closed the public hearing.

Commission Comment: Chair Onken noted the windows on the left side were kept high and the windows on the right were for minor rooms, which was good in terms of privacy.

Commissioner Kahle said the project was basically a new house and questioned trying to keep the existing design. He said the design would benefit from consistency and in his opinion, a clay tile roof was desirable noting the Spanish Mediterranean style. He suggested that they not use wood trim around the windows. He said the tree protection plan seemed great but asked if an arborist report could be required once a month during construction.

Associate Planner Sandmeier said an arborist report was attached to the staff report and there was no requirement for monthly reports. Commissioner Kahle noted that the arborist report indicated the trees were not in excellent health. He said as the trees were located in the center of the construction area that he thought the applicant's arborist should inspect regularly, and provide monthly or every two month reports to Planning staff to ensure preservation of the trees. He said

he would also like the applicants to give more attention to the proposed materials noting a clay tile roof in his opinion would look much better and consistent with the Spanish Mediterranean look of the design.

Chair Onken said he understood the design goal in trimming the windows with wood was consistency with the existing windows.

Commissioner Kahle said the design question seemed to be whether this was a cottage that grew up or a new Spanish Mediterranean home. He said in his opinion it was a new Spanish Mediterranean home. He said with that style stucco would wrap into the opening of the windows and there would be no wood trim on the windows. He said that required thicker walls which would require more floor area and money. He said barring that he would like to see a clay tile roof.

Commissioner Strehl asked about the cost differential for the changes being suggested by Commissioner Kahle as she thought they needed to be sensitive to cost considerations for applicants.

Commissioner Kahle said there were tradeoffs in costs with styles and the materials used for different ones. He said this design with a composition shingle roof was not being true to any style.

Commissioner Goodhue said that in the absence of residential design guidelines and since the proposal met City standards she would have difficulty asking the applicant to change the design.

Commissioner Strehl moved to make the findings and approve the use permit.

Commissioner Drew Combs asked if the applicants could address the concerns being raised.

Recognized by the Chair, Mr. Warren said the intent was not a Mediterranean style home. He said the owners liked the charm of the existing façade with the wood trim, and 90% of the first floor was existing except for the bumpout to the rear.

Chair Onken asked if they were doing vinyl windows. Mr. Warren said they were noting that wood windows were beautiful but cost substantially more.

Commissioner Goodhue seconded the motion.

Commissioner Kahle said he found the project hard to support because of the materials being used. He requested an amendment to the motion to require arborist reports during construction that could be made to Planning staff at a frequency of staff's determination. Commissioner Strehl confirmed with Commissioner Kahle that it would be the applicant's arborist doing the inspections, and accepted the amendment. Commissioner Goodhue, the maker of the second, said from her own experience that this might require additional tree fencing and increased cost.

Chair Onken said that he thought the tree protection plan as included was adequate and somewhat more than what they might typically see. Commissioner Strehl said she would move her motion forward without the proposed amendment.

**ACTION:** Motion and second (Strehl/Goodhue) to approve the use permit request; passes 5-1 with Commissioner Kahle opposed and Commissioner Ferrick absent.

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 Warren Design consisting of 9 plan sheets, dated received December 1, 2015, and approved by the Planning Commission on December 7, 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.
- F2. Use Permit/Adicet Bio, Inc./200 Constitution Drive: Request for a use permit for the use and storage of hazardous materials associated with the research and development of cancer therapeutics, located in an existing building in the M-2 (General Industrial) zoning district. All hazardous materials would be used and stored within the building. (Staff Report #15-031-PC)

Staff Comment: Associate Planner Tom Smith said there were no additions to the staff report.

Applicant Comment: Mr. Andy Lin, Vice President of Product Development, said Adicet Bio was currently based in South San Francisco. He said the company was developing a new platform for immunotherapy treatments for cancer and other diseases. He said they were currently in an incubator space and had received funding for expansion of their work. He said they anticipated growing to 40 to 50 employees over the next few years. He said that the amount of hazardous waste generated by their work was very small. He said they had hired Ms. Ellen Ackerman, Green Environment, to assist them with their environmental compliance.

Public Comment: Chair Onken opened the public hearing. There being no speakers, he closed the public hearing.

**ACTION:** Motion and second (Onken/Kahle) to approve the use permit request; passes 6-0 with Commissioner Ferrick absent.

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 Green Environment, Inc., consisting of five plan sheets, dated received November 19, 2015, and approved by the Planning Commission on December 7, 2015 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.

## **G. Regular Business**

### **G1. Consideration of revised Planning Commission 2016 calendar (Staff Report #15-032-PC)**

Interim Principal Planner Rogers said that the 2016 calendar had a change to the December dates. He said Commission feedback was wanted about the proposed April 4 meeting as Commissioner Ferrick had indicated that was a school break week. He said the proposed October 10 meeting date was blank as that was Columbus Day. He said it was not a City holiday but it was a federal holiday. He said October 3 and 17 were holidays in the Jewish faith. He said at this point there was only one meeting on October 24 and he asked for Commission feedback on the October meeting calendar.

Commissioner Kahle said all three schools his family members attend would have holiday the week of April 4 so he might not be able to attend that meeting. He said he had no issue with the October meeting date.

Commissioner Kadvany said he would be away April 4.

Chair Onken asked if April 11 would be better. There was consensus to meet on April 11 instead of April 4.

### **G2. Consideration of Planning Commission project recognitions (Staff Report #15-033-PC)**

Chair Onken provided slides of The Mermaid Inn (before) and Hotel Lucent (after) noting that this had been one of the first projects under the Specific Plan to come to the Commission. He said the Commission during the project's approval had discussed wanting a 12-foot sidewalk and losing the lava rock wall but ultimately did not require either as the proposed project was a renovation. Noting the after slides, he said that the renovation project had made a good start as a project under the Specific Plan. He said the project permit was not yet final, however.

Commissioner Goodhue said having before and after photos was helpful.

Discussion ensued about the project recognition concept. The consensus was the project recognition was a five minute informal presentation of a City project that an individual Commissioner felt was praiseworthy. The project does not have to be one the Commission reviewed.

## **H. Informational Items**

### **H1. 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: December 14, 2015
- Regular Meeting: January 11, 2016 (tentative)
- Regular Meeting: January 25, 2016 (tentative)

**I. Adjournment**

Chair Onken adjourned the meeting at 7:56 p.m.

Staff Liaison: Thomas Rogers, Interim Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on January 11, 2016