



REGULAR MEETING MINUTES

Date: 2/22/2016
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

A. Call To Order

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

B. Roll Call

Present: Combs, Ferrick (arrived 7:51 p.m.), Goodhue, Kadvany, Kahle, Onken (Chair), Strehl (Vice Chair)

Absent: None

Staff: Thomas Rogers, Principal Planner; Michele Morris, Assistant Planner; Corinna Sandmeier, Associate Planner; Tom Smith, Associate Planner; Jean Lin, Senior Planner; Deanna Chow, Principal Planner

C. Reports and Announcements

Principal Planner Thomas Rogers reported that on Thursday, February 25th, the first of three ConnectMenlo topic meetings would be held. He said this one would focus on Green and Sustainable Standards as drafted in the General Plan Update and started 6:30 p.m. in the Senior Center in Belle Haven.

Principal Planner Rogers further reported that the City Council at its February 23rd meeting would consider a proposal from the Transportation Division to make the Alma-Ravenswood Traffic Pilot adjustment permanent and that the Planning Commission was seeking applications for new members. Lastly, he reported that the Environmental Impact Report (EIR) for the 1300 El Camino Real project was released the prior week. He said the Commission would have the EIR on its March 21st agenda for a public hearing and comments, and staff would receive comments on it until April 4.

D. Public Comment

- Margaret Wimmer: Ms. Wimmer said she was a residential designer and had been doing projects in Menlo Park and the surrounding areas for over 25 years. She expressed concern about the overall process for Secondary Dwelling Units. She said the City had indicated a strong desire to increase housing and had encouraged secondary dwelling units. She said she was hired in February 2014 to create a 415 square foot addition to an existing detached garage, and Planning Division staff provided her a one-page sheet of information regarding detached building structures. She said they were stopped at their building permit application and required to provide a geotechnical inspection. She said after that they found out they needed a survey, and finally that they needed to go through a conditional use permit process. She encouraged the City to provide all information up front for what was required to build secondary dwelling units.

E. Consent Calendar

- E1. Approval of minutes from the January 25, 2016 Planning Commission meeting. ([Attachment](#))

ACTION: Motion and second (John Onken/Katherine Strehl) to approve the minutes as submitted; passes 6-0 with Commissioner Katie Ferrick absent.

F. Public Hearing

- F1. Use Permit/Cheryl Cheng/760 Hobart Street:

Request for a use permit to demolish an existing single-story residence and construct a new two-story residence with a basement on a substandard lot as to lot width in the R-1-S (Single Family Suburban Residential) zoning district. This item was continued from the meeting of January 11, 2016, with direction for redesign. ([Staff Report #16-010-PC](#))

Staff Comment: Assistant Planner Michele Morris said a late email from a neighbor on Hobart Street was received just before the meeting. She said copies were distributed to the Commission and were available to the public. She said she emailed the email to Mr. Jonathan Jang the project architect but it was very late in the day. She said the neighbor expressed concerns about trees #16 and 17 and the arborist's remarks about tree protection, and about the bay windows for the family room on the first floor.

Applicant Comment: Mr. Jon Jang, project architect, said following direction from the Commission they had made design adjustments to the façade and the side of the house. He said they lowered the roof pitch and made it consistent on the front gables, garage and upper floor gable. He said there were concerns about the garage gable front and façade. He said they added as recommended a gable vent and trellis. He said they redesigned the garage door along the lines of a single-door appearance and recessed the door 12-inches from the front wall of the garage. He said regarding the garage protrusion, they moved the garage one foot into the house, reconfigured the living room and moved the front porch three and a half feet forward creating a recessed massing of the garage. He said a comment had been made to change the roof type of the garage. He said he could not identify something else that would be consistent with the rest of the house so they kept it as a gable. He said related to the comment about the consistency of the roof pitches that they made changes on the front façade to make both of the main gables the same pitches and similarly on the left side of the house.

Chair Onken asked if he had a response to the concerns expressed in the late received email. Mr. Jang said regarding the oak trees that he did not have the arborist report with him. He said he understood that the neighbor's garage was on that side so he was unsure of their concern about sunshine. He said the family room bay windows that the neighbor was concerned about were both single-story structures. He said there was no window intrusion into the setback or privacy issues that he could think of from those elements.

Ms. Cheryl Cheng, property owner, said she got the neighbor's email just this evening, and was trying to pull the arborist's report on her phone. She said she believed the two oaks the neighbor was concerned about were those right next to the street. She said they were located in the 20-foot front setback which would be maintained. She said if there was any need that the arborist identified such as a fence perimeter for those trees that they had one for construction anyway. She said if something else was needed to protect those trees they would definitely do. She said because the neighbor's home was one-story they kept their second-story small. She said they

were trying to create some texture and dimension when they were designing the windows.

Commissioner Susan Goodhue said she thought the email was talking about trees on the neighbor's property. She asked if standard tree protection would be provided for those trees during construction. Assistant Planner Morris said there was a project-specific condition of approval that addressed trees #16 and 17 making tree protection required for those trees. It was confirmed that the protection was extended to the dripline.

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

Commission Comment: Chair Onken said he appreciated the applicant making changes. Commissioner Larry Kahle said he agreed. He suggested use wood that could be painted rather than a cheaper metal material for the gable vents.

Commissioner Kadvany moved to approve as recommended in the staff report. He said he thought the front garage was much improved. He said regarding the last part of the email just received that there was 20-foot distance between the buildings and the bay windows was an articulation that added to the attractiveness of the home. Commissioner Susan Goodhue seconded the motion.

ACTION: Motion and second (Kadvany/Goodhue) to approve the item as recommended in the staff report; passes 6-0 with Commissioner Ferrick absent.

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 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 Jonathan Jang Architect consisting of fifteen plan sheets, dated received February 10, 2016, and approved by the Planning Commission on February 22, 2016, 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 by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be

placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.

- e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
 - f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
 - g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.
4. Approve the use permit subject to the following **project-specific** conditions:
- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised arborist report regarding trees numbered 16 and 17 and revised plans addressing the following, subject to the review and approval of the Planning Division:
 - 1) Include the use of concrete pilings or stitch piers in the area where over excavation of basement will impede upon the drip line to include the following elements:
 - a) Piers should be limited in diameter and quantity;
 - b) The design will include the ability to adjust its position a few inches one way or the other to minimize root damage
 - 2) Lower the threshold for tree root inspection by arborist prior to cutting from 3 inches to 2 inches; and
 - 3) Install a temporary root protection pad (4 to 6 inch wood chips covered with ¾ inch plywood or alternative) under areas outside dripline.

F2. Use Permit/Judith Wilson/220 Robin Way:

Request for a use permit to add a secondary dwelling unit to an existing detached accessory building that is a nonconforming structure on a lot located in the R-1-U (Single-Family Urban Residential) zoning district. The value of the work would exceed 75 percent of the replacement value of the existing structure in a 12-month period. ([Staff Report #16-011-PC](#))

Staff Comment: Assistant Planner Morris said she had no additions to the staff report.

Questions of Staff: Commissioner Larry Kahle asked about the tandem parking for the second unit noting it was in front of the covered parking space for the main dwelling. Assistant Planner Morris said the tandem parking space was for the use of the secondary dwelling unit resident only. Principal Planner Rogers said that the City's ordinance for secondary dwelling units permitted a tandem parking space for the unit's use that could be in front of the covered parking space for the main dwelling.

Applicant Comment: Ms. Margaret Wimmer, project designer, said she was representing the property owners, Judith Wilson and Enriquez Cuellar. She said the existing structure was a one-car garage with an existing unconditioned space. She said their intent was to take that space and convert it to conditioned space. She said the property owner wanted the conditioned space to be handicapped accessible. She said the one wall of the existing accessory structure intrudes into the required setback. She said a detached garage was located on the neighboring property so there were no conflicts with views or privacy.

Commissioner Kahle asked if the garage had been a two-car garage. Ms. Wimmer said it was possible but there was no historical evidence to support that.

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

Commission Comment: Commissioner Kahle moved to approve the item as recommended in the staff report. Commissioner Strehl seconded the motion.

ACTION: Motion and second (Kahle/Strehl) to approve the item as recommended in the staff report; passes 6-0 with Commissioner Ferrick absent.

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 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 Margaret Wimmer Residential Design consisting of sixteen plan sheets, dated received February 10, 2016, and approved by the Planning Commission on February 22, 2016, 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 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.

F3. Use Permit/Greg Klein/1215 Valparaiso Avenue:

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-E (Residential Estate) zoning district. The proposal also includes a request to allow the combined square footage of all accessory buildings and structures to exceed 25 percent of the square footage of all levels of the main building, and request to allow an accessory building to be located on the front half of the lot. ([Staff Report #16-012-PC](#))

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

Applicant Comment: Mr. Greg Klein, project architect, said with the proposed design that they tried to shrink the footprint from what the existing home has by building a partial two-story residence. He said they located the two-story portion of the home so it would be the least intrusive to the neighbors particularly the neighbor to the west. He noted regarding the neighbor to the east who had concerns with the proposed design that there were three heritage redwood trees in the front yard setback of the proposed house and four additional bay laurel trees that provided a nearly complete screening between that neighbor's house and the proposed house.

Replying to questions from Commissioner Kadvany, Mr. Klein said the Fire District had initially required a 16-foot driveway. He said the opening to the panhandle lot however was only 15-feet wide so the Fire District granted permission of a twelve-foot wide driveway with the use of impervious pavers. He said the existing driveway was 10-feet wide. He confirmed that the house would have fire sprinklers throughout as required.

- Dale Smith, neighbor. Mr. Smith said that the property owners had provided him and his wife information on what they were proposing to do as well as invited them to a walkthrough of the property. He said the applicants were extremely diligent in reaching out to the neighbors and explaining very completely what they were trying to accomplish. He said they had spent time and money on a design that was attractive and respectful to the neighborhood. He said there was an abundance of plantings on the property that would provide landscape screening.
- Grace Kim, neighbor. Ms. Kim said she and the applicants share a wall, and she was able to

see their house from hers. She said the applicants had been very considerate in reaching out to the neighbors. She said her home is two-story and she did not think the applicant's two-story was going to impact her at all. She said she fully supported the proposed project.

Chair Onken closed the public hearing.

Commission Comment: Chair Onken said this property was surrounded on all sides. He said the project had abundant setbacks and was a considerate two-story. He said the stair tower was prominent but 54-feet away from the neighbor and well-screened.

Commissioner Kahle said this was an attractive project. He commended the architect, designers, applicants and staff for all the well-designed projects on this agenda.

Commissioner Combs said it was a well-designed project and moved to approve as recommended in the staff report. Commissioner Strehl seconded the motion. Commissioner Ferrick said she was abstaining as she arrived midway through the presentation.

ACTION: Motion and second (Combs/Strehl) to approve the item as recommended in the staff report; passes 6-0 with Commissioner Ferrick abstaining.

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 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 John Malick & Associates, consisting of 15 plan sheets, dated received February 12, 2016, and approved by the Planning Commission on February 22, 2016, except as modified by the conditions contained herein, subject to review and approval by the Planning Division.
 - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact

locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.

- e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
 - f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
 - g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.
4. Approve the use permit subject to the following ***project-specific*** conditions:
- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a draft declaration of conditions and covenants relative to the uses of the accessory structures and buildings, subject to review and approval of the Planning Division and the City Attorney's office. Prior to issuance of a building permit, the applicant shall submit documentation of the approved declaration of conditions and covenants' recordation, 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 site plan showing proposed new evergreen trees in the landscape strip along the northern boundary of the panhandle driveway, subject to review and approval of the Planning Division.

- F4. Use Permit/Justin Young/435 University Drive:
Request for a use permit to partially demolish, remodel, and construct first- and second-story additions to an existing single-story, single-family residence on a substandard lot with regard to lot width and lot area in the R-1-U (Single-Family Urban Residential) zoning district. The proposal would exceed 50 percent of the existing floor area on the lot and is considered equivalent to a new structure. ([Staff Report #16-013-PC](#))

Staff Comment: Associate Planner Tom Smith said he had no additions to the written report.

Applicant Comment: Ms. Karen Zak, project designer, said the property owners were her neighbors and she was pleased to have and keep them as neighbors.

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

Commission Comment: Commissioner Kahle said this was an attractive project. He asked about the roof ridge on the garage as it looked like it stopped. Ms. Zak said it wrapped around. Commissioner Kahle asked if there would be a hip over the garage from the street. Ms. Zak said on the north elevation there would be a piece of siding with an interruption similar to the south elevation. Commissioner Kahle said the ridge was a bit higher from the front elevation over the master bedroom. Ms. Zak said she did not want to lower the plate height and thought it was back

from the street enough to not be noticeable.

Commissioner Ferrick said there were garages and driveways between the properties so even with the minimal side setbacks there were no impacts.

Chair Onken said there were secondary windows on the northwest side for upstairs bedrooms that had glazing on the fenestration front and back but there were a series of double hung windows along the side. He said in denser situations there would be problems with those windows but in this case they were taking advantage of the fact that those were facing garages and roofs. He said however that if 445 University Drive built a similar home in the future, it would create a problem for this home. He suggested moving a window or raising the sill height. Ms. Zak said it was so important to her clients and her to have light from two sides for the bedrooms. She said the preference was to keep the windows and use window shades or blinds for privacy. Chair Onken said the Commission's concern would be for the neighbor's privacy.

ACTION: Motion and second (Goodhue/Kahle) 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 Zak Johnson Architects, consisting of 8 plan sheets, dated received on February 9, 2016, and approved by the Planning Commission on February 22, 2016, 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.

Chair Onken said that Commissioner Strehl would recuse herself from item F5.

- F5. Use Permit/Eugene Sakai/311 O'Keefe Street: Request for a use permit to demolish an existing single-story residence and construct a new two-story residence on a substandard lot with respect to lot width in the R-1-U (Single Family Urban Residential) zoning district. ([Staff Report #16-014-PC](#))

Senior Planner Jean Lin said staff had no additions to the report.

Commissioner Ferrick noted that she knows the applicant.

Applicant: Mr. Eugene Sakai, Studio S² Architects, introduced his clients, Melanie and John Wagner, property owners of 311 O'Keefe Street. He said his clients did exceptional neighborhood outreach and directed the architects to make some minor changes based on that feedback. He said the design was straight forward and used internal, side facing courtyards as a way to bring light into a tight narrow lot. He said this project did not create a monolithic side elevation and that helped to reduce impacts to both adjacent neighbors.

Commissioner Kahle asked if they had contacted the rear neighbor about the fairly large second story balcony. Mr. John Wagner said that Commissioner Strehl was the rear neighbor and had expressed no concerns as there was considerable landscape screening between the two properties.

Commissioner Kahle said asked if the window shown on the west elevation was a louvered window. Mr. Sakai said that was a solid wall under the pentangle window and a place where they turned the board and batten 90 degrees.

Commissioner Ferrick asked about the screen shown on A3.8.0. Mr. Sakai said that was the stair well window that was recessed from the property line significantly.

Chair Onken opened the public hearing.

- Mr. Chandler Eason said he and his wife were neighbors and supported the project.

Chair Onken closed the public hearing.

Commission Comment: Chair Onken said this was an ingenious design. He said he was

concerned with second story side facing windows as neighborhoods transitioned from single-story ranch homes to two-story dwellings as future adjacent two-story development might cause privacy impacts.

Commissioner Ferrick said having space on the sides for large trees would mitigate future view concerns. She said that there were minimal second story windows on the side.

Commissioner Kahle said it was a very handsome design. He said the side facing window that might prove to be the most problematic in the future was the office window although it was pretty far back from the property line. He suggested the two bedroom window seats facing the street seemed a little deep and suggested they could be shallower.

Commissioner Kadvany said he liked the project and noted in particular the articulation and breaking up of the massing on the sides. He moved to approve as recommended in the staff report. Commissioner Ferrick seconded the motion.

ACTION: Motion and second (Kadvany/Ferrick) to approve the item as recommended in the staff report; passes 6-0 with Commissioner Strehl recused.

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 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 Studio S² Architecture, consisting of 20 plan sheets, dated received on February 16, 2016, and approved by the Planning Commission on February 22, 2016, 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 and the recommendations in the arborist report by Kielty Arborist Services revised on January 25, 2016.

G. Public Meeting

- G1. Housing Element Annual Report/City of Menlo Park:
Opportunity to consider and provide comments and/or a recommendation to the City Council on the 2015 Annual Report on the status and progress in implementing the City's Housing Element (2015-2023). ([Staff Report #16-015-PC](#))

Principal Planner Deanna Chow said that the Commission was asked to review and comment on the 2015 Annual Report on the status and progress in implementing the City's Housing Element (2015-2023). She said staff had no additions to the staff report and the attachment, the latter being the document that would be transmitted to the State Housing and Community Development (HCD) Department. She noted that Jim Cogan, the City's Housing and Economic Development Manager, was also present and available for questions. She provided an overview of Attachment A. Commissioner Ferrick asked how the affordability level was determined for secondary dwelling units. Principal Planner Chow said through San Mateo County and HCD it was previously determined that the City would be able to account for secondary dwelling units in the lower income categories although they were not deed restricted.

Discussion ensued about affordable residential units and constraints to including a needed nexus for rental units to be affordable, and the potential definition of Below Market Rate housing as a value in public benefit discussion.

Public Comment:

- Annette Pleiske said the review of the annual report should have been first on the agenda. She said she supported pedestrian and bicycle improvements especially for the school corridors. She said in Table A household incomes should be quantitatively defined rather than categorized as low, very low, etc. She suggested changing zoning near transit to require greater density and more affordable housing.

Chair Onken closed public comment.

Commission Comment: Chair Onken commented on the affordable housing question and asked if they should consider making suggestions to the Council on targeted actions to address the lack of affordable housing.

Commissioner Ferrick said she was on the Housing Element Update Task Force and while there were numerous mechanisms to make affordable housing possible developers were not required to do affordable housing. She said she would support a recommendation to institute a more systematic and meaningful encouragement for the production of low and very low income housing.

Commissioner Strehl observed that Belle Haven residents wanted low and very low income housing spread throughout the City and not just in their neighborhood.

Commissioner Ferrick said a potential valid recommendation was for Below Market Rate (BMR) housing to be provided as a public benefit and for larger projects to include a BMR unit for sale within a rental unit project.

Chair Onken said from recent experience he knew that creating BMR units could be lucrative with a certain volume of development noting Federal benefits related to that. He said that having BMR units at the level currently required for developments getting density bonus was not enough to be considered public benefit; rather he thought the provision should be double or higher than what was required to be considered public benefit. Commissioner Ferrick suggested that it be clarified that for low and very low income affordable housing to be considered a public benefit it had to be above and beyond what was required for bonus density.

Mr. Cogan said another opportunity in the development in the M2 district, which was independent of ConnectMenlo, was for the City to generate requirements for commercial development there to pay into affordable housing in the downtown.

Replying to a question from Chair Onken, Principal Planner Chow said there was a program to encourage mixed use development and they were looking at enhancing the C2B zoning designation currently in certain key corners of Willow Road.

Commissioner Combs asked if there was a community along the Peninsula that had gotten affordable housing right, which the City could use as a model.

Principal Planner Chow said many jurisdictions along the Peninsula corridor face the same situation as Menlo Park regarding that issue. She said that was why the City was participating in the 21 element nexus study on housing issues. Commissioner Ferrick noted that other jurisdictions have a higher BMR fee structure for office development and that was not deterring office development. Principal Planner Chow said the commercial linkage fee was part of their nexus study.

Commissioner Kadvany noted Table 1 and other programs in the Housing Element. He asked about the status of protecting existing housing through amending the zoning ordinance. Principal Planner Chow said protecting housing through amending the zoning ordinance would be part of the larger housing strategy session that would happen later in the spring. Commissioner Kadvany asked about exploring the subdivision ordinance and whether that was citywide. Principal Planner Chow said that was part of the Municipal Code and it applied citywide, noting the current ordinance was very outdated. Commissioner Kadvany asked if it would involve rezoning in parts of town. Principal Planner Chow said the subdivision ordinance would be separate from any zoning.

Commissioner Kadvany said he supported working with the Fire District on driveway width noting the item on tonight's agenda where the Fire District first required a 16-foot wide driveway but accepted a 12-foot wide driveway. He said he would also like discussion on the Fire District's

requirement for building separation when two lots were combined. He asked about special needs housing and if that was part of the affordable housing overlay. Principal Planner Chow said special needs housing would look at assisted living, skilled nursing and senior living facilities. She said above and beyond the density bonus under the Specific Plan, the affordable housing overlay was applied to specific sites as part of the 2013 Housing Element. She said only Mid-Pen on the 1200 block had applied for the affordable housing overlay. She said those identified sites remained available in the Specific Plan Downtown area.

Chair Onken asked if a motion was needed. Principal Planner Chow said she was recording the Commission comments to share with the Housing Commission next week, and then with the City Council a few weeks after that. She said the Commission could make a motion for a formal recommendation that would get passed on to the City Council.

Chair Onken said he was supportive of facilitating more low and moderate income housing. Commissioner Ferrick suggested recommending that the City Council explore and enact quickly avenues that could provide more low and moderate housing so that in a year the City would have a greater amount of the those units.

Commissioner Kadvany noted Chair Onken's comment about large enough development that would support the profitability of more low and lower income housing, and suggested in combining those requirements and swapping them between different developers that they could possibly get to the mass needed to make larger percentage numbers possible.

Commissioner Goodhue said she was supportive of what Commissioner Ferrick suggested and that they should make a strong statement that the Commission recommended the City exploring and enacting avenues that would provide more low and moderate income housing quickly.

Commissioner Strehl said she concurred and it was the City's responsibility to provide zoning for low, very low, and moderate income zoning but it was hard to get developers to do that development. She said they needed incentives to support increased low, very low and moderate income housing but it was clear that developers could not be forced to build those.

Commissioner Combs said he was supportive of affordable housing but he could not identify a salient suggestion that would further increase affordable housing.

Commissioner Ferrick said the City's obligation under the Housing Element was to provide sites for affordable housing which the City did. She made a recommendation to go further than the zoning and look at what they could do to incent developers to do affordable housing.

Chair Onken said one incentive was the density bonus and having affordable housing as public benefit.

Commissioner Strehl asked about the City's surplus property. Mr. Cogan said it was not very much that the City owned that was surplus; the last City-owned property sold on Hamilton Avenue. He said sometimes other public agencies have surplus property become available.

Commissioner Kadvany said whether developers would provide affordable housing should be the political will of the City government. He said the City might have to make tradeoffs for density, design, and proximity to the Bay for building to get affordable housing.

Chair Onken confirmed with staff that the Commission had provided enough guidance and was very supportive of the report and further efforts to increase affordable housing in the area.

Commissioner Ferrick moved that the Planning Commission recommend that the City Council identify appropriate incentives for the production of low and very low income housing units exploring things such as public benefits or other mechanisms to increase production.

Commissioner Strehl seconded the motion. Chair Onken suggested additional incentives for the production of affordable housing. Principal Planner Chow asked if they meant all income levels. Commissioner Ferrick said moderate and lower income levels.

ACTION: Motion and second (Ferrick/Strehl) to recommend that the City Council identify appropriate incentives to create housing for households at or below the moderate-income level; passes 7-0.

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: March 7, 2016
- Regular Meeting: March 21, 2016
- Regular Meeting: April 11, 2016

I. Adjournment

Chair Onken adjourned the meeting at 9:23 p.m.

Staff Liaison: Thomas Rogers, Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on March 21, 2016