



REGULAR MEETING MINUTES

Date: 5/9/2016

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 7:02 p.m.

B. Roll Call

Present: Andrew Barnes, Drew Combs, Susan Goodhue, Larry Kahle, John Onken (Chair), Henry Riggs, Katherine Strehl (Vice Chair – arrived at 7:04 p.m.)

Absent: None

Staff: Thomas Rogers, Principal Planner; Jean Lin, Senior Planner; Corinna Sandmeier, Associate Planner; Kaitlin Meador, Associate Planner; Sunny Chao, Assistant Planner; Yesenia Jimenez, Associate Planner

C. Reports and Announcements

Principal Planner Rogers introduced Kaitlin Meador and Yesenia Jimenez, Associate Planners. He reported that on May 3, the City Council received an information item on the schedule for the Facebook Campus expansion project. He said the Council also considered the El Camino Real Corridor Study, which was looking at bicycle lanes on El Camino Real. He said the Council directed that a plan for bicycle improvements along El Camino Real be developed but deferred immediate action on that to proceed most immediately on an east-west network around Oak Grove and University Avenues. He said the Planning Division would bring an extension of the secondary dwelling unit accessory building conversion, which was set to expire this year, for the Council to consider at their May 17 meeting.

D. Public Comment

- Doug Marks, Menlo Park, noted he and his wife had concerns about the approval process for residential development permits on substandard parcels. He said 95% of the properties on Olive Street were nonstandard because of the lot width. He suggested that when substandard lots were the norm that they should be treated as standard. He said a process was needed to remove the current subjective, unpredictable and arbitrary neighbor input that took up time and expense and damaged neighbor relationships. He said applicants needed to know the rules from the start and neighbors needed to understand what could rightfully be built, and suggested the City have more definitive rules.

E. Consent Calendar

- E1. Approval of minutes from the March 21, 2016 Planning Commission meeting. ([Attachment](#))

ACTION: Motion and second (Onken/Strehl) to approve the minutes with the following edits; passes 5-0-2 with Commissioners Barnes and Riggs abstaining.

- Page 1, under “Roll Call”: Replace “(Vice Chair)” with “(Vice Chair – arrived 7:30 p.m.)”
- Page 10, 2nd paragraph from the bottom, 1st sentence: Delete “...on the project” at the end of the first sentence.

- E2. Approval of minutes from the April 11, 2016 Planning Commission meeting. ([Attachment](#))

ACTION: Motion and second (Onken/Strehl) to approve the minutes as submitted; passes 5-0-2 with Commissioners Barnes and Riggs abstaining.

Commissioner Riggs requested full size renderings for future architectural control items on the consent calendar.

- E3. Architectural Control/R. Tod Spieker/825 Menlo Avenue:

Request for architectural control to modify the exterior of an existing multi-family residential building in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. The revisions would not affect the gross floor area or the number of units, but would include the replacement of existing stair and balcony railings with new steel railings, replacement of existing railings on street-facing balconies with new glass railings, replacement of board and batten siding with horizontal lap siding on front wall, replacement of pool fencing with steel and glass railings, addition of a wood belly band, addition of stone veneer over the first floor chimney and existing brick facade, and new paint. ([Staff Report #16-030-PC](#))

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

1. Make findings with regard to the California Environmental Quality Act (CEQA) that the proposal is within the scope of the project covered by the El Camino Real/Downtown Specific Plan Program EIR, which was certified on June 5, 2012. Specifically, make findings that:
 - a. The project is categorically exempt under Class 1 (Section 15301, “Existing Facilities”) of the current CEQA Guidelines.
 - b. Relevant mitigation measures have been incorporated into the project through the Mitigation Monitoring and Reporting Program (Attachment F), which is approved as part of this finding.
2. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:

- a. The general appearance of the structure is in keeping with the character of the neighborhood.
- b. The development will not be detrimental to the harmonious and orderly growth of the City.
- c. The development will not impair the desirability of investment or occupation in the neighborhood.
- d. The development provides adequate parking as required in all applicable City Ordinances and has made adequate provisions for access to such parking.
- e. The development is consistent with the El Camino Real/Downtown Specific Plan, as verified in detail in the Standards and Guidelines Compliance Worksheet (Attachment E).

3. Approve the architectural control subject to the following **standard** conditions:

- a. Development of the project shall be substantially in conformance with the plans provided by Edwin Bruce Associates, consisting of nine plan sheets, dated received April 22, 2016, and approved by the Planning Commission on May 9, 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, Recology, 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. 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.
- e. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.

E4. Architectural Control/Greg Warner/1149 Chestnut Street:

Request for architectural control to modify the exterior of an existing two-story commercial building in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. The building would be comprehensively updated with stained wood and standing seam metal cladding, metal roof screen, and a new color scheme. The existing first and second floors would be reconfigured to incorporate a major building modulation inset on the west elevation (facing the parking plaza), but the gross floor area for the building would not increase as part of the project. ([Staff Report #16-031-PC](#))

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

1. Make findings with regard to the California Environmental Quality Act (CEQA) that the proposal is within the scope of the project covered by the El Camino Real/Downtown Specific Plan Program EIR, which was certified on June 5, 2012. Specifically, make findings that:
 - a. The project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current CEQA Guidelines.
 - b. Relevant mitigation measures have been incorporated into the project through the Mitigation Monitoring and Reporting Program (Attachment F), which is approved as part of this finding.
 - c. Upon completion of project improvements, the Specific Plan Maximum Allowable Development will be adjusted by negative 521 square feet of non-residential uses, accounting for the project's net share of the Plan's overall projected development and associated impacts.
2. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:
 - a. The general appearance of the structure is in keeping with the character of the neighborhood.
 - b. The development will not be detrimental to the harmonious and orderly growth of the City.
 - c. The development will not impair the desirability of investment or occupation in the neighborhood.
 - d. The development provides adequate parking as required in all applicable City Ordinances and has made adequate provisions for access to such parking.
 - e. The development is consistent with the El Camino Real/Downtown Specific Plan, as verified in detail in the Standards and Guidelines Compliance Worksheet (Attachment E).
3. Approve the architectural control subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans provided by Walker Warner Architects, consisting of 22 plan sheets, dated received May 4, 2016, and approved by the Planning Commission on May 9, 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, Recology, 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. 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.
- e. Prior to commencing any construction activities in the public right-of-way or public easements, including, but not limited to, installation of the proposed canopy and fenestration treatments over the public sidewalk, the applicant shall obtain an encroachment permit 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.

F. Public Hearing

F1. Use Permit/Hilary Hubbard/1360 Delfino Way:

Request for a use permit to remodel and add a second story to an existing nonconforming single-story, single-family residence in the R-1-U (Single-Family Urban) zoning district. The proposed work would exceed 50 percent of the existing replacement value in a 12-month period. ([Staff Report #16-032-PC](#))

Staff Comment: Associate Planner Meador said there were no changes to the staff report.

Questions of Staff: Commissioner Kahle said he thought an application's required survey needed to show adjacent structures as a minimum under City regulations; he said that some of the applications on the agenda did not do that. Principal Planner Rogers said the general survey focused on the subject parcel. He said an area plan that provided estimates of distance to adjacent structure was required for planning applications.

Applicant Presentation: Ms. Hilary Hubbard said she was the project architect for the project. She said the residence had been built in 1962 and there were two nonconforming walls; one was the front wall and intruded into the setback three and half inches; the second was the garage wall and intruded four-inches into the setback. She said that they were not doing any work in the setback. She said it would be a great hardship for the property owners to have to tear down the two nonconforming walls and rebuild them. She said they were remodeling the existing living and dining rooms, and constructing a second story, which would be well outside the front yard setback.

Chair Onken opened and closed the public hearing as there was no public comment.

Commission Comment: Chair Onken said the second-story addition was sensitive to the one-story homes in the neighborhood and that the existing nonconforming walls were not creating a problem.

Commissioner Combs said he had visited the neighborhood and noted there were some two-story homes but mostly one-story, and expressed his appreciation for the applicants' restraint in their second story design.

Commissioner Kahle said he did not have an issue continuing the nonconforming walls. He said found the massing of the second story to one side unbalanced and the style mixed. He said the first floor room wrapping around the corner looked awkward. He said he was having a hard time

supporting the project as he thought it could be better.

Commissioner Riggs said he had come to like the rear elevation and had no problem with the side elevation especially where the first and second floor shared a common wall. He said the asymmetrical massing could be resolved. He said he agreed with Commissioner Kahle that the wraparound roof felt awkward.

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

ACTION: Motion and second (Combs/Goodhue) to approve the item as recommended in the staff report; passes 4-3 with Commissioners Kahle, Onken, and Riggs opposed

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 Hubbard Godfrey Architects Inc., consisting of 17 plan sheets, dated received on April 13, 2016, and approved by the Planning Commission on May 9, 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.

F2. Use Permit/Roger Kohler/317 Yale Road:

Request for a use permit to demolish an existing single-story, single-family residence and accessory buildings and construct a new two-story, single-family residence on a substandard lot with regard to lot width in the R-1-U (Single-Family Urban) zoning district. The proposal also includes the removal of a heritage holly tree on the middle-right side of the property. ([Staff Report #16-033-PC](#))

Staff Comment: Associate Planner Sandmeier said a revised map showing 317 Yale Road correctly had been distributed.

Applicant Presentation: Mr. Roger Kohler, project architect, said the property owner met and left messages with neighbors including adjacent neighbors. He said they have tried to comply with the guidelines of Menlo Park and had set back the second story.

Commissioner Kahle said the streetscape on second sheet and the house did not match the elevation on A6. Mr. Kohler reviewed and said Commissioner Kahle was correct.

Chair Onken asked if a formal amendment was needed. Associate Planner Sandmeier said that it was noted. Mr. Kohler said the plans would be amended.

Commissioner Strehl asked if the property owner would live in the home. Mr. Kohler said the property owner could not attend tonight's meeting due to a death in the family. Mr. Kohler said he thought the owner would not live in the home.

Commissioner Kahle said the garage doors looked about 10-feet tall, and asked if the doors could be smaller or if the roof line could be extended to minimize the appearance of the garage doors. Mr. Kohler said they could do both and it was a good suggestion.

Chair Onken opened and closed the public hearing as there was no public comment.

Commission Comment: Chair Onken noted there were a lot of different style and sized homes in this area.

Commissioner Kahle said the house was nicely designed. He said he liked the materials and that the clay tile roof was two-piece rather than one piece. He said his only suggestion was to reduce the garage door size and minimize the height of the doors in some way.

Commissioner Strehl said she was concerned about the parking as there were seven bedrooms and only two garage parking spaces. She said it was a very big house for the neighborhood, and had concerns with how it would fit with the rest of the neighborhood.

Chair Onken said the lot was fairly deep and the home was fairly tight to the front setback with a driveway that would probably accommodate two cars plus the garage spaces. He said the house

would not suffer from being moved back on the lot so it was more in line with the adjacent houses.

Commissioner Combs asked if basement square footage factored into parking requirements. Associate Planner Sandmeier said single-family residential development required two off-street parking spaces and its parking requirement was not based on square footage.

Commissioner Goodhue said she had noted the number of bedrooms and bathrooms but also noted the height of the home was well below 28 feet. She agreed with Chair Onken that it would be good if the applicant could move the home back on the lot so it was more in line with the neighbors' homes.

Mr. Kohler said he could increase the front setback. Chair Onken said it appeared this project was about seven feet in front of the neighboring garage. Mr. Kohler said he thought it was about 9 or 10 feet and would push this house back so it was aligned with the edge of the neighboring house.

Chair Onken moved to approve with modifications to have the house pushed back on the site plan roughly 7 feet to align with 309 Yale Road and reduce the front garage door height and extend the roof line. Commissioner Kahle seconded the motion. Principal Planner Rogers asked if the Commission wanted to see the revised design again or the revisions would be subject to staff review and approval. Chair Onken indicated that staff review and approval would be sufficient.

ACTION: Motion and second (Onken/Kahle) 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 Kohler Associates Architects consisting of 11 plan sheets, dated received April 20, 2016, and approved by the Planning Commission on May 9, 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 and street trees in the vicinity of the construction project shall be protected pursuant to the arborist report by Kevin Kielty Arborist Services LLC, dated received March 23, 2016.

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 design that increases the extent of the roof eave over the garage and reduces the height of the garage door with the objective of reducing the prominence of the garage. The revised design shall be subject to review and approval of the Planning Division.**
- b. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised site and area plans that show the proposed residence pushed back approximately seven feet to align with the front of 309 Yale Road, subject to review and approval of the Planning Division.**

F3. Use Permit/Sally and Barry Karlin/624 Olive Street:

Request for a use permit to demolish an existing single-story, single-family residence and construct a new two-story, single-family residence on a substandard lot with regard to lot width in the R-1-S (Single-Family Suburban) zoning district. ([Staff Report #16-034-PC](#))

Staff Comment: Assistant Planner Chao distributed a revised condition 4.a increasing landscaping from 10 to 11 *Pittosporum tenuifolium* trees. She said staff had received a comment letter from Kevin Harris and Nancy Cox at 1060 Olive Street regarding their concern with the front alignment of the proposed house.

Applicant Presentation: Mr. Barry Karlin introduced his wife Sally Karlin. He said they had previously lived in Menlo Park, and now that they were retiring wanted to relocate here. He said they spent a great deal of time doing due diligence looking at the neighborhood and styles. He said they decided on a classic style of home. He said they met with six of their contiguous

neighbors, four of whom liked the proposal. He said one of the other neighbors had privacy concerns that were resolved with tall hedges around the perimeter to provide screening. He said the sixth neighbor whose friends had written today's letters had concerns which they had tried to address.

Ms. Sally Karlin said they looked forward to moving back to Menlo Park. She said they tried to design the home thoughtfully, noting her background in architectural interiors and design. She said there were many different styles on Olive Street including new and older homes, one-story, two-story homes, homes with large setbacks and those with smaller setbacks, homes with different heights and different styles.

Commissioner Strehl asked if there was consideration to increase the front setback.

Mr. Gary McClure, project manager, Jim Maliksi and Associates, provided the Commission with landscape plans, which he said addressed the privacy concerns. He said in response to the adjacent neighbor's concerns they moved the house back three feet and reduced the chimney height. He said earlier in response to Planner Chao's comments they had raised the sill heights of most of the windows on the second story facing the neighbor on the right. He said the house was set a bit further in front of the adjacent neighbor's home but was only the one-story portion of the porch. He said the porch was a nice transition element to the main structure of the house and it was open on all sides. He said the garage was 32 feet back from the property line. He said the original house was 39 feet back from the property line. He said the garage was one story. He said the second story massing was set back at 40 feet from the front property line. He said the applicants wanted to keep the backyard for their use.

Commissioner Kahle asked why they decided to move the house back three feet. Mr. McClure said some of the concern was the flowering cherry tree. Ms. Karlin said the neighbor on the right had concerns whether they had adequate parking. She said moving the house back three feet would allow for two cars to be parked in the garage and four in the driveway.

Chair Onken opened the public hearing.

Public Comment:

- Nancy Cox, Menlo Park, said her home was five houses away from the proposed project. She said many of the lots were substandard on Olive Street and that allowed for a process that included neighbor input. She said most homes on that street with second stories have the second story at fifty feet back from the front property line. She said her concerns were massing, height, the second story and the number of bedrooms on that floor. She said she would like a design that was more restrained.
- Jim Crowley, Menlo Park, said he and his wife Lou's home was located three homes east of the subject property. He said the substandard lots on Olive Street were never intended for massive structures as the lots were narrow. He said people who wanted to build large homes on substandard lots needed to work with neighbors to ensure there were no negative impacts to the neighbors. He said the front of the proposed project was significantly out of line with the neighborhood. He said the appearance of massing due to the second story height and narrow

width was detrimental to the neighborhood. He said the view from the front living spaces of adjacent neighbors would be the side of a two-story structure; sunlight into the front living spaces would be altered significantly in the morning or afternoon depending upon which side one's house was located. He said he did not question that everything in the plans was to code, but the concerns of adjacent neighbors needed to be taken seriously and compromises found. He requested that the Commission not approve the project as currently proposed and address neighbors' concerns.

- Maurice Schlumberger, neighbor, said he reviewed the plans to see what the proposed project would look like from the street and from his living room. He said the home was too big. He showed some photographs of the street and his home in relation to the proposed project. He said moving the home back three feet helped but was not enough. He said the home was too big and out of alignment with the other homes.
- Marianne Schlumberger, neighbor, said she and her husband lived in Menlo Park because of the trees, the gardens and the beauty of it. She said it was strange that people retiring would build a home with so many bedrooms. She said having a wall to view upset her when she had chosen to live in a beautiful place.
- Kevin Harris, neighbor, said the Schlumbergers' light and view would be destroyed by the proposed project. He said he hoped the Commission would support lessening the obtrusiveness of the home located as it was forward on the lot and lessening the heavy massing on the second story.
- Caitlin Darke, neighbor, said she lived behind the proposed house and her sister lived nearby. She said they grew up in Menlo Park and said it was the most desirable area in the Bay area and Silicon Valley. She said that she did not expect things to stay status quo as people wanted bigger houses than they had years ago. She said her home was one-story and had two-story homes on either side. She said she planted beautiful lemon trees and rosebushes which was her view from her dining room. She said the proposal was a very well designed home and thought the property owners' should be able to develop their investment.

Chair Onken closed the public hearing.

Commission Comment: Chair Onken said how many bedrooms a person should have or deserved was not a consideration in his opinion. He said they see applications with large basements which he finds personally big and pointless but people have a right to build them. He noted the renderings done by the neighbor on what the neighbor thought the house would look. He said they should not rely on the accuracy of those renderings in their consideration of the project.

Commissioner Kahle said the alignment of the front of the home seemed to be the main contention with neighbors. He asked if the applicants would consider moving it back further; he noted that it was a very well designed home.

Mr. Karlin said they would be willing to push the home back further in the spirit of compromise.

Chair Onken said it sounded like aligning the home more with the neighborhood pattern would benefit everybody without being a great detriment to the applicants' backyard. He said the

proposed second story was definitely subordinate in size to the ground floor.

Commissioner Strehl said she concurred with the comments made by Commissioners Kahle and Onken. She said stepping the home back more would make it more in line with the homes adjacent to it on either side.

Commissioner Kahle said it was a very well designed house and he thought it would be a very nice addition to the neighborhood. He said regarding height that the first floor was tall at 10-feet but the second story was only eight feet and that helped reduce the massing. He said he was not sure about the boxed out turret on the second floor but thought it was part of the style. He said the landscape plan showed planting on the side which he thought would help. He said they often see less distance between structures and what this had was generous. He said moving the house back would make the project very approvable.

Chair Onken said he liked the feature that Commissioner Kahle was questioning.

Commissioner Riggs said the design was well-massed and detailed with a 10-foot first floor plate height that would almost fill out the daylight plane but was within code. He said the roof had 30 different ridges and valleys; he said it was complicated and deserved more thought. He said overall he appreciated the architecture. He said the right hand chimney was shorter than it would have been traditionally and he thought the project would look better with another 18-inches added to the chimney.

Commissioner Combs asked about the number of substandard lots in the City. Principal Planner Rogers said there were some neighborhoods in which all the lots were substandard. He said historically there had been efforts to do things differently, with one change being overturned by referendum. He said another ordinance adopted by City Council was then overturned by the next incoming City Council. He said the ordinance being used has been in place for at least 10 years and the current City Council did not seem to have an interest in revisiting the topic in the near term. Commissioner Combs said he could support the project, with or without the additional 18-inches to the chimney, with efforts made to compromise by pushing the structure back further on the lot. He said that would lead to more harmonious relations with neighbors in the future.

Commissioner Riggs noted a deep window seat on the right side elevation near the property line that would have a view onto the adjacent property. He asked if this had been discussed with the neighbor. Associate Planner Chao confirmed with him that he was talking about the boxed out window on the right. She said she did not recall any discussion with the adjacent neighbor to the right and the applicants about privacy concerns with that window specifically; she said the main privacy concern had come from the neighbors to the rear of the subject property.

Mr. McClure said they had raised window sills as that neighbor's main concern was privacy. He said the setback of the box out window was 11-feet eight-inches. He said he was not sure what view it would have of the neighbor's home.

Mr. Jim Maliksi, architect, said that window was an egress window so they could not raise it more than 40-inches off the floor. He said they added more set back on that side for the window.

Commissioner Riggs said the window had a two-foot six-inch sill height and that was to meet not

an egress requirement but was done for the comfort to sit in the window and look out. He said he liked the boxed window from the interior and the exterior but it could impact privacy.

Chair Onken said in summary there were smaller comments about the windows and the larger conversation was about moving the house back on the lot. He said he did not know that the Commission could mandate how far to move the house back and suggested it might be better to continue the project so that could be studied. Mr. Maliksi said the house could be moved back another three feet. Chair Onken said eight-feet had been mentioned as that would make the front compliant with the neighbors' front.

Commissioner Riggs asked if the project was continued and had to be noticed again whether it would be possible to bring it back within four weeks to the Commission. Principal Planner Rogers said staff capacity was a factor, and based on the current draft agendas for June he thought it would be July before the project could return at the earliest.

Mr. Maliksi said the request was to push the house back and it was not to change the design. He suggested they could agree on a distance, which he thought could be a condition of approval.

Commissioner Onken said if they wanted to agree on a distance, he would be comfortable with that.

Commissioner Combs said if the goal was to push the house back so it would be in line with neighboring houses he did not think a continuance was necessary.

Commissioner Strehl asked the applicant how far back he was willing to move the home without compromising the plans.

Mr. McClure said the front porch was 99 percent an open structure. He said the garage was set back 32 feet and the existing house was set back 39 feet. Mr. Karlin said they wanted to have a backyard but they were willing to do what was needed to speed up the process. He said that they could support moving the garage back to where the existing house fronted the lot now. He said the most and worst case scenario would be to move it back seven feet the same as the existing house. He said he would prefer less. He said they would look at the window that was discussed and do whatever was needed so there was no privacy issue.

Mr. McClure said in response to Commissioner Kahle's request for clarity that the idea was to move the garage currently at 32 feet from the front property line back another seven feet to where the current home was located from the front property line.

Commissioner Kahle said he agreed that the chimney could be taller but it seemed it had already been dropped down and was an issue of contention so he was leery of making that change. He said regarding the side window that the minimum egress was three-foot eight-inches with 44-inches clear and suggested that getting it as close to the stock window size would be useful. He said since the window had not been a topic of concern in neighbors' letters that he was reluctant to take it further. He said he did not think the project should be continued.

Commissioner Kahle moved to approve the use permit request for 624 Olive Street with the modification to have the house shifted back an additional seven feet from its current 23-foot two-inch setback and the bay window on the side be raised to the minimum egress requirement.

Commissioner Strehl seconded the motion.

ACTION: Motion and second (Kahle/Strehl) 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 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 J Maliksi and Associates consisting of sixteen plan sheets, dated received April 25, 2016, and approved by the Planning Commission on May 9, 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 and the recommendations in the arborist report by Mayne Tree Expert Company, Incorporated revised March 9, 2016.

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

- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans with landscape screening to include ~~ten~~ **eleven** new five-gallon Pittosporum tenuifolium trees along the rear property line, subject to the review and approval of the Planning Division
- b. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans that set back the proposed house an additional seven feet from the proposed front setback of 23 feet and two inches, setting the front porch of the house 30 feet and two inches from the front property line, subject to review and approval of the Planning Division.**
- c. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans that raise the proposed sill height for the box-out bay window on the right elevation of the proposed house to three feet and eight inches, subject to review and approval of the Planning Division.**

F4. Use Permit/Ohashi Design Studio/1220 Bay Laurel Drive:

Request for a use permit to demolish an existing single-story, single-family residence and construct a new two-story, single-family residence with basement on a substandard lot with regard to lot width in the R-1-S (Single-Family Suburban Residential) zoning district. The project includes a request to remove a heritage Canary Island palm tree in the left side yard. ([Staff Report #16-035-PC](#))

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

Applicant Presentation: Mr. Mahesh Chukkapali said he lived in the home for several years to get a sense of the neighborhood and how best to redevelop the parcel. He said he worked with his architect to create a home that would reduce the carbon footprint and serve the needs of his expanding family.

Mr. Brandin Roat, Ohashi Studio Design, presented a video rendering of the proposed project.

Commissioner Kahle asked about the second story balcony as it was open on one side next to an adjacent house and about privacy. Mr. Chukkapali said he had spoken with the neighbor to the rear. He said they were lucky to have a thick forest of trees. Commissioner Kahle said he was talking about the home on Santa Rita. Mr. Chukkapali said there was a huge redwood that provided screening and the backyard of the adjacent home was far from the balcony.

Chair Onken opened and closed the public hearing as there was no public comment.

Commission Comment: Commissioner Kahle said his concern was the screening between the second floor balcony and 300 Santa Rita Avenue. Mr. Chukkapali said there were trees on the neighbor's side so big that there was no need for any on his side but they would work with the landscape architect to provide best screening. He noted there was a requirement that the balcony be 20-feet away from the neighbor's yard.

Commissioner Kahle said it was a beautifully designed home and his only concern was the second second-story deck and its impact on the neighbor at 300 Santa Rita.

Commissioner Goodhue said six small trees would be removed per the staff report on the left side. She said the plan was to plant a Gingko Bilbao tree on the left side to screen. She said they were very slow growing trees.

Mr. Chukkapali said it was not for screening but because it was beautiful. He said neighbors had very tall trees on their side. He said there was so much foliage on that side that he had learned to not plant anything there that needed sun.

Commissioner Combs said there was lots of foliage and trees on that side of the house. He said the applicant had indicated he had spent time to understand the neighborhood but the house did not seem to reflect that as it was a very modern design and there were no modern homes on that section of Bay Laurel. Mr. Chukkapali said there was a home on San Mateo Drive he asked his architect to look at and pull elements from for this design.

Chair Onken suggested using materials to screen the deck on the open side that would maintain that sense of openness. He moved to approve with a modification to have the applicant revise the side elevation with something more permanent than the neighbors' trees to protect neighbor privacy. Commissioner Kahle seconded the motion.

Commissioner Riggs said the proposed design was not in scale with the neighborhood but it was admirably resolved and the architecture was consistent.

Principal Planner Rogers confirmed with Chair Onken that the applicant would work with staff on the additional left side elevation proposal that would then be sent to the Commission by email, and reviewed that process with the Commission.

ACTION: Motion and second (Onken/Kahle) to approve the item with the following modification; 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 Ohashi Design Studio, consisting of 20 plan sheets, dated and received on April 28, 2016, and approved by the Planning Commission on May 9, 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 condition:

- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans modifying the second floor balcony at the rear of the residence, which shall have the objective of providing screening views to the adjacent parcel at 300 Santa Rita Avenue on the left side of the subject property. The revised plans shall be subject to the review and approval of the Planning Division. The Planning Commission shall be notified by email of this action, and any Commissioner may request that the Planning Division's approval of the revised elevation may be considered at the next Planning Commission meeting. The revised elevation shall be fully approved prior to the issuance of the overall building permit.***

G. Regular Business

- G1. Selection of Planning Commission Chair and Vice Chair for May 2016 through April 2017 ([Staff Report #16-036-PC](#)).

ACTION: Motion and second (Kahle/ Onken) to select Katherine Strehl as Chair and Andrew Combs as Vice Chair; passes 7-0.

H. Informational Items

H1. Future Planning Commission Meeting Schedule

- Regular Meeting: May 23, 2016
- Regular Meeting: June 6, 2016
- Regular Meeting: June 20, 2016

Commissioner Strehl noted that she would not be able to attend the June 20 meeting. Principal Planner Rogers said that Commissioner Combs had been advised by the City Attorney that he should not attend the same meeting due to a conflict of interest, and indicated that selecting a Commissioner to Chair that meeting would be on the next agenda.

I. **Adjournment**

Chair Onken adjourned the meeting at 9:01 p.m.

Staff Liaison: Thomas Rogers, Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on June 6, 2016