



REGULAR MEETING MINUTES

Date: 4/11/2016
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 7:00 p.m.

B. Roll Call

Present: Andrew Combs, Katie Ferrick, Susan Goodhue, John Kadvany, Larry Kahle, John Onken (Chair), Katherine Strehl (Vice Chair)

Absent: None

Staff: Thomas Rogers, Principal Planner, Michel Morris, Assistant Planner, Corinna Sandmeier, Associate Planner

C. Reports and Announcements

Principal Planner Rogers noted that the City Council would consider a consent calendar item at their April 12 meeting about storing and relocating the Carriage House, a non-historic structure, that would otherwise be demolished as part of the development of the former Roger Reynolds Nursery property on Encinal Avenue. He said there were a number of public opinions about the structure and staff was not recommending storing and relocating it.

Commissioner Strehl said the General Plan Advisory Committee at its next meeting would look at recommendations in respect to zoning, architectural control, sustainability and public benefit in the M2 area east of Highway 101.

D. Public Comment

There was none.

E. Consent Calendar

- E1. Approval of minutes from the March 7, 2016 Planning Commission meeting. ([Attachment](#))

ACTION: Motion and second (Onken/Ferrick) to approve with the following modifications; passes 6-0 with Commissioner Strehl abstaining.

- Page 2, line 3, remove the comma before the period at the end of the sentence
- Page 5, paragraph 6, change to insert word "about" after "Chair Onken asked....."

F. Public Hearing

F1. Use Permit/Eric Keng/145 Oak Court:

Request for a use permit to demolish a single-story residence and detached garage and construct a new two-story residence and attached garage on a substandard lot located in the R-1-U (Single-Family Urban Residential) zoning district. ([Staff Report #16-023-PC](#))

Staff Comment: Assistant Planner Morris said staff had received three letters from adjacent neighbors that had been distributed to the Planning Commission by email with copies made available for the public at the table in the rear of the Chambers.

Commissioner Kahle said he received only two letters.

Associate Planner Morris said one was an email and two were letters sent USPS.

Applicant Presentation: Mr. Eric Keng, project architect, Palo Alto, said the lot was somewhat unique in that the front of the house where they would typically put windows to protect neighbors' privacy actually faces the neighbors' yards. He said they had done neighbor outreach and there had been no concerns expressed. He said he could verify in the design that the concerns expressed in the three neighbors' recent emails had been addressed appropriately. He said he had held an emergency meeting with his client this evening in response to the letters. He said they were willing to move the building back a few feet to increase distance between properties and provide planting space for landscape screening. He said regarding the bedroom in the front of the subject project there was no other place for it to be located. He said the property owners had clearly identified the style home they wanted and they wanted to stay in this neighborhood. He said he tried to minimize the second story noting it was 900 square feet. He said per the City's ordinance the trees planned for removal were not heritage trees and noted the arborist's report. He said they would again confirm that with the arborist.

Replying to Commissioner Strehl's question about neighbor outreach, Mr. Keng said his clients met with neighbors a year ago and had expressed being available to discuss the design and that his clients had lived in the rear house for over two years.

Replying to Commissioner Kahle's question about removal of two plum trees, Mr. Keng said they would look at retaining the plum tree in the lower left.

Public Comment:

- Adam Brandt, neighbor, supported the improvement of the property but thought the design was too big as it was at 99.7% Floor Area Limit (FAL) on a substandard lot. He said his home was set back from the street with a currently private front yard and he and his family spend a lot of time there. He said the project design had three large windows that would allow a significant view of his front yard. He suggested developing more of the available square footage on the first floor rather than maximizing the second floor and move a bedroom downstairs, create a larger front setback by moving the house back, and raise the sill of the stairway window or use obscuring glass.

- Laurel Brandt, neighbor, said attachment D2 showed the front yard almost entirely paved from the lot line to the house. She recommended moving the house back to allow for landscape screening and to reduce the parking area. She said an additional parking space was not addressed in the drainage plan. She said that rain water collects in the street in front of her driveway already as there were no storm drains, and the properties were located in a flood zone. She said the arborist report missed two twelve-inch diameter trees and a third 17-inch diameter heritage tree on their property only two feet from the fence and garage that would be demolished on the subject property. She said they would like to see the paved parking area reduced and an accurate drainage plan and arborist's report.
- Ana Pedros, neighbor, showed a video of the Oak Court neighborhood. She said there were currently many trees and privacy. She said the only two-stories were on the opposite side of Oak Court. She said the project would impact the privacy of her master bedroom, the backyard where her family spends much time, and her kitchen area. She said it was detrimental to the morals, comfort and welfare of her household. She suggested replacing the three windows on the south facing wall that look directly into her master bedroom and backyard with skylights. She said the applicants could move the house back 28 feet. She also suggested more of the first floor be used and that the applicant build a home more in character with the rest of the neighborhood.
- Valentina Cogoni, neighbor, said she lives in a front house and has a rear rental unit. She said although the proposed second story was 910 square feet, her home was only 800 square feet and that was not unusual for their street. She said in remodeling her home she was very sensitive to the privacy of her neighbors.
- Pam Stadnyk, neighbor, said her property was on the right of the easement that runs along the right side of the subject property. She asked if there had been anything to address construction parking as the cul de sac was small. She noted her properties have two access points and requested that they remain open during construction. She said no one contacted her about this project a year ago and she thought there were other neighbors who had not been contacted.

Chair Onken closed the public hearing.

Commission Comment: Chair Onken asked the applicant to address the concerns expressed by the neighbors.

Mr. Keng said the property has an easement that all the other neighbors use to access their home but which makes this property a substandard lot as it did not count toward lot size.

Chair Onken asked Mr. Keng to expand on the concept of moving the home back on the lot. Mr. Keng said they want to move the garage back so it is 25 feet from the property line, have the first floor 30 feet back, and set the second floor yet another eight feet back. He said the additional five feet along the front would allow for the planting of screening trees. He said they could try to reduce the permeable paving by one foot on each side so it was just wide enough to accommodate a vehicle.

Commissioner Ferrick said the staff report indicated the plans had been discussed with neighbors

and there was no opposition, yet neighbors this evening indicated otherwise. Mr. Keng said he thought it was his fault as he had not followed up with the neighbors. He said he understood that his clients had shared the design plans with neighbors and there was no opposition. He said he would do his best to address the neighbors' concerns. He said they could raise the staircase window sill, and/or use obscure glass and plant a couple of trees outside of it. Commissioner Ferrick said it was indicated the drawings were only available during meetings and not available for review otherwise. Mr. Kang said elevations were distributed by the City to adjacent neighbors. He said last week he brought the full packet to Planner Morris which was then forwarded to all the adjacent neighbors.

Commissioner Ferrick said she was concerned that the front setback was almost completely paved with pavers and questioned why as the garage met the two space parking requirements. Mr. Keng said that two additional spaces were needed. Assistant Planner Morris explained that in addition to the two parking spaces required for the main house another two guest parking spaces were required as it is a panhandle lot. She said those two guest spaces could be located in front of a garage and needed to be 20 by 25 feet. She said if they were located elsewhere they had to be 20 by 20 feet. In response to Commissioner Ferrick's observation that the garage might be moved back five feet and accommodate the two guest spaces there, Assistant Planner Morris said that was theoretically correct. Mr. Keng said that was what they were proposing to do so the paved area would be planting area instead.

Commissioner Strehl asked if the sill could be raised on the second bedroom window that would face 141 Oak Court. Mr. Keng said the three windows were for egress and with the roof shape the sill height could not be low enough to allow for a four foot window. He said if they pushed the building higher he did not think it was approvable. Commissioner Strehl asked about the closet window. Mr. Keng said that was intended as an architectural detail on the front façade wall. Commissioner Strehl asked if they could do a skylight instead. Mr. Keng said that a skylight was not good for clothes and had suggested to the client that they use obscure glass in that window.

Commissioner Goodhue asked whether preliminary and final plans were mailed to neighbors within a specified period of time. Principal Planner Rogers said projects coming to the Planning Commission are noticed to neighbors within 300 feet of the project property by postcard with a link to a website hosting the project plans. He said they confirmed those plans were still accessible on the website and were more or less the plans being considered tonight. He said all of the neighbors expressing concerns today were on the notification list for the October 2015 notice. He said that notice requested that any concerns be brought to staff's attention. He said another notice to the same list was sent approximately three weeks before the meeting date.

Chair Onken asked when the neighbor comments were received. Assistant Planner Morris said they were received that morning and afternoon following phone calls from phone calls from neighbors to her over several days. She said prior to now there had not been any comments received on the proposed project.

Commissioner Kahle said the proposed design was nice and similar to projects the Commission has reviewed and approved. He said however upon visiting the project site he found that its configuration and the proposed design would impact neighbors' privacy. He said although a two-

story house was a permitted use, he was concerned with just removing windows as that would create blank walls. He suggested the project needed further careful thought about window placement and privacy and noted there had been some good neighbor input. He said he would like to see the paved parking area reduced as much as possible. He said since both the first story and second story have nine-foot ceilings the second-story ceiling height could be reduced to eight foot. He suggested looking at a less steep roof pitch to decrease the building height. He suggested being very careful with a second floor balcony. He said it appeared to look out over carport and garage area, but one of the speakers had indicated the privacy of living space at the rear of 139 Oak Court would be impacted by it. He said in general the front elevation was nice but suggested eliminating one or two of the south facing gables. He said he would prefer to see the gable on the second floor over the staircase removed and to have a straight eave there. He suggested the front porch might be nice without the gable as well.

Commissioner Kadvany said he agreed with the suggestions made by Commissioner Kahle. He said the City's notification was fairly pro forma and the neighborhood outreach done had been minimal. He said that the design of the first two-story development in a one-story neighborhood had to fit in with the existing neighborhood. He said the farmhouse style was attractive but had a verticality that contributed to the perception of massing. He suggested working on the face of the garage to give it a friendlier look such as adding a window or two-door appearance.

Commissioner Ferrick moved to continue the project for design revision. She said in addition to the comments made that additional plantings and trees would help. Commissioner Kahle seconded the motion.

Chair Onken said the house as proposed went entirely up to its daylight plane, its maximum setback, and its maximum floor area limit as if that was a right. He said however the project was subject to a use permit and the Commission's discretion as to whether the proposed design would work for the site and the neighborhood. He said design tweaks might make it workable but it might just be too large of a house for the site. He said reducing the roof pitches from 12 and 8 which were very prominent would help reduce the massing.

ACTION: Motion and second (Ferrick/Kahle) to continue the project for redesign; passed 7-0.

Chair Onken summarized the Commission's suggestions for the applicant:

- Move the house back to allow for parking in front of the garage and less paving in the front
- Consider the roof pitches
- Revisit the fenestration which currently was too aggressive and had too many gables
- Reconsider the garage front to reduce massiveness
- Provide for trees and plantings as landscape screening
- Reconsider the second story porch
- Look at project as a whole to reduce the perception of massing

Commissioner Strehl suggested that the arborist report be reviewed and if inaccurate redone.

Commissioner Kadvany added to look at the ceiling heights as suggested by Commissioner Kahle.

Commissioner Combs asked that the applicant engage to some degree with the neighbors for the redesign.

F2. Use Permit/Jack McCarthy/230 O'Connor Street:

Request for a use permit to demolish an existing single-story residence and detached garage and construct a new two-story, single-family residence and attached garage on a substandard lot with regard to lot width in the R-1-U (Single-Family Urban) zoning district. ([Staff Report #16-024-PC](#))

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

Applicant Presentation: Mr. Jack McCarthy, project designer, said the existing house had had remodels every several years and its configuration was convoluted. He said the property has two driveways, one of which seems to serve a home around the corner and the other serves a two-unit and a single-family home. He said their design placed the garage on that side to provide privacy and more enjoyment for the house on the left.

Commissioner Strehl confirmed with Mr. McCarthy that all the windows were double pane.

Commissioner Kadvany asked about siding on the second story but not on the first story. Mr. McCarthy said he wanted to do a combination and the stucco on the first floor would slope out at the base around doors and windows.

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

Commission Comment: Chair Onken said the project seemed generally approvable.

Commissioner Kahle said he agreed except he thought the mass of the garage seemed large with the eight foot doors. He suggested that the 10-foot garage ceiling could be lower. He suggested putting the siding on the bottom and the stucco on top.

Chair Onken asked if there was a reason the garage was tall. Mr. McCarthy said he could reduce the door heights from eight to seven feet. He said he could probably reduce the plate height of the garage as well.

Commissioner Kahle said the proportion of the doors to the wall was fine but the garage mass seemed too big, and suggested reducing the door height a foot. Mr. McCarthy said he could do that but wouldn't want empty space above the door so he would reduce the plate height as well.

Chair Onken said he agreed with Commissioner Kahle's observation about lowering the garage mass.

Commissioner Goodhue confirmed with Mr. McCarthy that the roof material was asphalt shingles. She said she preferred the siding on the top and stucco on the bottom.

Commissioner Ferrick said she liked there were two separated carriage doors on the garage.

Commissioner Strehl said she has seen a home with siding on the top and stucco on the bottom which she liked.

Commissioner Kadwany said he thought the first and second story should be wood siding.

ACTION: Motion and second (Ferrick/Goodhue) to approve the use permit request with the following modification:

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 Jack McCarthy Designer, Inc. consisting of sixteen plan sheets, dated received March 22, 2016, and approved by the Planning Commission on April 11, 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. Prior to building permit issuance, applicant shall submit revised plans to reduce the garage door and ceiling height by one foot subject to the review and approval of the Planning Division.**

F3. Use Permit/Sarah Potter/280 Willow Road:

Request for a use permit to construct a single-story addition and conduct interior modifications to a single-family, nonconforming residence that would exceed 75 percent of the replacement value of the existing nonconforming structure in a 12-month period. The subject parcel is located in the R-1-U (Single-Family Urban) zoning district. ([Staff Report #16-025-PC](#))

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

Applicant Presentation: Ms. Sarah Potter, ClearStory Construction, said the property owners were proposing a modest addition to an existing single-story single-family residence for another bedroom, a master bath and an expanded kitchen area.

Commissioner Kahle said the front elevation was great. He said that the addition section with the hip roof dominated the structure. He asked if there was a way to offset or reduce or break up that massing. Ms. Potter said they had looked at a different roof line with a hip at each end but were concerned about drainage and leaves collecting in the center. She said that replacing the roof would require installation of fire sprinklers which would cost too much for the budget for this modest addition.

Chair Onken asked if the lines of the rear roof, which was 12 and 2 straight across, could be broken up. Ms. Potter said they didn't want the roof to pop up in the rear. She said they looked at many variations of roof treatment. .

Chair Onken opened and closed the public hearing, as there were no speakers.

Commission Comment: Chair Onken commended the modest addition. He said a single-story roof along Willow Road was not as worrisome as a second-story roof. Commissioner Kahle said the project was approvable and he would like some modifications to the front and rear roof but would not make it a condition.

ACTION: Motion and second (Strehl/Ferrick) to approve the project as recommended in the staff report; passed 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 ClearStory Construction, consisting of 5 plan sheets, dated received March 28, 2016, and approved by the Planning Commission on April 11, 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. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance

G. Informational Items

G1. Future Planning Commission Meeting Schedule

- Regular Meeting: April 18, 2016
- Regular Meeting: May 9, 2016
- Regular Meeting: May 23, 2016

Commissioner Strehl suggested an item on the next agenda to consider putting a time limit for receiving written comments on a project the day of the meeting it was to be considered. General discussion about the idea ensued. In reply to a question from Commissioner Combs, Principal Planner Rogers said the Council did not have such a policy.

Chair Onken said it was Commissioner Ferrick's last meeting as a Commissioner, and asked if she would like to speak.

Commissioner Ferrick said it was her last meeting after serving eight years. She introduced her family and thanked her husband for his generous support of her civic service. In addition to the current Commissioners, she said she had served in those eight years with Melody Pagee, Kirsten Keith, Pei Pei Yu, Henry Riggs, Jack O'Malley, Ben Eiref, and Vince Bressler. She thanked Thomas Rogers for leading the El Camino Real / Downtown Specific Plan visioning and development. She said it was a pleasure to work with all of her fellow Commissioners and as a volunteer she had gained knowledge that she was now using in her career.

Chair Onken thanked Commissioner Ferrick for her leadership as Chair and her kindness and good manners as a Commissioner.

H. Adjournment

Chair Onken adjourned the meeting at 8:25 p.m.

Staff Liaison: Thomas Rogers, Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on May 9, 2016