Planning Commission

REGULAR MEETING AMENDED AGENDA



Date:1/23/2017Time:7:00 p.m.City Council Chambers701 Laurel St., Menlo Park, CA 94025

Agenda was amended to delete item G2

- A. Call To Order
- B. Roll Call

C. Reports and Announcements

Under "Reports and Announcements," staff and Commission members may communicate general information of interest regarding matters within the jurisdiction of the Commission. No Commission discussion or action can occur on any of the presented items.

D. Public Comment

Under "Public Comment," the public may address the Commission on any subject not listed on the agenda, and items listed under Consent Calendar. Each speaker may address the Commission once under Public Comment for a limit of three minutes. Please clearly state your name and address or political jurisdiction in which you live. The Commission cannot act on items not listed on the agenda and, therefore, the Commission cannot respond to non-agenda issues brought up under Public Comment other than to provide general information.

E. Consent Calendar

E1. Approval of minutes from the December 12, 2016 Planning Commission meeting. (Attachment)

F. Public Hearing

F1. Use Permit Revision/Shannon Thoke/116 O'Connor Street:

Request for a use permit revision to add first- and second-story additions to an existing nonconforming single-family, two-story residence with a basement on a lot in the R-1-U (Single-Family Urban) zoning district. The previous use permit was approved by the Planning Commission on March 5, 2012. *Continued from the meeting of January 9, 2017* (Staff Report #17-005-PC)

F2. Use Permit and Variances/Eugene Sakai/1199 North Lemon Ave:

Request for a use permit to demolish two existing one-story residences to build a new twostory residence with a basement on a substandard lot with regard to lot width in the R-1-S (Single-Family Suburban Residential) zoning district. The project also includes a variance request for the residence to have a corner side (facing Croner Avenue) setback of eight feet, where the requirement is 12 feet, for both the first and second stories. In addition, one heritage coast live oak (25.3-inch diameter), in fair condition, at the front of the property, and one heritage flowering plum (19.4-inch diameter), in poor condition, at the left side of the property, would be removed. An earlier version of the project was previously reviewed and continued by the Planning Commission on August 15, 2016. (Staff Report #17-006-PC)

G. Regular Business

G1. Review of Determination of Substantial Conformance/Farnad Fakoor and Aria Vatankhah/755 and 763 Cambridge Avenue:

Review of the Determination of Substantial Conformance for modifications of elevations, doors, and windows to an approved use permit application for two new two-story residences located on a substandard lot with regard to lot width in the R-2 zoning district. Review requested by Commissioner Kahle. (Attachment)

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: February 6, 2017
 - Regular Meeting: February 27, 2017
 - Regular Meeting: March 13, 2017

I. Adjournment

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at www.menlopark.org and can receive e-mail notification of agenda and staff report postings by subscribing to the "Notify Me" service at menlopark.org/notifyme. Agendas and staff reports may also be obtained by contacting the Planning Division at (650) 330-6702. (Posted: 01/18/17)

At every Regular Meeting of the Commission, in addition to the Public Comment period where the public shall have the right to address the Commission on any matters of public interest not listed on the agenda, members of the public have the right to directly address the Commission on any item listed on the agenda at a time designated by the Chair, either before or during the Commission's consideration of the item.

At every Special Meeting of the Commission, members of the public have the right to directly address the Commission on any item listed on the agenda at a time designated by the Chair, either before or during consideration of the item.

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Planning Commission



REGULAR MEETING MINUTES - DRAFT

Date:12/12/2016Time:7:00 p.m.City Council Chambers701 Laurel St., Menlo Park, CA 94025

A. Call To Order

Chair Katherine Strehl called the meeting to order at 7:00 p.m.

B. Roll Call

Present: Andrew Barnes, Drew Combs (Vice Chair), Larry Kahle, John Onken, Henry Riggs (arrived at 7:03 p.m.), Katherine Strehl (Chair) Absent: Susan Goodhue Staff: Thomas Rogers, Principal Planner, Arnold Mammarella, Contract Planner, Barbara Kautz, City Attorney's Office (Goldfarb and Lipman LLP), Margaret Netto, Contract Planner, Kristiann Choy, Transportation Engineer

C. Reports and Announcements

Principal Planner Rogers said the City Council at its December 6, 2016 meeting adopted the ordinances for the ConnectMenlo (General Plan Update) to be effective in 30 days pending any litigation. He said at the same meeting the Council adopted revised Building Codes, received a report on the Below Market Rate Housing fund and other fees, and heard a proposal from the Housing and Economic Department to require 12-month leases as an option for certain residential rental properties in Menlo Park. (Commissioner Riggs joined Commission at dais.)

D. Public Comment

There was none.

E. Consent Calendar

E1. Approval of minutes from the November 14, 2016 Planning Commission meeting. (Attachment)

ACTION: Motion and second (John Onken/Strehl) to approve the minutes of November 14, 2016 as presented; passes 6-0-1 with Commissioner Susan Goodhue not in attendance.

F. Public Hearing

- F1. Consider Recommendations to the City Council on the 1300 El Camino Real Project ("Station 1300"), including the following actions: (Staff Report #16-103-PC)
 - 1. Final Environmental Impact Report (EIR) to analyze the potential environmental impacts of the proposed project, along with an associated Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program;

- 2. Architectural Control Review for compliance with Specific Plan standards and guidelines, including determination of a Public Benefit Bonus to exceed the Base level FAR (Floor Area Ratio) and height standards, for a mixed-use development consisting of non-medical office, residential, and community-serving uses on a 6.4-acre site, with a total of approximately 220,000 square feet of non-residential uses and 183 dwelling units;
- 3. Use Permit for outdoor seating associated with full/limited service restaurants;
- 4. Tentative Map to merge existing parcels and create one private parcel (with a four-unit commercial condominium) and two public right-of-way parcels; dedicate a new public street extension of Garwood Way; abandon Derry Lane and a portion of the existing Garwood Way right-of-way; and abandon/dedicate public access and public utility easements;
- 5. Below Market Rate (BMR) Housing Agreement for compliance with the City's Below Market Rate Housing Program;
- 6. Heritage Tree Removal Permits to remove 59 heritage trees; and
- 7. Development Agreement for the project sponsor to secure vested rights, and for the City to secure public benefits, including a \$2.1 million cash contribution, additional affordable housing units, a publicly-accessible dog park, and a sales tax guarantee.

Staff Comment: Principal Planner Rogers noted the large size of the color and materials boards and their location. He referred to page 16 under the sales tax heading of the draft development agreement section that called out 18,600 square feet of community serving uses. He said that should state "between 18,600 and 29,000 square feet." He reported numerous correspondences received either directly by the Planning Commission or by him that were then forwarded to the Planning Commission. He said all correspondence received before 5 p.m. today was collected and printed out for the Commission and public. He said the draft CEQA resolution had some non-substantive revisions.

Attorney Barbara Kautz, Goldfarb and Lipman, LLP, said although the Commission did not need to take action on the findings of the environmental impact report (EIR), it was the intent that the findings be as complete as possible for the Commission's review. She said this was the first infill development EIR the City has done and there were additional findings required that were not typically in EIR findings. She said the added findings were already in the record in the checklist for Infill EIR or in the EIR itself but the findings needed to be expanded somewhat to explain the conclusions in the environmental checklist.

Principal Planner Rogers said he had made copies of the revised draft CEQA resolution for the Commission and copies were also being printed for the public.

Environmental Consultants Presentation:

Ms. Kirsten Chapman, ICF, said they prepared the Infill EIR for the project. She introduced Erin Efner, ICF, and Mark Spencer, W-Trans, transportation consultant for ICF. She said the City of Menlo Park was the lead agency and ICF was the lead consultant in the preparation of the Infill EIR. She said as shown on a map the proposed 6.4-acre project site contained seven existing buildings having approximately 22,000 square feet, which fronted on Derry Lane, Oak Grove Avenue and El Camino Real. She said the project site was within the area of the Downtown Specific Plan (Specific Plan) and the EIR for the Specific Plan was certified in June 2012. She said additionally sections were analyzed under various past CEQA documents including the Derry Lane Mixed Use Project EIR that was certified in 2006, for which she noted approvals were no longer valid. She noted also the 1300 El Camino Real Sand Hill Project EIR was certified in 2012. She

said this proposal was different from the Sand Hill proposal and the current environmental analysis looked at the whole current project proposal and did not rely on previous approvals.

Ms. Chapman said Greenheart Land Company was proposing to redevelop the site into a mixeduse development. She said existing structures would be demolished and 420,000 square feet of mixed-use facilities constructed. She said the project would include three mixed-use buildings up to four stories in height, a parking lot and underground parking with 1,000 parking spaces, linked landscaping, and a privately-owned, publicly accessible park. She said that the uses would total approximately 200,000 square feet of non-medical office space in two buildings, approximately 200,000 square feet of residential space equal to approximately up to 220 living units and up to approximately 30,000 square feet of community-serving space throughout the proposed buildings.

Ms. Chapman said that the project met the design standards of the Specific Plan, was proximate to transit, would use renewable energy, and was within a low vehicle travel area made it eligible for streamlining of the CEQA process for infill projects per SB226. She said although not required under SB226 the City elected to study project alternatives. She reviewed the mitigations that would reduce significant impacts to less than significant: impacts on bicycle and pedestrian facilities, exposure of sensitive receptors to adverse health risks, routine hazardous materials use and accidental release of hazardous materials. She said the Infill EIR also identified impacts that would remain significant and unavoidable and those included transportation impacts.

Application Presentation: Mr. Steve Pierce, Greenheart Land Company, introduced the architectural team of David Israel, BAR Architects, and Bruce Jett, Landscape Architect. He reviewed their four-year plus efforts on the project and the associated public hearings as well as the goals and intent of the development. He said this was a public benefit project under the Specific Plan's bonus density program. He said the project had inherent public benefits such as 180 new housing units next to transit, substantial revenues for a number of entities, underground parking, and retail. He said the public benefit proposed was \$2.1 million contribution to the downtown amenity fund and the provision of 20 below market rate (BMR) units. He said they were also guaranteeing \$84,000 a year in sales tax revenue and providing a dog park. He said they have a focused marketing program for incubator type space, startup or other new companies. He said they would have a robust transportation demand management (TDM) program and sustainability program. He said they would add to the City's bicycle infrastructure.

A video about the proposed project was shown.

Mr. David Israel, BAR Architects, said many changes had been made to the project since the video was created. He said one of the benefits of almost four acres of underground parking was having more open space. He said the parking had two access points from El Camino Real and two access points from Garwood. He said designated retail parking would have elevators and stairs to access the retail uses from the garage. He said the two three-story office buildings would face El Camino Real and provide a civic edge to the project. He said Oak Grove Plaza would be directly accessed by people arriving by train for retail, restaurants and other amenities. He said the Grand Promenade from El Camino Real led to the Central Courtyard. He said the Courtyard was approximately 120 by 170 square feet. He said one change between this current plan and the video was that the open arcades were now closed. He said this brought the retail facades closer to the street edge and would give the shops added presence along the street. He said Garwood Park had been proposed as bocce courts originally. He said based on public input it was now intended as a dog park. He noted that 100% of the residential units were designed to be adaptable for persons with disabilities.

Mr. Bruce Jett, Jett Landscape Architecture and Design, referred to Garwood Plaza as a place for Menlo Park residents to gather. He said there would be a fountain surrounded by palm trees creating an urban oasis where people could linger noting outdoor seating or could easily access the retail uses. He said along Oak Grove Avenue there were street trees, bicycle parking, benches, and trash receptacles creating a human scale. He said there was another four-foot width between the buildings and the eight-foot sidewalk for use by restaurants and retail. He said a key objective of the Central Plaza was to draw people into the space from El Camino Real. He said to that end they had pulled water features forward of the planters. He said they allowed for space for seating around the perimeter of the plaza and integrated the amphitheater into it. He said the scale was such that when empty it would not feel empty and could accommodate a large number of people that might gather for a small event. He said Garwood Park would be a dog park with other amenities such as picnic tables, water fountains for dogs and people, and a public restroom. He said the mews was intended at a smaller scale as separation and screening creating a garden setting with focalized features such as a lap pool, fitness room, and clubhouse noting seating and a fire pit, pavilion with seating, kitchens, fireplace and TV screen.

Commissioner Riggs said interest in varied paving shades was expressed and asked if they were amenable. Mr. Jett said they were proposing varied concrete pavers with different colors, shapes and patterns for sidewalk and over the podium.

Commissioner Onken asked if Garwood Way would be a dedicated City street and who was constructing it. Principal Planner Rogers said the applicant would do the construction and it would be dedicated to the City as a city street. Commissioner Onken asked about the seven parking spaces in the corner. Principal Planner Rogers said those would be time restricted spaces to incentivize use of the project property but would not be restricted to subject project use only.

Public Hearing:

- Harry Bims, Menlo Park resident, said he was on the Chamber of Commerce Board and that Fran Dehn, their CEO, submitted a letter expressing the Chamber's support of the project. He said he was reiterating that support noting his long time advocacy of mixed use for this property.
- Patrick Pelegri-O'Day, lifetime Menlo Park resident, said he currently worked with Greenbelt Alliance, and was representing their development endorsement team. He said the organization since 1980 has provided independent support or opposition for infill development projects. He said their team was proud to endorse the proposed Station 1300 project. He said a project like this gave him hope that he could afford to live in the area with the career path he chose and have the urban-like amenities he desired.
- Mike Moran said he was born and raised in Menlo Park and had raised two sons here. He said it was time for this project and time to bring in more retail, restaurants, sales tax, transit-oriented housing, new ideas, community, and commerce to Menlo Park and end the blight.
- Marc Bryman, Menlo Park, said he was happy this project might happen for the community noting it had been a methodical and thorough process. He said he hoped the Commission would strongly recommend the project to City Council.
- Skip Hilton said he concurred with all the previous speakers. He said he was a 22-year Menlo Park resident and was not representing any other group. He said he would like to see change

and growth in Menlo Park. He noted he participated in the Specific Plan development and this project completely fulfilled the objectives of that Plan.

- Vince Bressler said he was on the Commission when this project came forward and this
 proposal was not much different. He said his first reaction was it was a nice project. He said his
 second reaction was concern with traffic impacts for four streets near train tracks for ingress
 and egress at Garwood. He said that area by the train tracks was a major bottleneck already.
 He said he had not heard anything about the project's ability to integrate with grade separation
 options proposed for rail crossing. He said the Commission could not support the project
 because it did not solve the train track crossing.
- John Mueller said he agreed with everyone except the last speaker. He said three important things about this project were 1) changing an eyesore; 2) supporting existing services with people and energy; and 3) adding services that his family and others were currently availing themselves of in Palo Alto and Redwood City.
- David Wright said he and his family have lived in Menlo Park for five years and in addition to the favorable aspects of the project mentioned such as affordable housing, new restaurants, retail, and vibrancy, that office employees would avail themselves of downtown amenities.
- Scott Marshall, Menlo Park resident, and member of the Environmental Quality Commission and Heritage Tree subcommittee, said their Commission was asked to approve the removal of 59 heritage trees for the project. He said they did approve with recommendations to try to save some of the native heritage trees. He said 50 of the heritage trees were exotics and had grown quickly in the middle of the parcel. He said along the back of Garwood however there was a Valley oak, Coast live oak, and in the bioswale area near the parking lot was a healthy, native Coast redwood with five trunks and a good cluster. He said these trees would provide a buffer for the neighborhood behind as the project trees grew. He said it was a nice project and hoped for possibility of keeping some of the native heritage trees.

Chair Strehl closed the public hearing.

Commission Comment: Chair Strehl said the Commission at its last meeting heard a staff report regarding options for grade separations including the Oak Grove Avenue crossing. She asked if the applicants had spoken to the consultant preparing that report as to whether the project could accommodate future grade separations.

Mr. Pierce said they met with staff and discussed the options. He said Option A would not impact the project. He said Options B and C would require that Oak Grove Avenue be half submerged. He said they looked at the preliminary drawings for that in terms of road grade changes and how those might impact the project. He said visually and spatially there was no problem. He said if Oak Grove Avenue dropped down for Options B or C it would also bring down Merrill Street and Garwood, so they would still basically have the ability to go from Oak Grove Avenue into the project or out of the project. He said likewise under Option C, Glenwood Avenue would be dropped down, but Garwood would rise back up. He said that would keep the back of their project at grade, so there was no huge conflict. He said for the retailers on Oak Grove Avenue this option would not be optimal as there would be less visibility from cars driving by of their stores. He said if the \$300 million option came to the fore, they would want to be involved with that as the plans they had seen thus far made it difficult to get from the train station as a pedestrian to their development, so modifications would be needed for pedestrian access. He said nothing their development was doing would preclude or make more expensive changing the grade and building a retaining wall. Chair Strehl asked if he was saying that a grade separation at both Glenwood and Oak Grove Avenues would allow access at Garwood. Mr. Pierce said that was correct as preliminary plans showed Garwood dropping to the level of Oak Grove Avenue so the turning movements would exist. He said where it came back up at full grade it was at a location that would still work for them relative to the entrances to their garage.

Commissioner John Onken asked if Mr. Israel could highlight the main changes in this proposal from the previous proposal. Mr. Israel said the change to the commercial office buildings was to enclose the arcades as community serving retail spaces. He said that did not affect the form or mass of the building. Commissioner Onken said in the EIR they were given ranges of the residential/office/retail/community areas from 18,000 to 36,000 square feet. He confirmed with Mr. Israel that the current data sheet was concise and was what the Commission was being asked to recommend approval. Mr. Israel said the only remaining range was for the retail/commercial use which had a minimum to be maintained while providing for larger retail spaces.

Commissioner Andrew Barnes asked what determined whether they went for the minimum amount or maximum amount of community serving retail space. Mr. Pierce said it was in response to marketplace forces. He said on Oak Grove Avenue this was physically fixed. He said on El Camino Real that it would depend upon the tenants they get and how deep a space they might want. He said the 18,600 square feet was a minimum level commitment, but if they got tenants who wanted greater and deeper space they wanted the capacity to provide that. Commissioner Barnes asked what types of businesses would want greater and deeper space. Mr. Pierce said restaurants or a health or fitness studio. He said planning for the space would take place during the marketing phase.

Mr. Pierce described some of the expected uses for the Central Plaza in reply to a question from Commissioner Barnes.

Commissioner Larry Kahle asked how the public places would be secured at night. Mr. Pierce said they would maintain security and do maintenance for all of their facilities noting the dog park and public restroom.

Replying to Chair Strehl, Mr. Pierce said that security would be maintained for the dog park so it was not used for overnight camping and that the dog park was for residents of the development and the general community.

Replying to Commissioner Barnes' question about parking, Mr. Pierce described time limit parking for community-serving businesses, office parking and dedicated residential parking. He said they did a shared parking analysis as there was overlap and they did not need all the parking in the additive sense. He said potentially for weekend special events downtown that office and community-serving parking spaces could be available.

Commissioner Barnes asked about the focus on incubator/startup types of businesses. Mr. Pierce said this arose in their conversations with the City's negotiating team. He said that team had a desire to have focused outreach and marketing to those particular uses.

Chair Strehl confirmed with Mr. Pierce that office and residential tenants would pay a parking fee. He said rates had not been determined; he said the intent was to de-incentivize the use of cars. Chair Strehl noted a letter of concern that startup companies might be 24 hour operations. Mr. Pierce said the development was intended to have normal business hours and reiterated that the push for incubator companies came from the City Council members on the negotiations team with the idea to try to create spaces where companies might be fostered to grow in Menlo Park. He said it was not their intent to turn this into an area that was very dense on employees.

Commissioner Drew Combs asked if the City Council had a reference of an actual business model they wanted to see replicated. Mr. Pierce said it was presented as a concept. He said their guarantee was that they would approach those particular business operators and would engage brokers for specific uses. He said the direction from the Council was not to ignore those users and reach out to them. He said although it was a unique requirement it was easily satisfied by being very proactive in terms of contacting the operators of such businesses. Commissioner Combs asked about the 10-year development agreement and whether the provision of BMR units and the dog park would cease after 10 years. Mr. Pierce said the BMR requirement for 20 units was a standard 55-year BMR agreement. He said the other obligations would expire in 10 years. Ms. Kautz said the dog park would run with the land and would go beyond the term of the agreement. Commissioner Combs said they had received letters that most of the office population was based upon a 300 square foot per employee estimate while a company like Facebook did something much smaller than that, and asked why. Mr. Pierce said that some tech operators have a much more open landscape format with more employees per square foot as opposed to some professional businesses that prefer to use the space much more office density, which lowers the density of employees. He said he thought they would end up with a mix of tech and professional services businesses but most of their inquiries had been from professional service businesses. Commissioner Combs asked about the reason for a four-unit commercial condo. Mr. Pierce said there would be one for each office building. He said the third would be the entire residential building and the fourth would be the common areas including the plazas and garage. He said the reason was to allow for flexibility so that if at some point in the future the development was sold that it could be sold that way. He said the three elements that could be sold would be the three buildings with each having a proportionate ownership in the common area. He said they had no intent to sell the development.

Chair Strehl said they were paying \$2.1 million for public benefit. She said the transportation impact fee was the same amount and asked if those were separate payments. Mr. Pierce said that was correct. Chair Strehl confirmed with the applicant that the project would not have a trip cap but would have a very proactive TDM program.

Replying to Commissioner Kahle, Mr. Pierce said a rough range estimate of the number of employees present at any given time was 700 to 900. He said that the open arcades counted as floor area, and since those wrapped around the restaurant space and would be good dining areas they decided to capture that. He said also it became redundant area for circulation particularly since there were such deep sidewalks. Commissioner Kahle asked about the archway leading into the plaza noting a GoFundMe to recreate three Menlo Park arches. Mr. Pierce said they had not given that any thought. He said they could look if there was a place on the site for those. Commissioner Kahle noted the heritage tree removal and due to the Hetch Hetchy the need to raise Garwood up. Mr. Pierce said one of the most difficult issues with the trees was the space between the extended Garwood and the railroad right-of-way, which was about eight foot. He said that was required as bio-swale meaning they had to put special soils there. He said they were also required to put a 24-inch diameter storm drain into the bio-swale. He said with boring and a bit of overcut there would be about a three-foot diameter hole right under those trees which would be devastating to them. He said raising the street they would build a retaining wall along the railroad right-of-way to retain the bio-swale soils. He said within the narrow area of these trees there would

be a three-foot hole, soil removed and replaced with bio-swale soil mix, and two retaining walls constructed, which do a great deal of violence to the area. He said they hired an arborist to advise them on their plan. He said the City hired an arborist who recommended retaining two trees. He said one was right where the future sidewalk would be and not possible to save. He said the other was a palm that could be relocated. He said regarding the multi-trunk redwood tree that it was a seven-foot wide tree in an eight-foot size zone. Commissioner Kahle said looking at the civil engineering drawings he tended to agree that the trees along Garwood were difficult to save. He said he thought the redwood tree at the carwash area was an exception. Mr. Pierce said the foundation would be about 10-feet away from that tree and that would impact all the root structure. He said also where the tree was located a six to eight foot well would be required around the three foot diameter tree to allow for its growth. He said the edge of the tree was now at the edge of the sidewalk and the well would eat into the sidewalk about four feet. He said given the configuration of the road that was not desirable.

Commissioner Kahle asked if there was any way to tie workforce housing to people who work in Menlo Park such as teachers and fire district staff. Ms. Kautz said there were issues with requiring that. She said a state law said that as a condition of an application you could not give preference based on occupation and income. She said that made it difficult to make those requirements with any planning application. She said there were also laws regarding disparate impact but as a condition of a planning application you could not condition to discriminate against anyone based on income or occupation, although you could prefer agricultural employees. She said the City gave preference to people who worked or lived in Menlo Park for BMR housing.

Commissioner Barnes asked if there was a sunset clause for the sales tax payment. Ms. Kautz said it ran with the 10-year term of the development agreement which was when it would expire. Commissioner Barnes asked about relocating the Canary palm tree. Mr. Pierce said it would be relocated offsite.

Commissioner Henry Riggs said the Commission received a comment letter regarding the valuation of the parking in the development agreement. Principal Planner Rogers said with the Planning Commission and City Council's reviews of the public benefit proposal earlier in 2016, the City provided a fiscal analysis by an independent consultant BAE whose work was overseen by the City. He said that analysis looked at what the public benefit valuation. He said in the analysis presentation it was clear that development has moving elements and the analysis was the best snapshot in time based on those parameters. He said as the project moved forward some parking was reduced which might create savings for the developer but there were other factors that had changed, likely to the detriment of the developer's profit line, including pending interest rate changes, construction cost increases, and the cost of the land being vacant. He said the City Council through the development agreement set the terms and had reviewed and approved the term sheet for the project.

Commissioner Riggs said renderings had notes that some of this was no longer current. Mr. Pierce said there were no major changes to the form, shape, style of the buildings and changes related to landscape treatment and awnings. He said there was a great deal of signage shown on the renderings and their signage plan had yet to go through the City. He said the more substantive change was to the grand entry into the residential building area by changing that into a grand lobby that could also become an amenity area. Replying to Commissioner Riggs, Mr. Pierce said they were open to staff suggestions about materials and elements. He said regarding colors they were in total concurrence. Commissioner Riggs asked about the bronze metal window frames on the materials board and the brown framed windows in the renderings in the video. Mr. Israel said part

of that was in response to staff to comply with standards of the Specific Plan for changes in materials, color and fenestration from building to building. He said it was a purposeful response to use dark brown on the windows of one of the buildings and dark red brown on the other to contrast color and fenestration. He said they intended to do everything they could to give the building a feel of integrity and guality. He said they wanted the architecture to be referential but not replicate traditional architecture. Commissioner Riggs said the arch that contained the 1300 seemed light in contrast to the architecture and asked if they were considering other versions of the arch. Mr. Israel said they were happy to look at that with staff. He said the genesis of the arch form was tied to the notion of the rail history and location and cast iron trestle found around rail stations. He said regarding the enclosure of the main arch into the central area that there were indoor halls interrupted by outdoor spaces that residents would need to access for various reasons. Commissioner Riggs asked about the finishes on the open air stairs. Mr. Israel said staff had indicated that was something they would like to work with them closely on to make sure the colors were appropriate to the style. He said they agree with that collaboration and expected either a transparent opaque stain complementary to the buildings' color and not some completely inconsistent stylistic approach. Commissioner Riggs asked if there would be decorative elements or if they would be simple exit stairs.

Mr. Israel said the open air stairs would have stylistically consistent, probably articulated, solid wall with some more traditional cap elements. He said the residential would have direct access from the streets to the stoops with a wall that connected to the street. He said they had not gotten as far as the stair steps but it would be architecturally consistent. He said the stairs were significant light wells that would draw people up from the parking garage to the plaza and retail and allow people to exit graciously.

Commissioner Riggs asked about the idea of changing parking along Oak Grove Avenue to free up space for a bicycle lane. Mr. Pierce said that the City intended to expand the width of Oak Grove Avenue at that location and initial plans were to widen the street and include the bikeways specified in the Specific Plan. He said their plan was to have parking on both sides of Oak Grove Avenue as there currently was and to have five-foot bikeways with two-and-a-half buffer with 11-foot drive lanes. He said at either the Bicycle or Transportation Commission hearings the thought came up to not widen the street and remove the parking from the Station 1300 side of the street and keep the parking on the other side of the street as well as the bikeways at the same dimensions as he previously mentioned. He said their preference was to keep the parking in part because of the retail. He said the safety concern was with vehicles crossing bike paths to park. Commissioner Riggs confirmed the applicant's proposal was to retain parking on both sides of the street.

Chair Strehl asked about construction staging and whether they were proposing to have construction vehicles travel down Oak Grove Avenue to Middlefield Road. She said one of the concerns expressed to her was construction traffic down Oak Grove Avenue past schools such as Nativity School and on Encinal Avenue going by Encinal School. Mr. Bob Burke, Greenheart Land Company, said the City has street identified routes for truck traffic. Principal Planner Rogers said sheet A8.02 showed flows around the site with a copy of the City's truck route map on the right. He said the unlimited truck routes were the freeways, Bayfront Expressway and El Camino Real. He said there were limited truck routes down Santa Cruz Avenue, Ravenswood Avenue and part of Middlefield and Willow Roads. He said on Attachment C11 there were conditions for the applicant to submit plans for building permit for construction parking management, construction staging and storing, as well as traffic control.

Commissioner Kahle said there appeared to be copper gutters and flashing. He said the City of Palo Alto had banned its use due to water contamination. Principal Planner Rogers said he would have to get back to him as to his knowledge the City of Menlo Park had not banned its use.

Commissioner Onken said that more than due diligence had been given to this project. He said he appreciated that the architect had gone from a fairly Santa Barbara style to a more collegiate, Stanford style. He said he thought the open arcades were critical and suggested whether they could get some of the permeability-feel back with some portion of that on the front. He said it was important to understand how the signage program would work on this project. He said he hoped it would take its opportunity to say high class and restrained. He said with the question of what would happen with raising and lowering railroad crossings that if Options B or C were done that the corner would still work but would not be the same as proposed. He said as they go over this process that if there was clarity about the railroad crossing that Greenheart should have flexibility to manipulate the corner accordingly. He said initially he was going to complain about removal of the heritage trees along Garwood but he understood the issues. He said he would depend on the arborist regarding the redwood and oak trees. He said the public benefit being offered was appropriate, and he could support the project.

Commissioner Kahle said he agreed with Commissioner Onken about the signage program and the public benefit. He said he also preferred the open arcades providing more of a Stanford quad feel. He said at the last meeting they had considered this project he had been concerned with the plaza and it potentially feeling empty. He said the applicant had done a good job of enhancing the areas with water features and other amenities. He said he was a little concerned about the security of the site at night. He asked if there was any support to keep the one redwood tree. He said it was a suggestion about the archway and he agreed with Commissioner Riggs that the arch seemed light given the size and entryway. He said he fully supported the project.

Commissioner Riggs said he had a long list of things he found commendable about the project. He said he had some questions for staff. He said the Downtown Specific Plan had established a bike route that included Garwood Way. He said in the plans it was shown as a Class 3 bike route. He asked if it was at all feasible to move it up to a Class 2. Principal Planner Rogers said the Class 3 bike route was consistent with what was in the Specific Plan. He said to accomplish Class 2 was likely possible with removal of parking on one side of the street. He said that request if supported by the majority of the Commission could be looked at in more detail during the period between tonight's hearing and when the project went before the City Council for approval. Commissioner Riggs said he was not completely opposed to using a Class 3 bike lane. He asked regarding the Oak Grove Avenue curb relocation he had discussed with the applicant whether staff was amenable should the Commission support that. He said it was very significant to have parking in front for retail. Principal Planner Rogers said the Transportation Commission's recommendation was brought forward but staff believed the designs that were the applicant's preferred scenario of moving the curb, retaining the parking on both sides, and adding a bike lane and buffer met modern standards for bicycle lanes. He said there was not a clear regulatory or safety reason to not permit that. He said the Transportation Commission's concern was that even with a buffer for bicycles from opening car doors that cars would be passing through bike lanes to park.

Commissioner Riggs said he supported staff's conclusions about the proposed heritage tree removals. He said he found the public benefit of \$2.1 million, 20 BMR units, and a dog park appropriate and sufficient for the bonus density level. He said the architecture and landscape architecture were commendable and he appreciated the references to historical and not actual historical features. He said the open space, dog park and public restroom were desirable. He noted

the underground parking was highly desirable and would serve the community well. He said the applicant brought forth a very attractive project meeting all of the requirements of the Specific Plan. He said he thought the retail uses would be charming and enhance downtown.

Commissioner Barnes said he supported the project and preferred the mix of residential and commercial rather than just being residential. He said the public benefit was adequate and the environmental review was very well done. He said with the corridor that he did not think the central courtyard would be attractive to the public but would be more for the residents. He said if they truly wanted that to be a public space they would need to make it more inviting. Commissioner Riggs confirmed with Commissioner Barnes that he was referring to the 1300 arch.

Chair Strehl said she concurred with other Commissioners that the project adhered to the Specific Plan and would be a great addition to the community.

Commissioner Combs moved that the Planning Commission make a recommendation that the City Council take the appropriate actions for approval of 1300 El Camino Real project, Station 1300, as outlined in Attachment A of the staff report. Chair Strehl seconded the motion.

Commissioner Riggs asked if the makers of the motion and second would support recommendation to allow the applicant to move the Oak Grove Avenue curb to the plan line so they might have the row of parking in addition to the bike lane on either side. Commissioners Combs and Strehl accepted Commissioner Riggs' proposed amendment.

Commissioner Riggs asked in deference to Commissioners Onken and Kahle if the Commission wanted to suggest to staff that the archway to the residential or Commissioner Barnes' idea to work with the archway to the retail space be reviewed for enhancement. Chair Strehl said from her perspective that keeping the entry to the residential closed off to the public was appropriate. Commissioner Riggs said he thought Commissioner Onken was asking for more depth at the top of the stairs or something implying an entry even if it was not.

Commissioner Onken said they were looking at the rendering in question and not the stairs. He said on either side of the arch on El Camino Real there had been the beginnings of arcades that had been removed in the latest plan. He said those had given a more permeable feel to the entry and thought it would be good to get more openness there. He said this was an appropriate opportunity to prescribe particular architectural moves noting the architect and developer thus far have seemed responsive to concerns. He said he was happy to see things move forward without prescribing any architectural moves.

ACTION: Motion and second (Combs/Strehl) to make a recommendation that the City Council take the appropriate actions for approval of 1300 EI Camino Real project, Station 1300, as outlined in Attachment A of the staff report with one modification to recommend approval of the applicant's proposal for the Oak Grove Avenue configuration; passes 6-0-1 with Commissioner Goodhue not in attendance:

Environmental Review

 Adopt a Resolution of the City Council of the City of Menlo Park Adopting Findings Required by the California Environmental Quality Act, Including a Statement of Overriding Considerations, Adopting a Mitigation Monitoring and Reporting Program, and Certifying the Final Infill Environmental Impact Report for the 1300 El Camino Real Project, Located at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane (Attachment B)

Architectural Control, Use Permit, and Tentative Map

 Adopt a Resolution of the City Council of the City of Menlo Park Approving Findings and Conditions for the Architectural Control, Use Permit, and Tentative Map for the 1300 El Camino Real Project located at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane (Attachment C).

Heritage Tree Removal Permits

 Adopt a Resolution of the City Council of the City of Menlo Park Approving the Heritage Tree Removal Permits for the 1300 El Camino Real Project, located at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane (Attachment D)

Below Market Rate (BMR) Housing Agreement

 Adopt a Resolution Approving a Below Market Rate Housing Agreement with Real Social Good Investments, LLC for the 1300 El Camino Real Project, located at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane (Attachment E)

Development Agreement

 Introduce an Ordinance of the City Council of the City of Menlo Park Approving the Development Agreement with Real Social Good Investments, LLC for the 1300 El Camino Real Project, located at 1258-1300 El Camino Real, 550-580 Oak Grove Avenue, and 540-570 Derry Lane (Attachment F)

G. Informational Items

- G1. Future Planning Commission Meeting Schedule
 - Regular Meeting: January 9, 2017
 - Regular Meeting: January 23, 2017
 - Regular Meeting: February 6, 2017
 - Regular Meeting: February 27, 2017

H. Adjournment

Chair Strehl adjourned the meeting at 9:57 p.m.

Staff Liaison: Thomas Rogers, Principal Planner

Recording Secretary: Brenda Bennett

Community Development



STAFF REPORT

Planning Commission Meeting Date: Staff Report Number:

1/23/2017 17-005-PC

Public Hearing:

Use Permit Revision/Shannon Thoke/116 O'Connor Street

Recommendation

Staff recommends that the Planning Commission approve a request for a use permit revision to add firstand second-story additions to an existing nonconforming single-family, two-story residence with a basement on a lot in the R-1-U (Single-Family Urban) zoning district at 116 O'Connor Street. The previous use permit was approved by the Planning Commission on March 5, 2012.

Policy Issues

Each use permit request is considered individually. The Planning Commission should consider whether the required use permit findings can be made for the proposal.

Background

Site location

The subject site is located at 116 O'Connor Street between Menalto Avenue and Elliott Drive in the Willows neighborhood. The residences in the area are varied between single and two-story and represent various styles. Like the neighboring properties, the subject site is zoned R-1-U (Single-Family Urban Residential) and contains a single-family residential unit. The subject site also contains a detached garage and secondary dwelling unit. The property is a standard size lot, meeting the minimum lot depth, width and area per the R-1-U zoning district standards. Although the rear portion of the lot is located within the flood zone, the project is not subject to the Federal Emergency Management Agency (FEMA) because the proposed scope of work is outside of the flood zone area.

Previous Planning Commission review

On March 5, 2012, the Planning Commission granted a use permit application for interior modifications, a first floor addition, and construction of a new second story to an existing nonconforming, single-family residence located in the R-1-U (Single-Family Urban) zoning district. The proposed scope of work exceeded 50 percent of the existing value of the residence within a 12-month period, and required approval of a use permit by the Planning Commission. No changes to the detached garage or secondary dwelling unit were proposed as part of the use permit request. The secondary dwelling unit had separately been determined to be a legal nonconforming secondary dwelling unit.

Analysis

Project description

The applicant is proposing to construct first- and second-story additions to the existing two-story residence, as well as conduct interior and exterior remodeling, including the addition of a second-floor balcony at the rear of the property. The existing structure is nonconforming with regard to the front setback. The existing nonconformity is proposed to remain, but all areas of new construction would comply with current setbacks and other development standard requirements. The total work would be less than 50 percent of the existing structure's replacement value, which would normally not require a use permit. However, because the earlier project received a use permit, a revision is required for the current proposal.

The existing structure contains approximately 2,345 square feet of floor area, inclusive of the garage and secondary dwelling unit, but excluding the approximately 228-square foot basement. The existing fourbedroom, three-bathroom residence would become a five-bedroom, four-bathroom residence. The applicant proposes to add approximately 107 square feet to the first floor along the right side of the residence to reconfigure the kitchen, and to add 315 square feet to the second story, which includes a bedroom suite with a bathroom. As part of the proposed project, the applicant also proposes interior remodeling, primarily to change the configuration of the kitchen and access to the utility room and crawlspaces in the basement below.

The modified residence would have a total Floor Area Limit (FAL) of approximately 2,768 square feet (inclusive of covered parking, second unit, and area over 12 feet in height), which is below the maximum permissible FAL of 2,801 square feet. The proposed project would retain the existing covered front porch on the main residence and the porch at the front entry to the secondary dwelling unit. Both of these features would contribute to the total building coverage at the site, which is proposed to be approximately 1,992 square feet or 28.2 percent, where 2,451.75 square feet or 35 percent is the maximum permissible. The maximum height of the residence would remain at 24 feet, but would be well below the maximum permissible height of 28 feet. The proposed structure complies with the daylight plane requirements, and the proposed second floor balcony at the rear of the residence complies with the balcony setback requirements.

The site would remain legal, nonconforming with regard to the number of parking spaces, as may be permitted on expansion or remodel projects. The subject property currently has a detached garage, which provides one covered parking space where two spaces (one covered and one covered or uncovered space) are required for the main dwelling unit. The detached garage is also a nonconforming structure, but can remain. No modifications to this structure are proposed. The driveway would continue to provide at least three uncovered parking spaces, one of which is considered a legal, nonconforming space for the secondary dwelling unit because it is partially located within the side setback. The two remaining uncovered parking spaces would be located in tandem with the garage space, and therefore would not qualify for the off-street parking requirement, but would be functional. Staff believes that the retention of the existing residence poses some physical constraints to easily creating an additional parking space that is not in tandem. In addition, the existing parking condition appears to have served the existing residence and secondary dwelling unit adequately, and the property will retain the current parking configuration and uses.

Design and materials

The existing residence is a two-story structure, designed in a craftsman style. The proposed remodel and addition would retain the architectural style by continuing to use similar materials and features to complement the existing residence. The applicant proposes to preserve the existing true divided light windows on the first floor, front elevation to keep the original appearance of the residence, with the remaining existing and new windows would be wood clad with simulated divided light. The intent of the window style is to keep the half-grid pattern amongst all the larger windows, which is typical of craftsman-style design, to create a cohesive appearance. The existing roof structure would be modified to accommodate the second story addition. The existing corbel detailing on the gabled-end roofs would be also be retained and mimicked on the new gabled-end roof elements of the house. No changes are proposed to the existing front porch, which frames the front door and provides a focal point and inviting entrance.

The proposed second floor would remain set back from the front facade, but generally centered over the residence and extending farther towards the rear and over the new first floor addition. Although the second story would be flush with the first floor on the right and left sides for portions of the design, the articulation provided by the varied roof lines provide a well-balanced design. The overall height would be 24 feet, which is sensitive in scale and should not appear imposing, particularly with the generous existing side setbacks. In addition, it appears that the number, size and placement of windows have also been designed to be sensitive to the surrounding residential uses.

The applicant has proposed to preserve the existing architectural style of the residence and staff believes that the scale, materials, and style of the proposed residence are in keeping with those of the broader neighborhood.

Trees and landscaping

The subject project site includes one 20-inch heritage magnolia tree in the front yard, within the public right of way, and 11 non-heritage trees of varying sizes along the rear property line. Given the location of the trees and the proposed construction, impacts to the tree are not expected. However, standard tree protection measures per conditions 3e would need to be followed during construction. No changes to the landscaping are being proposed.

Correspondence

Staff has received one item of correspondence (Attachment F) from Mark and Lindsay Dillon at 1976 Menalto Avenue, which adjoins the property at the right rear corner. In their email, they state that they have reviewed the plans and express concerns that the proposed second floor balcony may pose a privacy concern, and request additional landscape screening be planted along the rear of the residence. Additionally, they asked that any future plans for any changes to the solar panels on the property be distributed. Staff feels the approximately 90-foot distance from the proposed balcony to the neighboring residence and the existing screening on the site mitigate this concern. In addition, the balcony is relatively modest in size, which may limit how actively it is used.

Conclusion

Staff does not believe the proposed changes materially change the style or neighborhood compatibility of the existing residence. No significant privacy concerns are anticipated as the additions to the second floor and balcony along the rear elevations are at a substantially far distance from neighboring dwellings, and there is screening in the form of trees and the accessory building along the rear. Staff recommends that the Planning Commission approve the proposed revisions to the project.

Impact on City Resources

The project sponsor is required to pay Planning, Building and Public Works permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project.

Environmental Review

The project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper and notification by mail of owners and occupants within a 300-foot radius of the subject property.

Appeal Period

The Planning Commission action will be effective after 15 days unless the action is appealed to the City Council, in which case the outcome of the application shall be determined by the City Council.

Attachments

- A. Recommended Actions
- B. Location Map
- C. Data Table
- D. Project Plans
- E. Project Description Letter
- F. Correspondence

Disclaimer

Attached are reduced versions of maps and diagrams submitted by the applicants. The accuracy of the information in these drawings is the responsibility of the applicants, and verification of the accuracy by City Staff is not always possible. The original full-scale maps, drawings and exhibits are available for public viewing at the Community Development Department.

Staff Report #: 17-005-PC Page 5

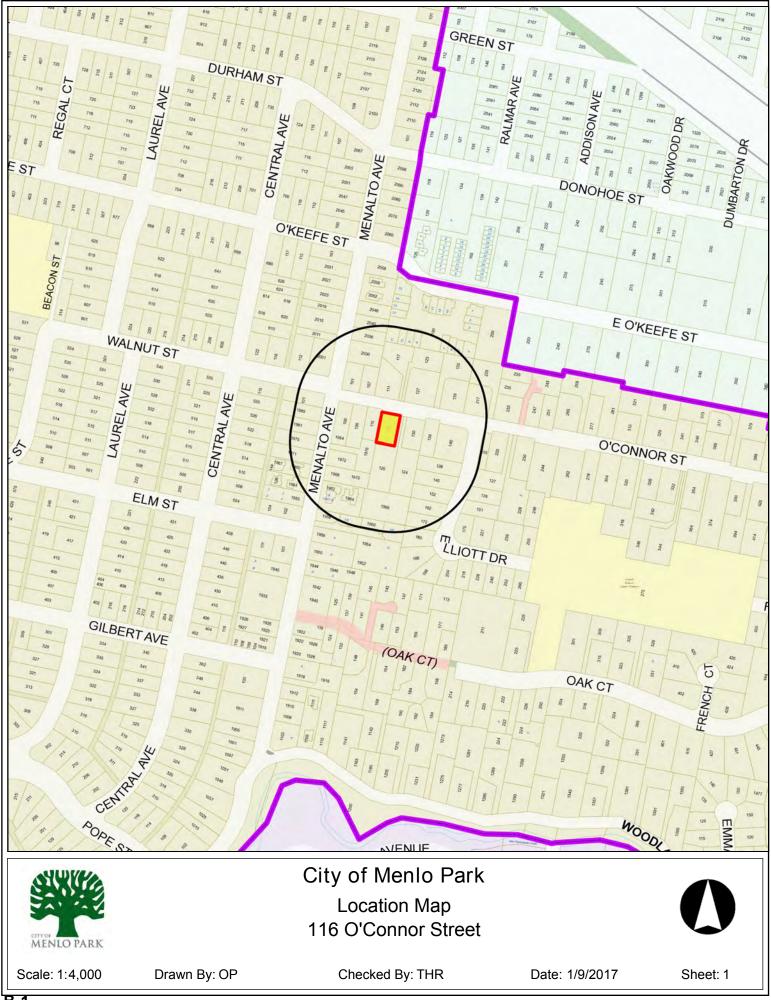
Exhibits to Be Provided at Meeting None

Report prepared by: Ori Paz, Planning Technician

Report reviewed by: Thomas Rogers, Principal Planner

				CT NUMBER:APPLICANT: Shannon6-00107Thoke			OWNER: Shannon Thoke								
nor	nconf an) z	orm	ing single-fam	ily, two-s	tory residence w	ith a basement on a	a lot in th	ditions to an existing ne R-1-U (Single-Family Commission on March 5							
DECISION ENTITY: Planning Commission				ning	DATE: January	23, 2017	ACTION: TBD								
VO	TE: 1	ГВС) (Barnes, Con	nbs, Goo	dhue, Kahle, Onl	ken, Riggs, Strehl)									
AC	TION	I:													
1.			a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing ies") of the current California Environmental Quality Act (CEQA) Guidelines.												
2.	pern gene	nits eral not	findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use ts, that the proposed use will not be detrimental to the health, safety, morals, comfort and al welfare of the persons residing or working in the neighborhood of such proposed use, and ot be detrimental to property and improvements in the neighborhood or the general welfare of ity.												
3.	Approve the use permit subject to the following <i>standard</i> conditions:														
	a. Development of the project shall be substantially in conformation Michelle Miner Design consisting of 8 plan sheets, dated approved by the Planning Commission on January 9, 20 conditions contained herein, subject to review and appropriate the substantial structure of the substantis structure of the substantial structure of the						received January 11, 2017, and I7, except as modified by the								
		b.				pplicants shall comply with all Sanitary District, Menlo companies' regulations that are directly applicable to									
		C.		ion, Engi	neering Division,	oplicants shall comp and Transportatior		all requirements of the n that are directly							
		d.	installations o Divisions. All placed underg	r upgrade utility equ ground sh Il meters,	es for review and ipment that is in all be properly s back flow preve	stalled outside of a creened by landsca	anning, building aping. Th	for any new utility Engineering and Building and that cannot be ne plan shall show exact , junction boxes, relay							
		e.	submit docum that the applic complete any agreement or	nentation cant shall future fro plans sh	of a deferred from remove and rep ontage improvem all be submitted	ntage improvement lace any damaged lents as deemed ne	agreem and sigr ecessary roval by	ication, the applicant sha lent or plans indicating lificantly worn sections, c by the City. The the Engineering Division							
		f.	Heritage trees	, in the vi	cinity of the cone	truction project obc	all be pro	tested pursuant to the							

ATTACHMENT B

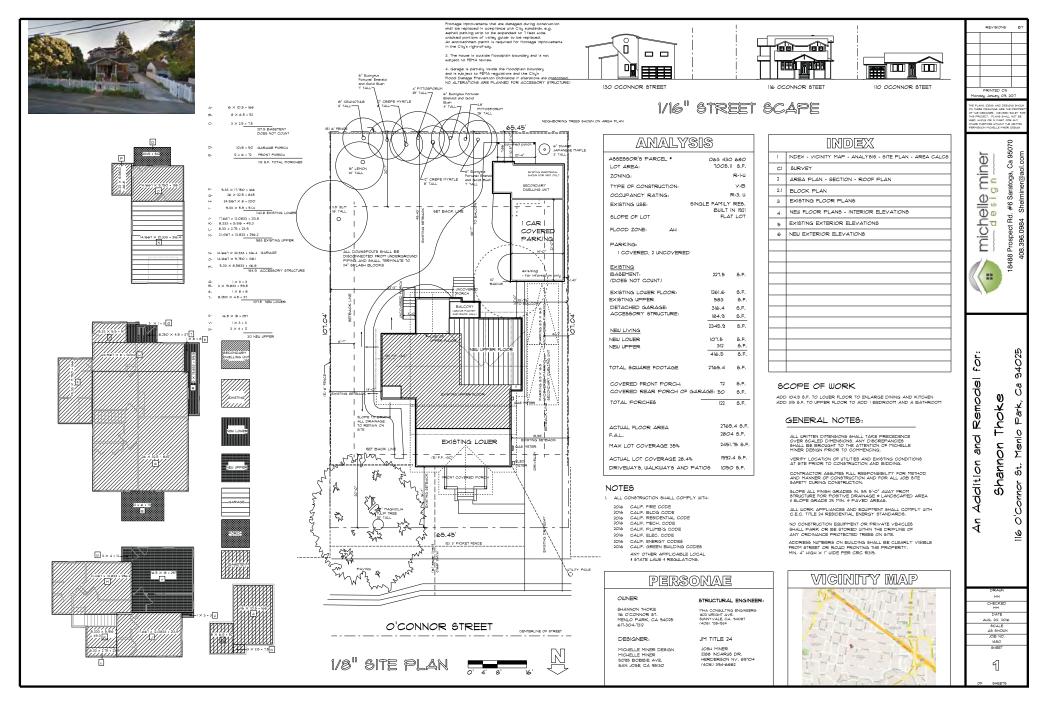


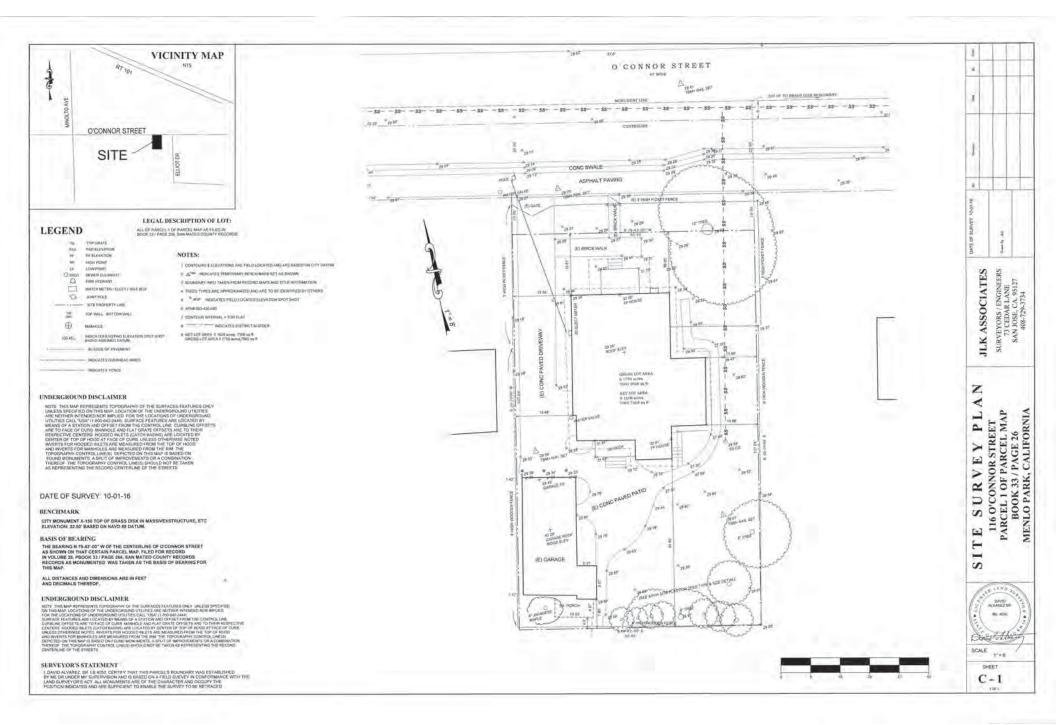
116 O'Connor Street – Attachment C: Data Table

ATTACHMENT C

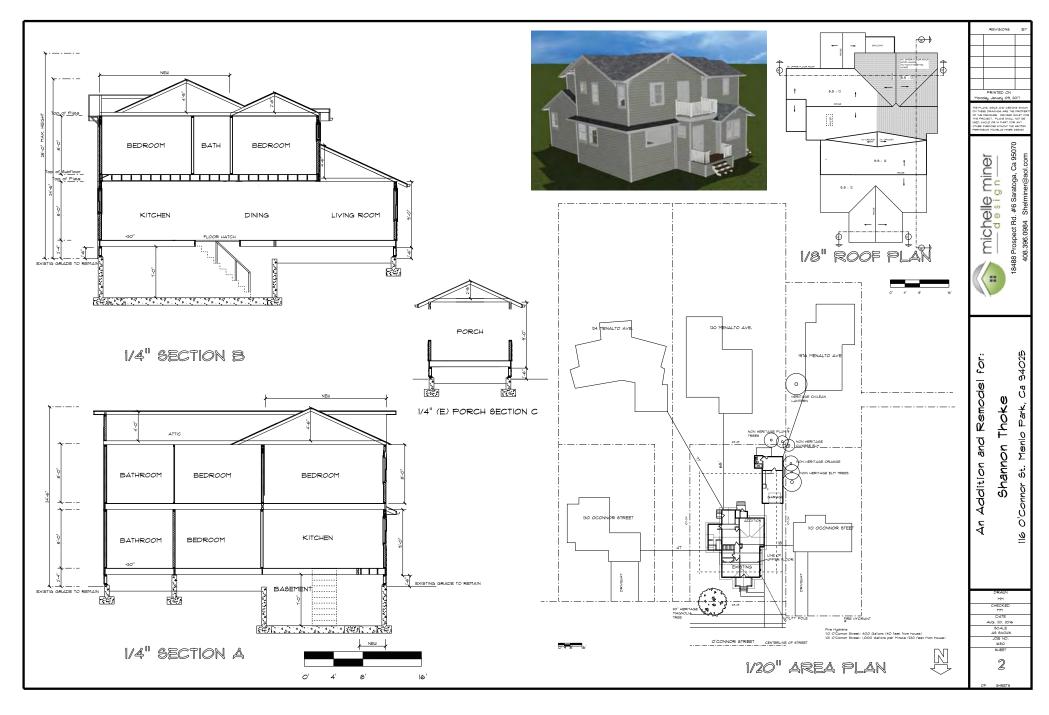
		POSED DJECT	-	STING OPMENT	ZONING ORDINANCE				
Lot area	7,005	sf	7,005	sf	7,000.0	sf min.			
Lot width	65.45	ft.	65.45	ft.	65.0	ft. min.			
Lot depth	107.04	ft.	107.04	ft.	100.0	ft. min.			
Setbacks									
Front	16.58	ft.	16.58	ft.	20.0	ft. min.			
Rear	45.43	ft.	45.43	ft.	20.0	ft. min.			
Side (left)	14	ft.	14	ft.	5.0	ft. min.			
Side (right)	12.58	ft.	15.55	ft.	5.0	ft. min.			
Building coverage	1,992.4	sf	1,885.9	sf	2,451.8	sf max.			
	28.4	%	26.9	%	35.0	% max.			
FAL (Floor Area Limit)	2,768.4	sf	2,345.9	sf	2,801.3	sf max.			
Square footage by floor	1,369.1	sf/1 st floor	1,262.6	sf/1 st floor					
	898	sf/2 nd floor	583	sf/2 nd floor					
	316.4	sf/garage	316.4	sf/garage					
	184.9		184.9	sf/secondary					
		dwelling unit		dwelling unit					
	72	sf/porch	72	sf/porch					
	50	sf/porch (rear	50	sf/porch					
		of garage)		(rear of					
				garage)					
Square footage of buildings	2,890.4	sf	2,467.9	sf					
Building height	24	ft.	24 ft.		28.0 ft. max.				
Parking		2 uncovered	1 covered/2 uncovered		1 covered/1 uncovered				
	Note: Areas shown highlighted indicate a nonconforming or substandard situation.								
Trees	Heritage trees	: 2*	Non-Heritage	trees: 17**	New Trees:	0			
	Heritage trees		Non-Heritage trees		Total Numbe	er of			
	proposed for removal: 0			removal: 0	Trees:	19			
	* One heritage tree is located in the right-of-way in front of the property, and o								
	located on a neighboring property at the rear								
	** Six of the non-heritage trees are located on neighboring properties								

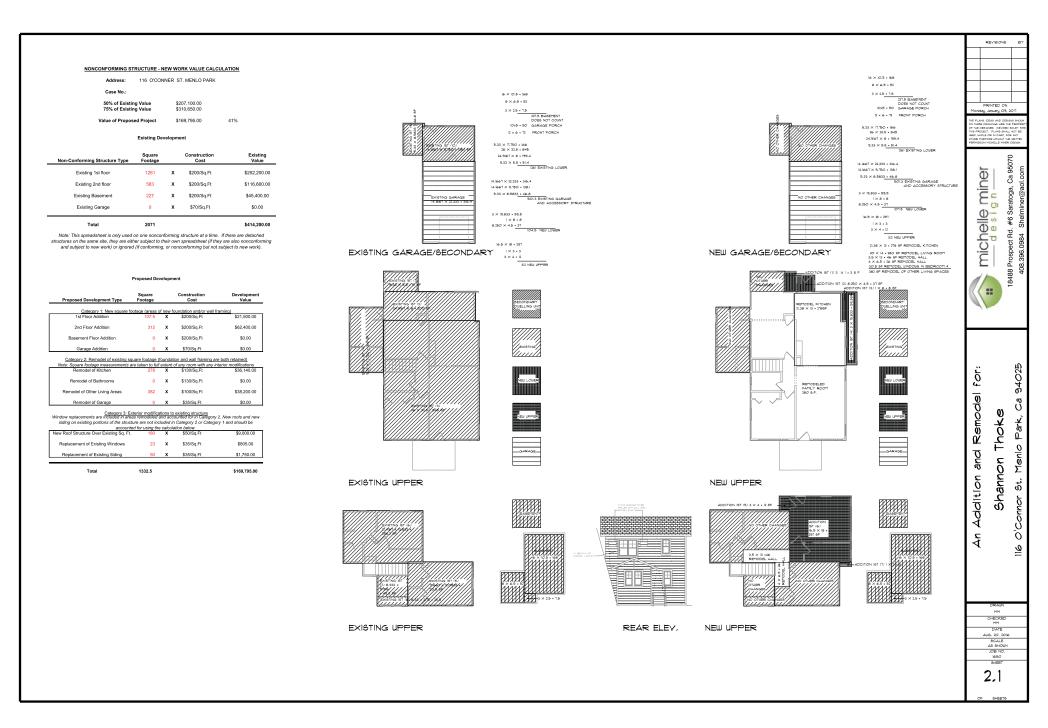
ATTACHMENT D

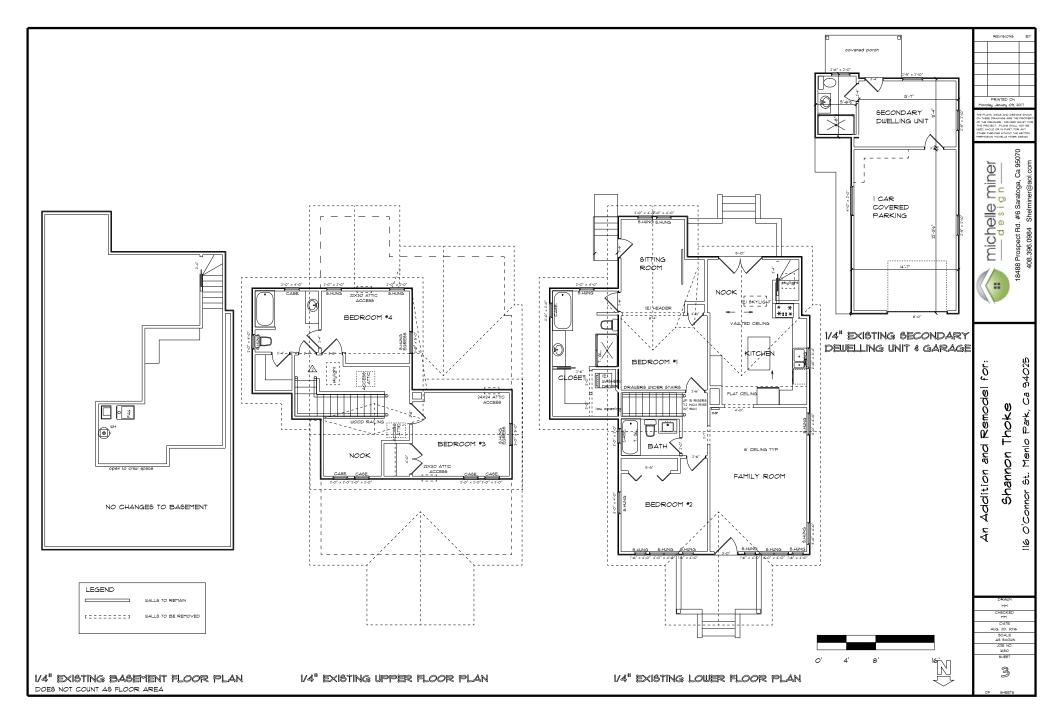


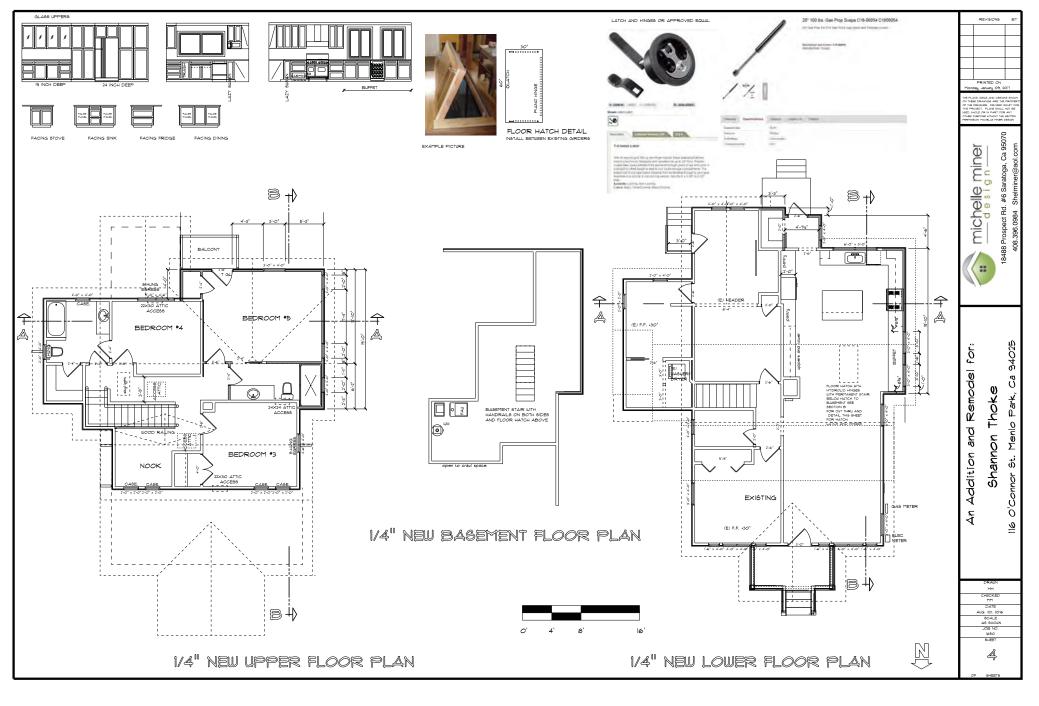


D2

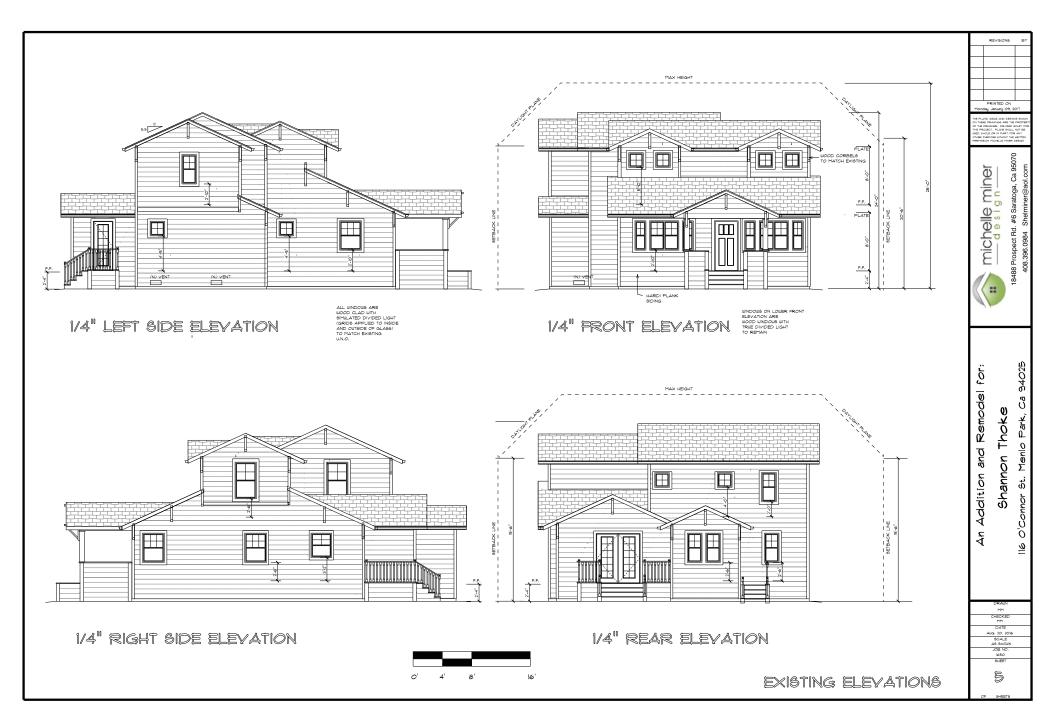


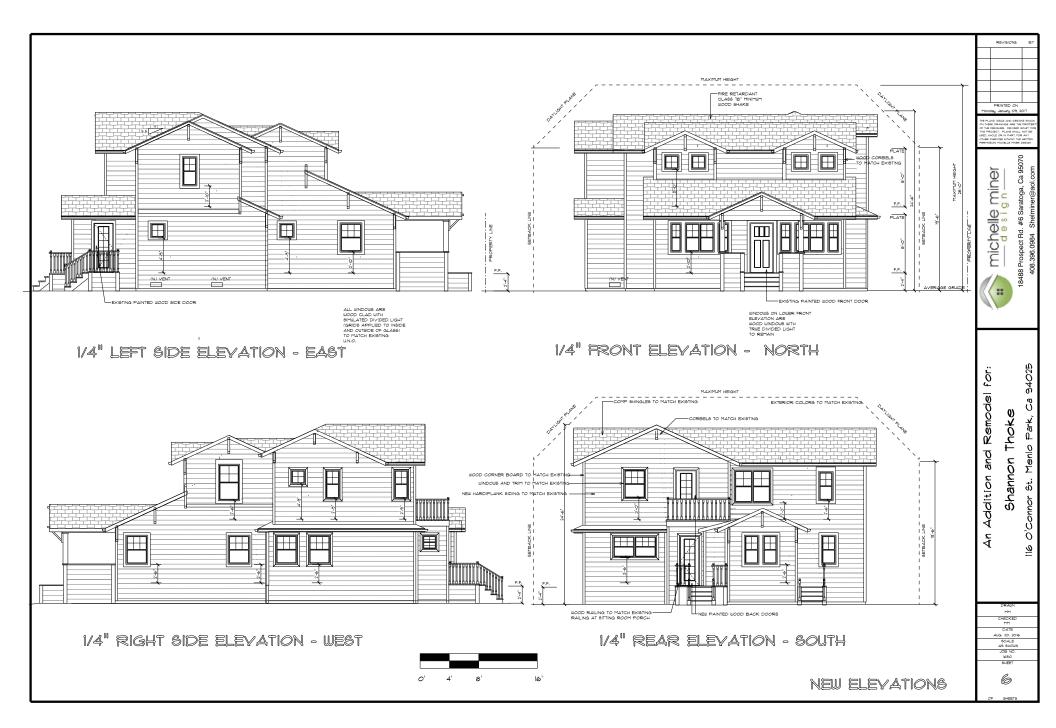






D6





ATTACHMENT E



18488 Prospect Rd. Suite 6 Saratoga Ca 95070 408.396.0984 OCT 17 2016

RECEIVED

CITY OF MENLO PARK BUILDING

Oct. 11, 2016

Re: 116 O'Conner Street Menio Park, Ca

PROJECT DESCRIPTION

We propose to add 104.5 s.f. to the lower floor of the existing home to enlarge and remodel the kitchen and add 315 s.f. to the upper floor to add an additional bedroom and bathroom with a balcony towards the back.

The existing single family home is a craftsman home built in 1921. We will be maintaining the original style of the home and matching all the exterior materials including, siding, trim, windows, roofing, etc. The new addition will be painted to match the existing home.

Sincerely,

Michelle Miner, Designer

ATTACHMENT F

om"
ce)

Ori,

We are writing to comment on the proposed addition to the Thoke Residence (116 O'Connor). We viewed the plans and have a few concerns we'd like to have addressed:

- The proposed addition would create a line of sight issue from their new rear 2nd floor balcony directly into our yard and master bedroom. What type of screening is being required? We currently have a replacement heritage tree growing in our yard to add privacy between our properties. Shannon Thoke is asking for this tree to be removed (legal action). If removed, this line of sight issue will be even more pronounced. We believe it would be necessary to add landscape screening along the rear of the Thoke residence (south facing) that would create a natural screen between the two properties, growing to at least 20-30 feet in mature height.
- The plans do not show any changes or additions being made to the existing solar panels on the property. If any changes are being proposed, including moving existing or installing net new/additional panels, we request that these plans be included and distributed for comment.

Please respond to these concerns at your earliest convenience.

Sincerely,

Mark and Lindsay Dillon 1976 Menalto Ave.

MARK DILLON | Director, Corporate Sales D: (650) 627-1014 | M: (650) 544-1019 | mdillon@netsuite.com



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Community Development



STAFF REPORT

Planning Commission Meeting Date: Staff Report Number:

1/23/2017 17-006-PC

Public Hearing:

Use Permit and Variance/Eugene Sakai/1199 North Lemon Avenue

Recommendation

Staff recommends that the Planning Commission approve a request for a use permit to demolish two existing one-story residences to build a new two-story residence with a basement on a substandard lot with regard to lot width at 1199 North Lemon Avenue in the R-1-S (Single-Family Suburban Residential) zoning district. The project also includes a variance request for the residence to have a corner side (facing Croner Avenue) setback of eight feet, where the requirement is 12 feet, for both the first and second stories. In addition, one heritage coast live oak (25.3-inch diameter), in fair condition, at the front of the property, and one heritage flowering plum (19.4-inch diameter), in poor condition, at the left side of the property, would be removed. The recommended actions are included as Attachment A.

Policy Issues

Each use permit and variance request is considered individually. The Planning Commission should consider whether the required use permit and variance findings can be made for the proposal.

Background

Site location

The project site is located at 1199 North Lemon Avenue, directly south of the intersection of North Lemon Avenue and Croner Avenue. Considering North Lemon Avenue in an east to west orientation, properties on Croner Avenue south of 1199 North Lemon Avenue are located in unincorporated San Mateo County. Adjacent properties to the east, west and north are located in the City of Menlo Park and are also zoned R-1-S. The subject property is considered substandard with a width of 41.34 feet, which is slightly more than half of the 80 feet of width required for a standard R-1-S-zoned lot.

Residences on North Lemon Avenue are a mix of single-story, single-family residences and two-story, single-family residences. Older existing residences tend to be one story in height, while newly built and remodeled residences are typically two stories in height. Residences on North Lemon Avenue feature a variety of architectural styles including ranch, craftsman, and traditional residential. Residences along Croner Avenue also feature diverse architectural styles with a mix of one- and two-story homes.

For Zoning Ordinance setback purposes, the front property line for corner lots is the shorter of the two street-facing sides. Front doors and addresses may be located on either street frontage. In this case, the

Staff Report #: 17-006-PC Page 2

front property line is along North Lemon Avenue, and Croner Avenue is designated as the corner side lot line.

Previous Planning Commission review

On August 15, 2016, the Planning Commission reviewed an initial version of the proposal for the subject property. Six neighbors spoke at this meeting, all in opposition to the proposal. The Commission continued the use permit and variance application with direction to modify the plans and explore changes to, or the elimination of, the requested variances. The Planning Commission's August 15 minutes are available as Attachment H, and a selection of the earlier project plans is included as Attachment I. The Commission's direction included the following points:

- Explore relocating the proposed residence on the lot and request an interior side setback variance with a reduced or eliminated corner side setback variance.
- Consider moving the driveway and garage entrance to the front of the residence, with access from North Lemon Avenue instead of Croner Avenue.
- Gain clarity regarding property ownership and rights along Croner Avenue as it relates to the location of the residence and vehicular access to the property.
- Examine ways to enhance pedestrian safety along Croner Avenue, given the narrow width of the street.

Analysis

Project description

The subject site is currently occupied by two single-story residences, as well as a pool, spa, and associated accessory buildings. The two existing residences are nonconforming with regard to the corner side and interior side setbacks. In addition, portions of the existing fence on the property are located one foot or more within the Croner Avenue right of way. The applicant is proposing to demolish the two residences, accessory buildings, and fence, and construct a new two-story single-family residence with a basement while retaining the existing pool and spa at the rear of the lot. As with the previous proposal, the residence would have four bedrooms and five and a half bathrooms. The layout of rooms in the revised floor plans would also remain similar to the original proposal.

Following the August 2016 Planning Commission hearing, the applicant explored re-siting the proposed residence and requesting variances for a reduced interior side setback and a smaller corner side setback encroachment than originally proposed. However, the adjacent neighbor to the east expressed opposition to the potential variance request for a reduced interior side setback. In order to avoid creating additional neighbor concerns, the applicant has proposed to narrow the width of the proposed residence by two feet compared with the original proposal. In addition, some recessed portions of the residence would become shallower, and the residence would be set back an additional two feet, two inches from the front property line and five feet, five inches closer to the rear property line, compared with the original project. Despite the narrower width of the proposed residence, most of the right (street-facing) side of the home would be located four feet into the required 12-foot corner side setback. Although less than the six-foot corner side yard encroachment previously proposed, the revised project would continue to require a corner side setback variance, as discussed in a following section.

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The previous proposal located the driveway and garage entrance off of Croner Avenue, on the west side of the property. This arrangement resulted in the need for a variance to permit a garage setback of 10 feet, where 20 feet is required. Additionally, given the narrow width of Croner Avenue and the lack of sidewalks, the Planning Commission and neighbors expressed concerns about pedestrian safety and the potential risk of interference or collision associated with the backup and turning movements of cars on the subject property and the adjacent property across Croner Avenue. Under the current proposal, the main entrance and front door of the proposed residence would continue to face the Croner Avenue frontage, but the driveway and garage entrance would front onto North Lemon Avenue, with a path on the property connecting the driveway to the front door. This modification would eliminate the need for a garage setback variance and avoid compounding pedestrian and vehicular safety concerns with regard to the use of Croner Avenue. In addition, to reduce potential construction-related impacts to property owners, pedestrians, and motorists using Croner Avenue, Condition 5a would require a construction phasing and staging plan prior to building permit issuance, demonstrating that vehicular ingress and egress from Croner Avenue would not be substantially impeded during the construction process.

City staff has examined available records to attempt to determine whether Croner Avenue is a public street or an access easement over the property at 1201 North Lemon Avenue, as was claimed during the initial public hearing for the case. Based on the information available as of the writing of this report, City staff believes that Croner Avenue is part of the public right of way and serves as a public street, although no definitive conclusion has been reached. Regardless, concerns about the applicant's right to access the subject property from Croner Avenue should be resolved based on the proposed relocation of the driveway and garage door entrance from Croner Avenue to North Lemon Avenue. Additionally, the R-1-S zoning district establishes 12-foot side setbacks for "the street sides of corner lots," whether the street is public or privately-owned. Otherwise, required side setbacks in the R-1-S district are 10 feet, which would result in a reduction of the applicant's proposed corner side yard encroachment from four feet to two feet. Staff believes that the required 12-foot corner side setback has been correctly applied along the Croner Avenue side of the subject parcel.

Under the previous proposal, a concrete wall and wood fencing not to exceed seven feet in height was proposed along the Croner Avenue side property line from the rear of the lot to the edge of the garage door. The revised proposal includes a wall and fence combination of the same proposed height as before, but it would end several feet south of the proposed front door, leaving more of the front half of the lot open. In addition, the applicant has agreed to provide a couple of notches in the proposed fence along the rear half of the lot for increased visual interest and pedestrian safety on Croner Avenue. These changes may help to reduce the "urban alley" effect used by some to describe the previous proposal at the first public hearing. The additional fence notches have been included as recommended condition 5b and would require staff approval prior to issuance of a building permit.

The floor area and building coverage of the proposed residence would be below the maximum amounts permitted by the Zoning Ordinance, and the structure would comply with the daylight plane for a two-story home if the variance for the reduced corner side setback is granted. Additionally, the height of the revised project has been reduced by nearly half a foot compared with the previous project and remains below the maximum amount permitted. The residence would meet all other Zoning Ordinance requirements aside from the variance request for the reduced corner side setback. A data table summarizing parcel and

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project attributes is included as Attachment C. The project plans and the applicant's revised project description letter are included as Attachments D and E, respectively.

Design and materials

The existing residences to be demolished are vernacular craftsman-style cottages featuring simple gabled roofs (some areas with exposed rafter tails), wood shingle siding, and gridded windows. The applicant states that the proposed residence would be built in a transitional modern style with a combination of stain grade cedar siding, smooth finish cement plaster, and stone veneer accents as the primary cladding materials. The standing seam metal roof would have a mix of hipped and gabled forms. The gabled portions of the roof would have ridges that project farthest outward from the exterior walls and rakes that taper inward toward the residence. The projecting gable eaves would be most prominent when viewed from the east and west side elevations, and would typically be between four and five feet in length as measured from the ridge. The projecting eaves would not create additional building coverage as defined by the Zoning Ordinance.

The new second story would be concentrated toward the center of the property and would be stepped in from the first story footprint at the front and rear. Given the narrow width of the lot, the proposed residence would have fewer second-story areas stepped in on the sides, but variations in rooflines, materials, and colors would help to break up the massing of the building. The closest adjacent residence to the east would be a little over 20 feet away, and the closest adjacent residence to the west would be over 32 feet away, across Croner Avenue.

The windows for the proposed residence would be wood clad, with second-story sill heights along both sides of the residence varying between approximately one foot and six feet in height. However, the windows with the lowest sill height, positioned near the center of the east side of the residence, would be stepped back an additional four feet from the required 10-foot side setback and would provide light to an interior stairwell and hallway. On the west side of the proposed residence, the second-story windows with the lowest sill height of two feet, two inches would face into the same stairwell and foyer below, and be stepped back an additional two feet, 10 inches from the requested corner side setback of eight feet. The additional setbacks, as well as the transitory uses of the space where the windows would be located, may help reduce privacy impacts to the neighboring properties. Windows in the second-story office would have sill heights of two feet, six inches, but would be located more than 32 feet away from the closest residence across Croner Avenue. Other windows on the sides of the proposed residence would have sill heights greater than three feet.

Staff believes that the scale, materials, and style of the proposed residence are consistent with the broader neighborhood, given the architectural styles and sizes of structures in the area. Although the lot is narrow, the proposed structure has a stepped back second story at the front and rear, a majority of sill heights greater than three feet, and a mix of colors, materials, and roof forms to help provide articulation and visual interest.

Variances

As part of the revised proposal, the applicant is requesting a variance for the new residence to encroach four feet into the required 12-foot street side setback along a majority of the west elevation, which is a two-foot reduction compared to the six-foot encroachment requested in the previous proposal. This request would comply with the Zoning Ordinance provision that variances may not exceed 50 percent of any requirement. Under the previous proposal, the applicant also requested a variance for a 10-foot garage setback from the western property line along Croner Avenue, where 20 feet is required. However, given the proposed relocation of the driveway and garage entrance to the front of the property on North Lemon Avenue, that variance request has been eliminated. The applicant has provided a revised variance request letter that has been included as Attachment F. The required variance findings are evaluated below in succession:

 That a hardship peculiar to the property and not created by any act of the owner exists. In this context, personal, family or financial difficulties, loss of prospective profits and neighboring violations are not hardships justifying a variance. Further, a previous variance can never have set a precedent, for each case must be considered only on its individual merits;

The applicant states that a hardship is presented by the narrowness of the lot at 41.34 feet, where most lots along North Lemon Avenue are at least 74 feet in width, and a standard R-1-S-zoned lot would have at least 80 feet in width. Additionally, because the subject property is located on a corner, a 12-foot side setback would be required along Croner Avenue, where 10 feet is otherwise required for an interior side setback. If the combined 22 feet of required side setbacks are taken into account, a new residence could be no wider than 19.34 feet, which is unusually narrow for a typical residence in the R-1-S district. The hardship leading the applicant to request a variance is unique to the property and not created by any act of the owner.

2. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other conforming property in the same vicinity and that a variance, if granted, would not constitute a special privilege of the recipient not enjoyed by his/her neighbors;

Given the unusually narrow width of the lot, the granting of the requested variances would not constitute a special privilege to the owners. The greatest width of the proposed residence would be 23 feet, two inches, which would still be relatively modest considering the width of a typical R-1-S-zoned residence. However, the additional four feet of width permitted by the reduced corner side setback variance would be enough to make a functional home with a practical flow between rooms, as enjoyed by conforming properties in the vicinity.

3. That the granting of the variance will not be materially detrimental to the public health, safety, or welfare, or will not impair an adequate supply of light and air to adjacent property; and

Although the proposed variance would affect the street side setback, staff believes the permitted encroachment would not be particularly detrimental to the public health, safety, or welfare. The proposed residence would be set back 41 feet, six inches from North Lemon Avenue and would not substantially

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impair the sight distance of drivers at the intersection of North Lemon and Croner Avenues. Furthermore, the proposal would improve conditions on the site with regard to building setbacks since the existing front residence is approximately one foot off of Croner Avenue. Given that an interior side yard of 10 feet would be maintained on the east side of the property, and Croner Avenue separates the subject property from the adjacent residence to the west, an adequate supply of light and air would be provided to adjacent properties.

4. That the conditions upon which the requested variance is based would not be applicable, generally, to other property within the same zoning classification.

The conditions upon which the requested variances would be based are specific to this property. The unusually substandard lot width and the subject property's location on a corner make the requested variances unique to this property and not generally applicable to other properties within the same zoning classification.

5. That the condition upon which the requested variance is based is an unusual factor that was not anticipated or discussed in detail during any applicable Specific Plan process.

The property is not within any Specific Plan area, and thus a finding regarding an unusual factor does not apply to either variance request.

Due to the above factors, staff is recommending approval of the variance request, and has included findings to that effect in the recommended actions (Attachment A).

Trees and landscaping

At present, there are 10 trees on or in near proximity to the project site. An arborist report has been submitted detailing the condition of each tree (Attachment G). Four of these trees are heritage trees, one of which is located in the right-of-way. Under the previous proposal, no heritage trees were proposed for removal. However, based on the revised plans, a 25.3-inch coast live oak and a 19.4-inch flowering plum, are proposed to be removed from the front half of the property due to the modified location of the driveway and garage entrance, and due to declining health and poor structure, respectively. The arborist report describes both trees as having poor form and fair-to-poor vigor. The City Arborist has tentatively approved the removal of the two heritage trees due to their condition and potential conflicts with the proposed construction. Otherwise, the demolition of the existing residence and construction of the proposed residence are not anticipated to adversely affect the remaining heritage trees located on the subject site or neighboring properties. Standard heritage tree protection measures will be ensured through recommended condition 4g.

Additional trees are proposed on the east side of the lot, near the front of the property, in the vicinity of the large stairwell windows, and along the trellised area near the rear lawn. Three additional trees (including two heritage tree replacement Columbia sycamores) are proposed along the west side of the property: one near the garage, one in the area of the front entrance, and one along the edge of the backyard. The locations of the proposed trees may provide additional privacy for adjacent lots by screening second-story windows and the backyard of the proposed residence.

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Correspondence

As of the writing of this staff report, staff has not received any items of correspondence regarding the revised proposal.

Conclusion

Staff believes that the scale, materials, and style of the proposed residence have been modified to be more compatible with other residences in the greater neighborhood. The revised proposal would locate the driveway and garage entrance along the North Lemon Avenue frontage, thereby eliminating the previous garage setback request. The proposed residence has been narrowed to reduce the requested corner side setback variance by two feet compared with the previous proposal. The fence along the Croner Avenue frontage has been reduced in length, and notches in the fence would provide increased visual interest and pedestrian safety. Aside from the corner side setback variance request, the floor area, building coverage, and height of the proposed residence would all be at or below the maximum amounts permitted by the Zoning Ordinance, and the new structure would be within the daylight plane requirements. Heritage trees removed to accommodate the driveway and garage entrance off of North Lemon Avenue would be provided on the property. Staff believes that the variance meets the five required findings specified by the Zoning Ordinance and recommends that the Planning Commission approve a use permit and variance for the proposed project.

Impact on City Resources

The project sponsor is required to pay Planning, Building and Public Works permit fees, based on the City's Master Fee Schedule, to fully cover the cost of staff time spent on the review of the project.

Environmental Review

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.

Public Notice

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting. Public notification also consisted of publishing a notice in the local newspaper and notification by mail of owners and occupants within a 300-foot radius of the subject property.

Appeal Period

The Planning Commission action will be effective after 15 days unless the action is appealed to the City Council, in which case the outcome of the application shall be determined by the City Council.

Attachments

- A. Recommended Actions
- B. Location Map

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- C. Data Table
- D. Project Plans
- E. Project Description Letter
- F. Variance Letter
- G. Arborist Report
- H. Planning Commission Excerpt Minutes August 15, 2016
- I. Original Project Plans (selection)

Disclaimer

Attached are reduced versions of maps and diagrams submitted by the applicants. The accuracy of the information in these drawings is the responsibility of the applicants, and verification of the accuracy by City Staff is not always possible. The original full-scale maps, drawings and exhibits are available for public viewing at the Community Development Department.

Exhibits to Be Provided at Meeting

None

Report prepared by: Tom Smith, Associate Planner

Report reviewed by: Thomas Rogers, Principal Planner

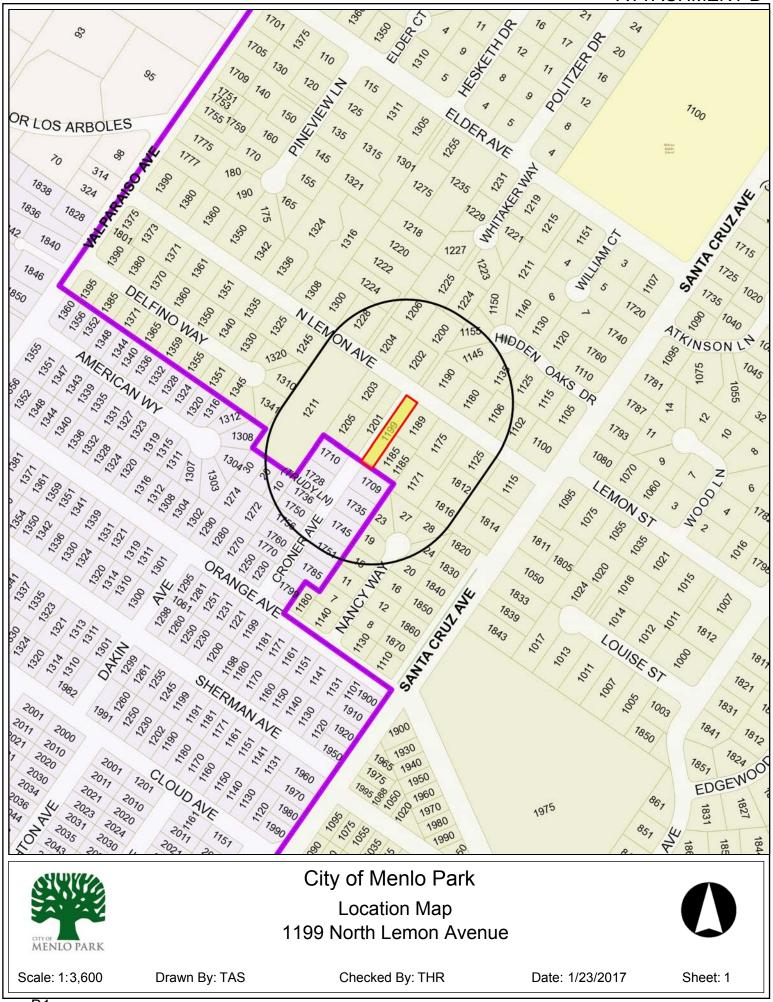
1199 North Lemon Avenue – Attachment A: Recommended Actions

	CATION mon Ave	I: 1199 North		CT NUMBER: 6-00007	APPLICANT: Eugene Sakai		OWNER: Mina Chang		
sto Su hav bot cor	REQUEST: Request for a use permit to demolish two existing one-story residences to build a new two- story residence with a basement on a substandard lot with regard to lot width in the R-1-S (Single-Family Suburban Residential) zoning district. The project also includes a variance request for the residence to have a corner side (facing Croner Avenue) setback of eight feet, where the requirement is 12 feet, for both the first and second stories. In addition, one heritage coast live oak (25.3-inch diameter), in fair condition, at the front of the property, and one heritage flowering plum (19.4-inch diameter), in poor condition, at the left side of the property, would be removed.								
DECISION ENTITY: Planning DATE: January 23, 2017 ACTION: TBD Commission Commission Commission Commission									
VO	TE: TBI	D (Barnes, Com	ıbs, Goo	dhue, Kahle, Onke	en, Riggs, Strehl)				
AC	TION:								
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.	Make the following findings as per Section 16.82.340 of the Zoning Ordinance pertaining to the granting of a variance:								
	a. The lot is substandard with regard to lot width and located on a corner with a 12-foot corner side setback. If the combined 22 feet of required side setbacks are taken into account, a new residence could be no wider than 19.34 feet, which is unusually narrow for a typical residence in the R-1-S district. These conditions represent a hardship unique to the property. This hardship was not created by the current owner.								
	b.	b. Given the unusually narrow width of the lot, the granting of the requested variance would not constitute a special privilege to the owners. The width of the proposed residence would vary between 17 feet, 1 inch and 25 feet, 2 inches, which would still be relatively modest considering the width of a typical R-1-S-zoned residence.							
	c. The permitted encroachment would not be particularly detrimental to the public health, safety, or welfare. The proposed residence would be set back over 41 feet from North Lemon Avenue and would not substantially impair the sight distance of drivers at the intersection of North Lemon and Croner Avenues. The proposed right side setback of eight feet would be an improvement from the current one-foot setback of the existing residence from Croner Avenue. Given that an interior side yard of 10 feet would be maintained on the east side of the property and Croner Avenue separates the subject property from the adjacent residence to the west, an adequate supply of light and air would be provided to adjacent properties.								
	d. The conditions upon which the requested variance would be based are specific to this property. The unusually substandard lot width and the subject property's location on a corner make the requested variance unique to this property and not generally applicable to other properties within the same zoning classification.								
	e. The property is not within any Specific Plan area, and thus a finding regarding an unusual								

				CT NUMBER: 6-00007	APPLICANT: Eu Sakai	gene	OWNER: Mina Chang	
sto Su hav bot cor	bry resic burban ve a co th the fi ndition,	lence with a bas Residential) zor rner side (facing rst and second s at the front of th	ement or ning distri Croner A stories. In e proper	n a substandard lo ict. The project als Avenue) setback o i addition, one her	t with regard to lot o includes a varial f eight feet, where itage coast live oa ge flowering plum (width in nce reque the reque k (25.3-ir	ices to build a new two- the R-1-S (Single-Family est for the residence to irement is 12 feet, for hch diameter), in fair h diameter), in poor	
	CISIOI mmissi	N ENTITY: Plani on	ning	DATE: January 23, 2017 ACT			ON: TBD	
VC	DTE: TE	BD (Barnes, Con	nbs, Goo	dhue, Kahle, Onke	en, Riggs, Strehl)			
AC	TION:							
		factor does no	ot apply.					
4.	Appro	ve the use perm	nit and va	riance subject to t	he following stand	lard cond	ditions:	
	a.	Development of the project shall be substantially in conformance with the plans prepared by Studio S Squared Architecture, Inc., consisting of twenty-one plan sheets, dated received on December 17, 2017, and approved by the Planning Commission on January 23, 2017, 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.	submit plans i significantly w	ndicating orn secti	that the applicant	shall remove and provements. The	replace	cation, the applicant shall any damaged and all be submitted for review	
	f.	submit a Grac	ling and I and Drair	Drainage Plan for hage Plan shall be		al of the	cation, the applicant shall Engineering Division. ance of grading,	
	g.	Heritage trees Heritage Tree			ruction project sha	ll be prot	ected pursuant to the	
5.	Appro	ve the use perm	nit and va	riance subject to t	he following proje	ct-speci	fic conditions:	
 Simultaneous with the submittal of a complete building permit application, the applicant s submit a construction phasing and staging plan demonstrating that vehicular ingress and egress from Croner Avenue will not be substantially impeded by the construction process The construction phasing and staging plan shall be subject to review and approval by 					vehicular ingress and construction process.			

LOCATION: 1199 North Lemon Avenue PLN2010		CT NUMBER: 6-00007	APPLICANT: Eugene Sakai		OWNER: Mina Chang		
REQUEST: Request for a use permit to demolish two existing one-story residences to build a new two- story residence with a basement on a substandard lot with regard to lot width in the R-1-S (Single-Family Suburban Residential) zoning district. The project also includes a variance request for the residence to have a corner side (facing Croner Avenue) setback of eight feet, where the requirement is 12 feet, for both the first and second stories. In addition, one heritage coast live oak (25.3-inch diameter), in fair condition, at the front of the property, and one heritage flowering plum (19.4-inch diameter), in poor condition, at the left side of the property, would be removed.							
DECISION ENTITY: Planning Commission			DATE: January 23, 2017 ACTION		N: TBD		
VOTE: TBD (Barnes, Combs, Goodhue, Kahle, Onken, Riggs, Strehl)							
ACTION:							
	Planning and Building Divisions prior to issuance of the building permit.						
b.	b. Simultaneous with the submittal of a complete building permit application, the applicant shall include no less than two additional notches in the proposed fence on the rear half of the lot (not including the proposed notch for the protection of a heritage oak). The notches shall be evenly-spaced along the length of the fence and have a depth of no less than one foot, six inches subject to review and approval by the Planning Division prior to issuance of the building permit.						

ATTACHMENT B



ATTACHMENT C

1199 North Lemon Avenue – Attachment C: Data Table

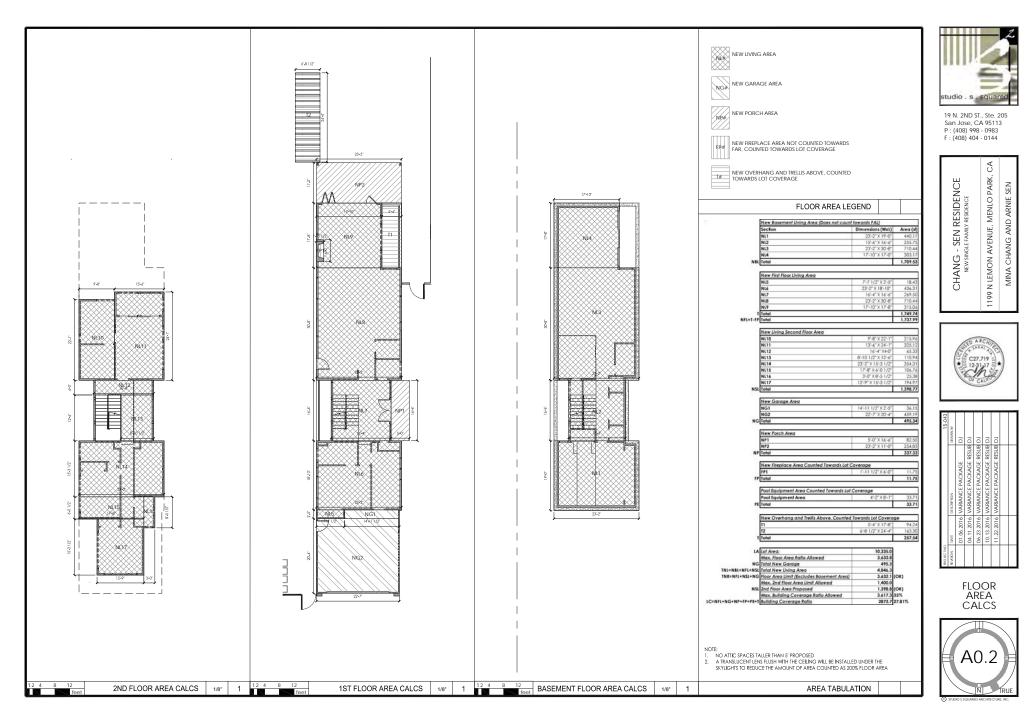
	PROPOSEI PROJECT	_		STING JECT	ZONIN ORDINAI	-
Lot area	10,335 sf		10,335	sf	10,000	sf min.
Lot width	41.3 ft.		41.3	ft.	80	ft. min.
Lot depth	250 ft.		250	ft.	100	ft. min.
Setbacks						
Front	41.5 ft.		66.8	ft.	20	ft. min.
Rear	101.3 ft.		52.2	ft.	20	ft. min.
Side (street)	8* ft.		0.3	ft.	12	ft. min.
Side (interior)	10.1 ft.		1.8	ft.	10	ft. min.
Building coverage	2,873.7 sf		1,889.9	sf	3,617.3	sf max.
5 5	27.8 %		18.3	%	35	% max.
FAL (Floor Area Limit)	3,632.1 sf		1,792.6	sf	3,633.8	sf max.
Square footage by floor	1,737.9 sf/	1 st	1,387.1	sf/1 st		
		garage	273.3	sf/garage		
	1,398.8 sf/	2 nd	97.3	sf/porch		
	337.3 sf/	porch	132.2	sf/accessory		
	94.2 sf/	trellis				
	11.8 sf/	fireplace				
Square footage of	3,910.5 sf		1,889.9	sf		
building						
Building height	23.2 ft.		15.2	ft.	28	ft. max.
Parking	2 covered		1 covered		1 covered/1 uncovered	
	* The applicant is requesting a variance to encroach into the required street side setback.					
Trees	Heritage trees	4**	Non-Heritage	trees 6	New Trees	14

Heritage trees4**Non-Heritage trees6New Trees14Heritage trees
proposed for removal2Non-Heritage trees
proposed for
removal1Total Number
of Trees21

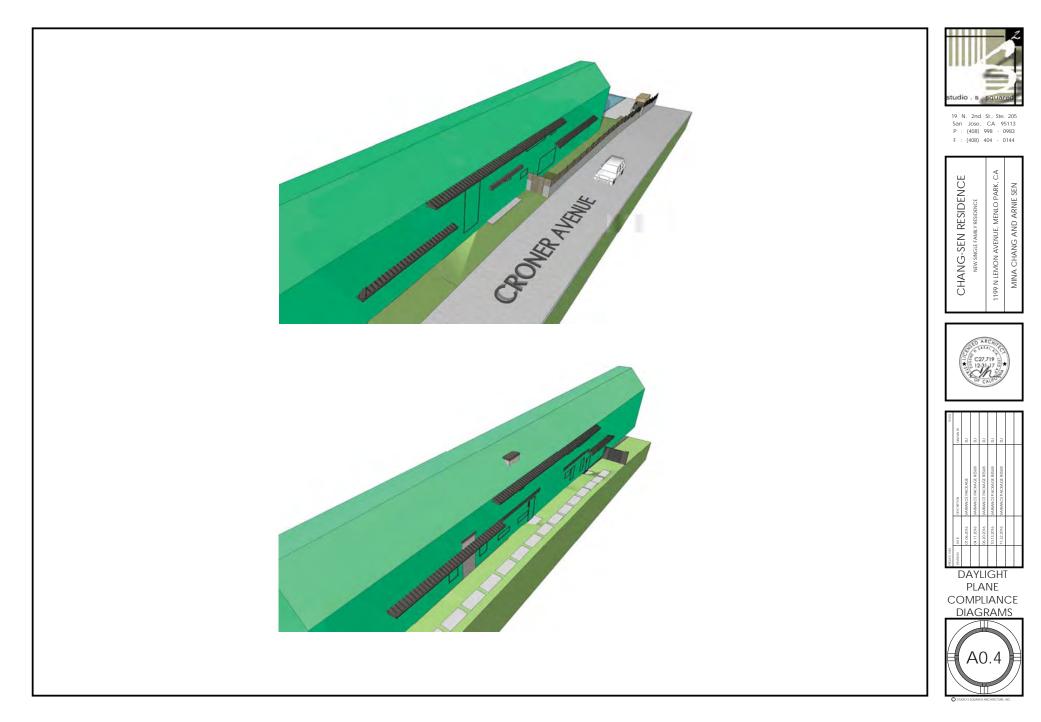
**One heritage tree is located on an adjacent property and one is located in the public right-of-way.

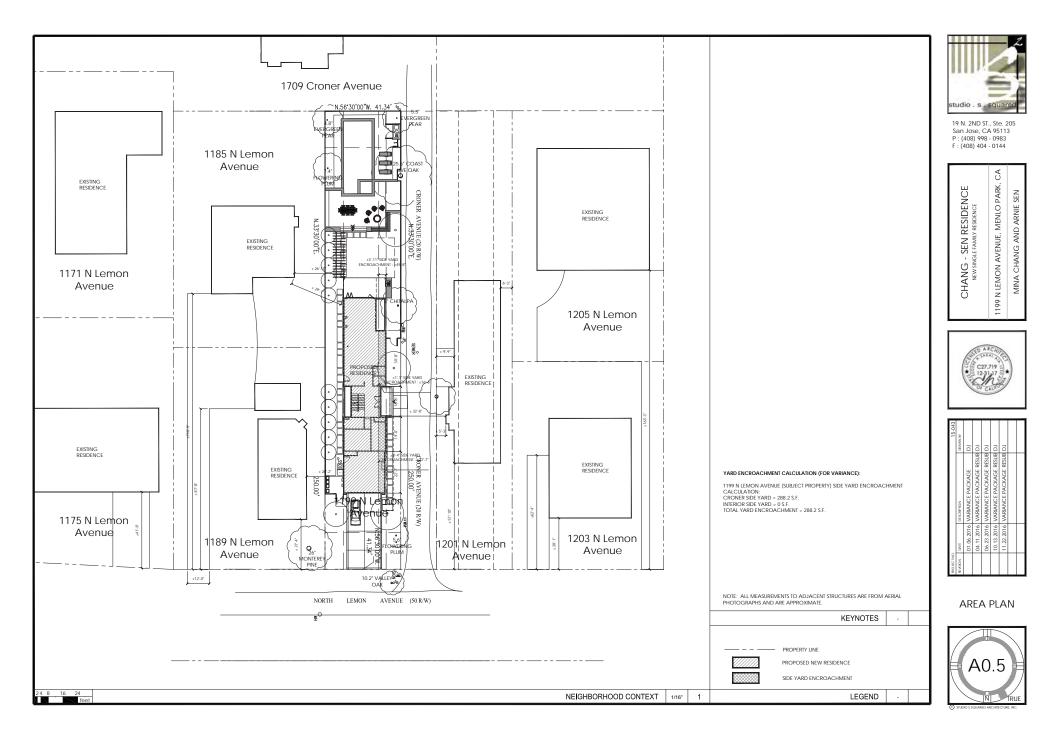
ATTACHMENT D



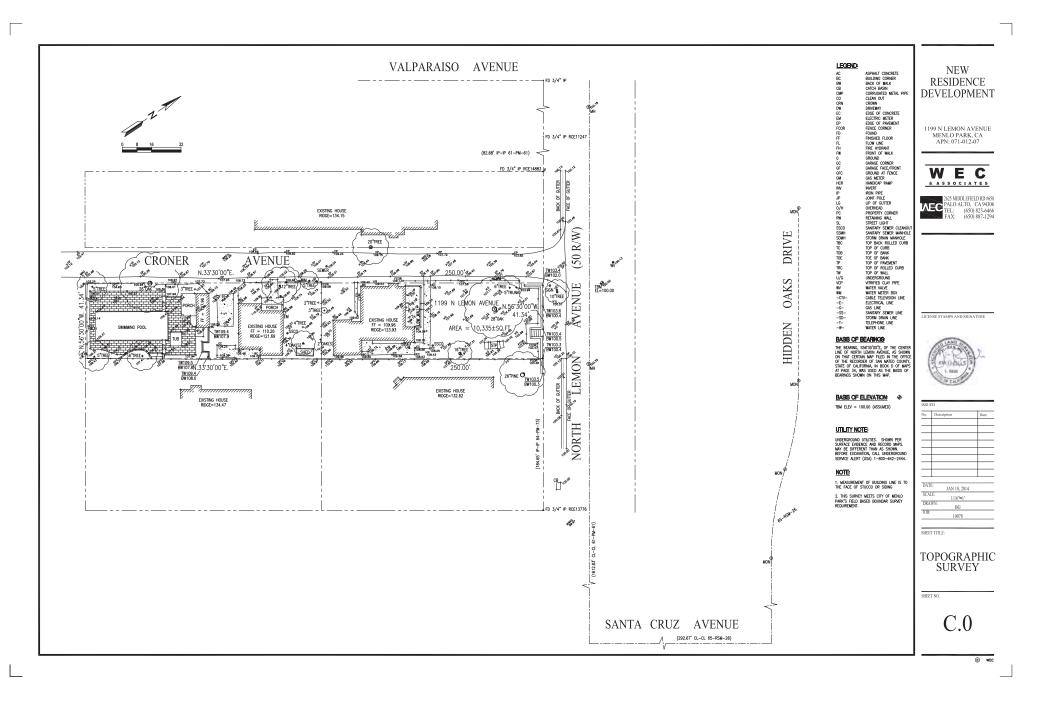




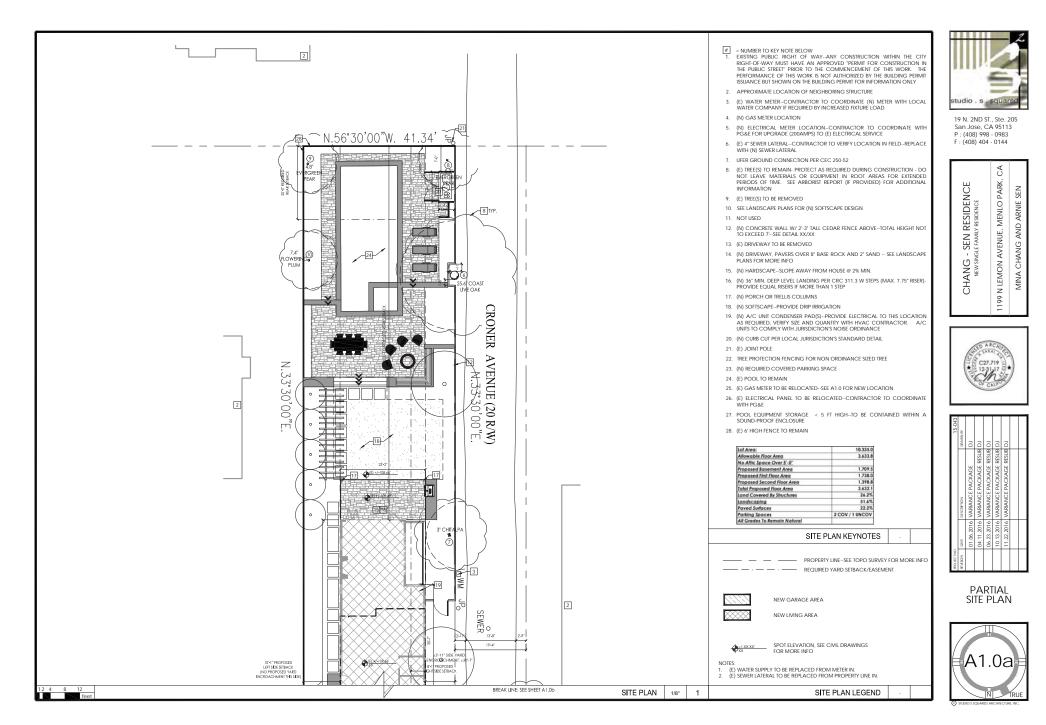


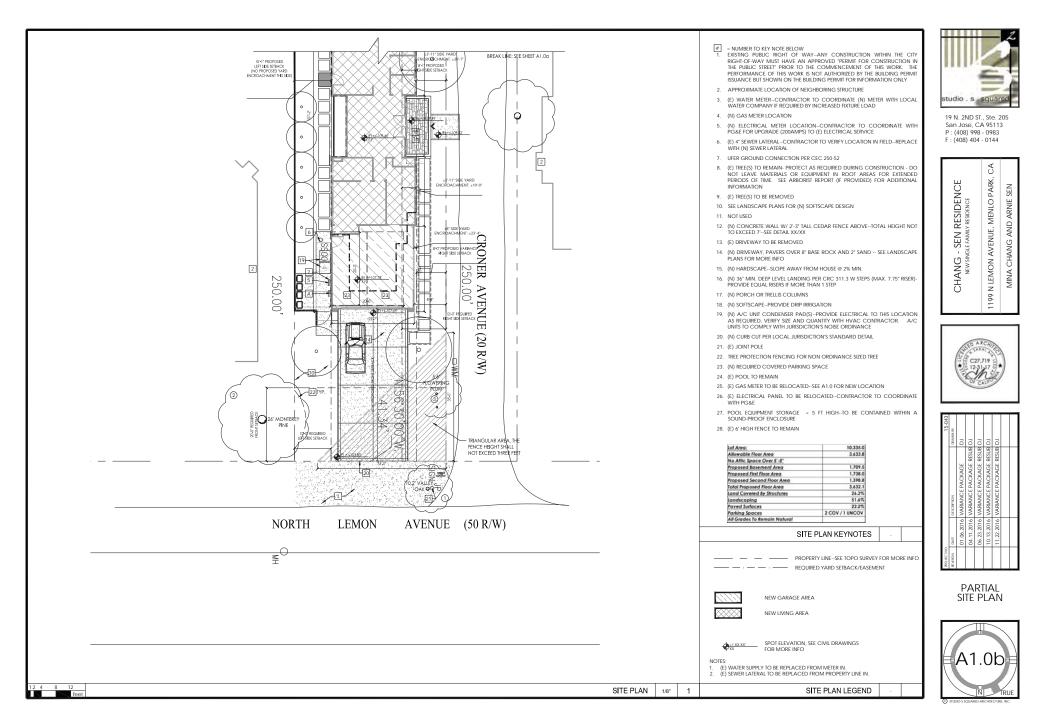


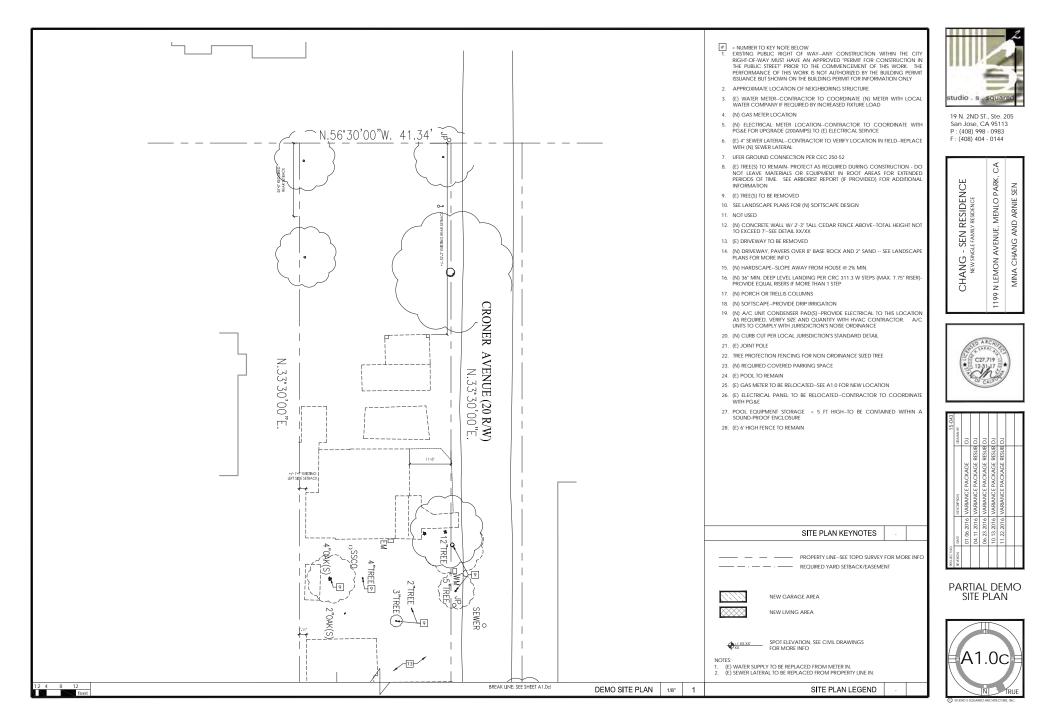


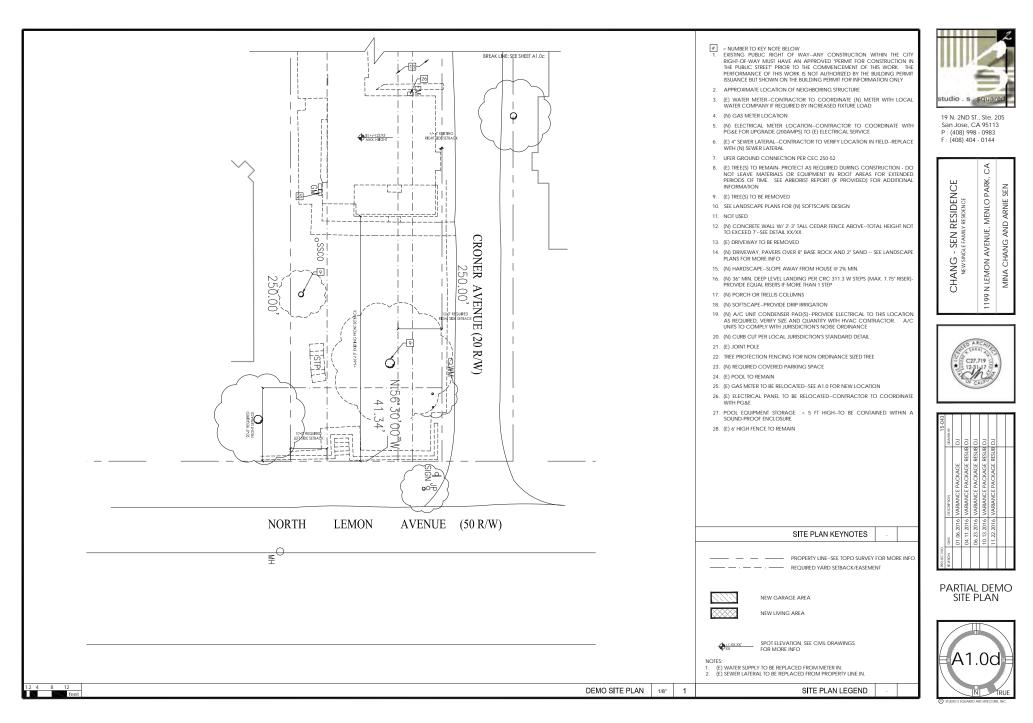


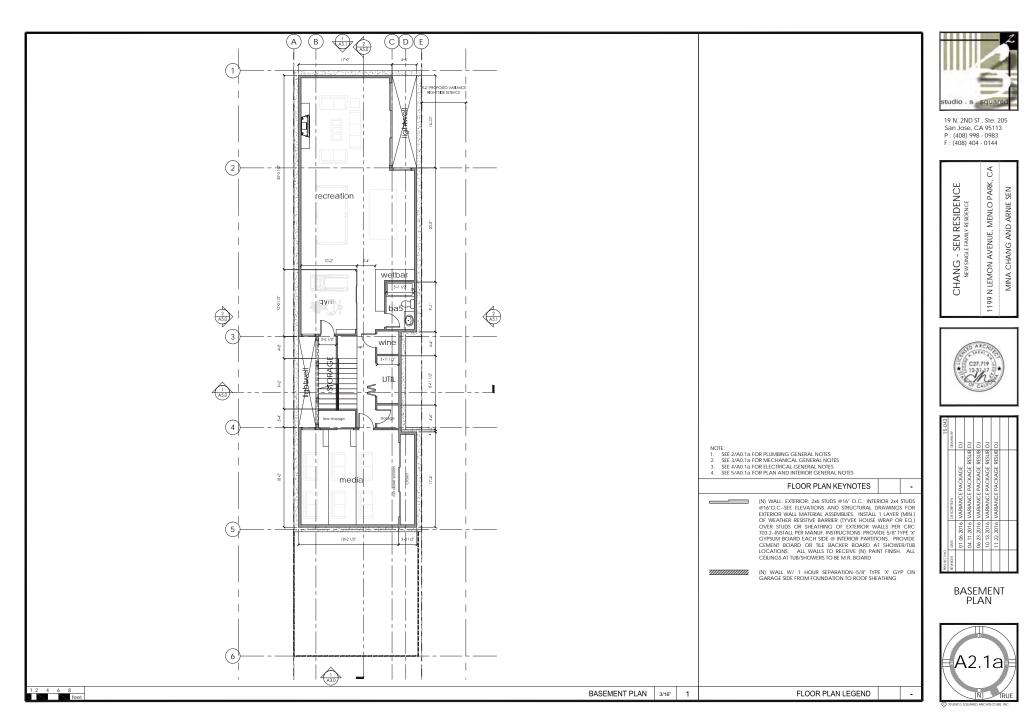
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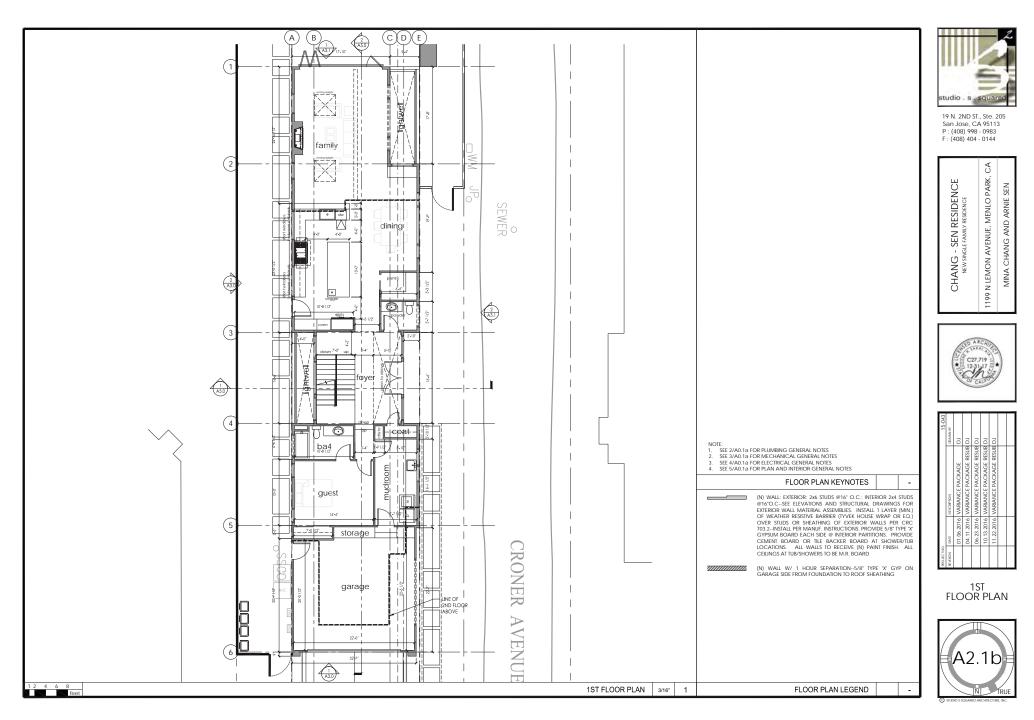


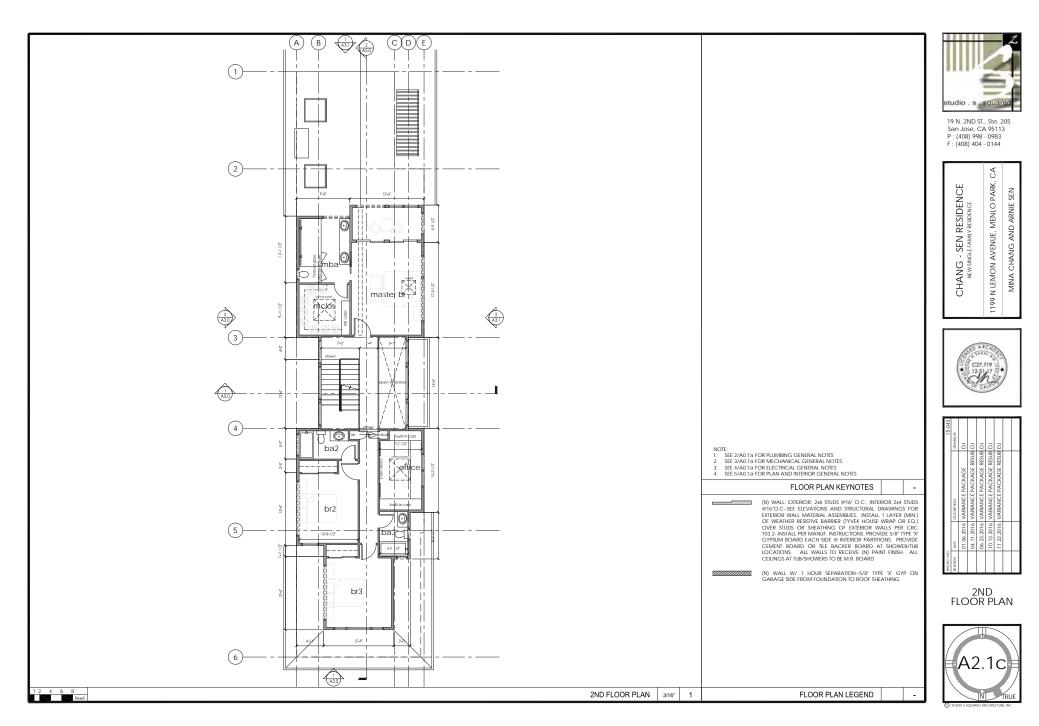


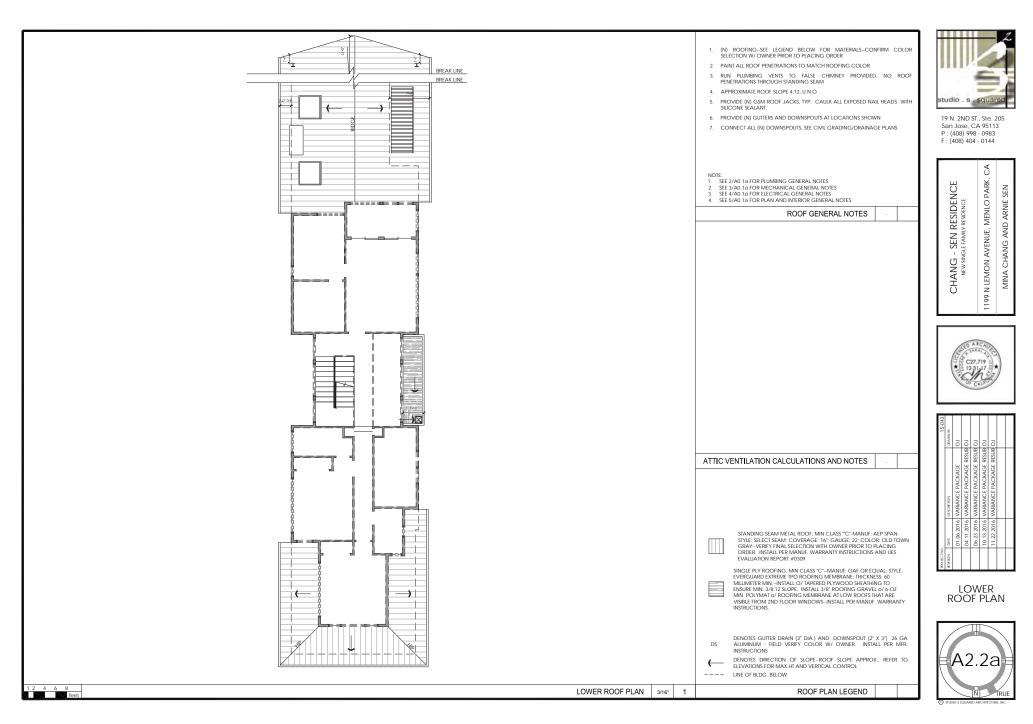


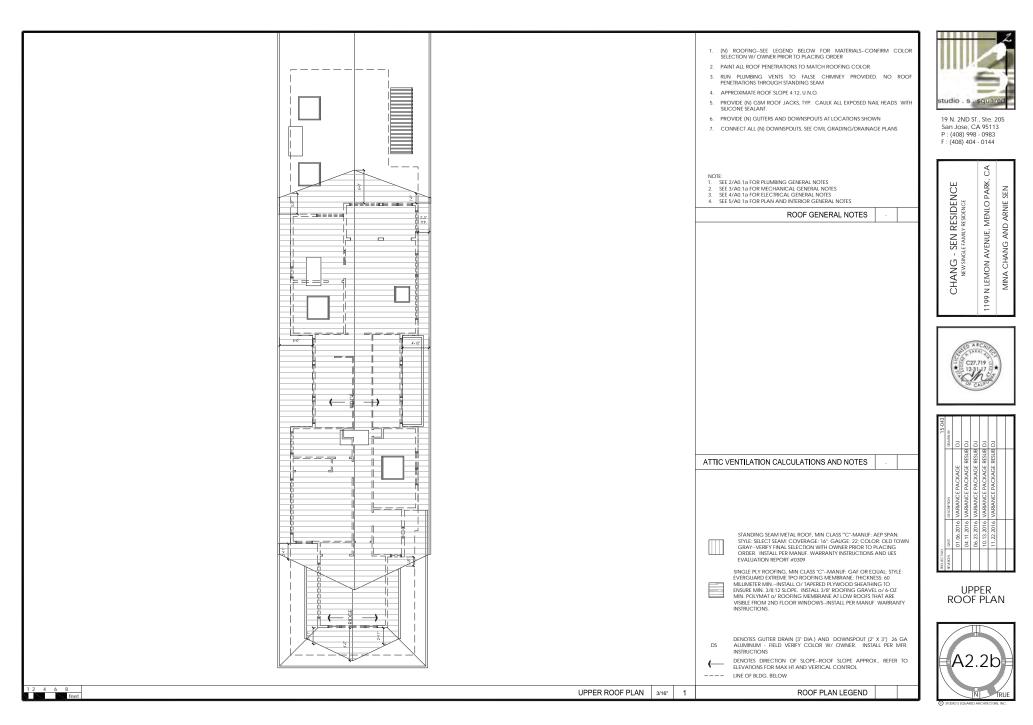


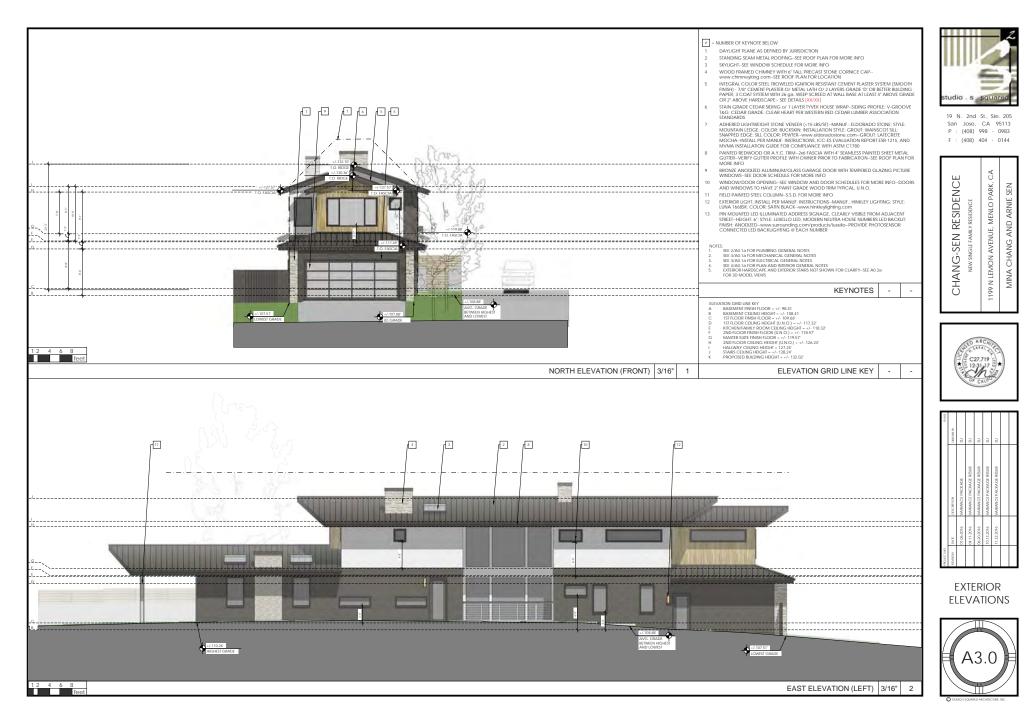




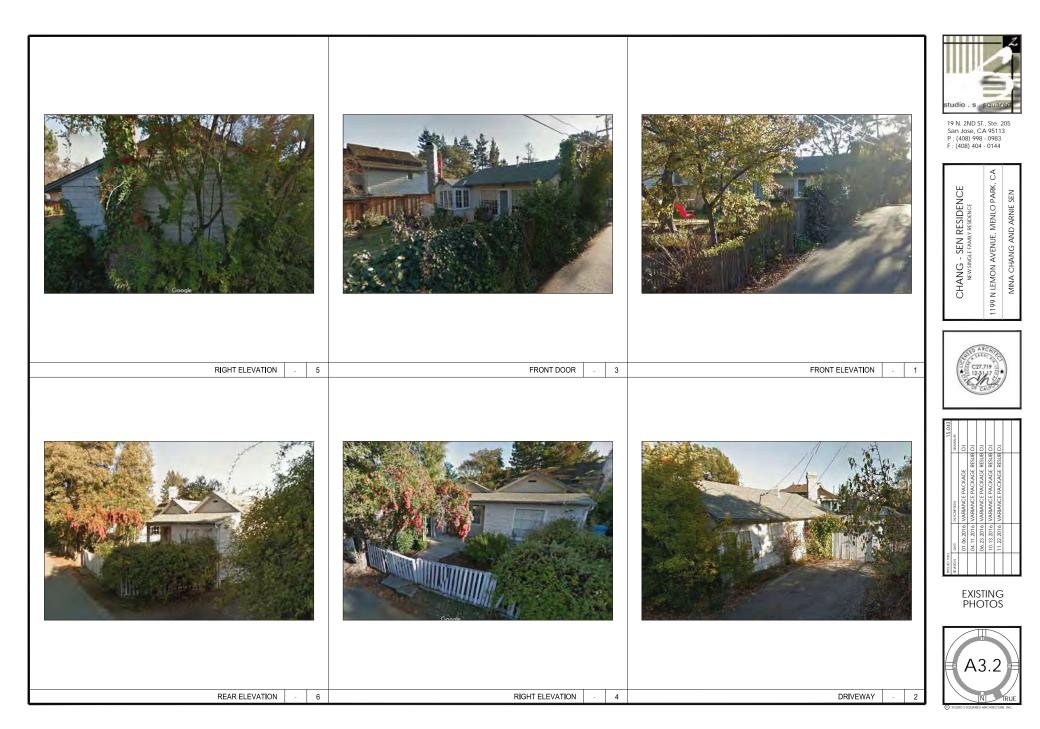


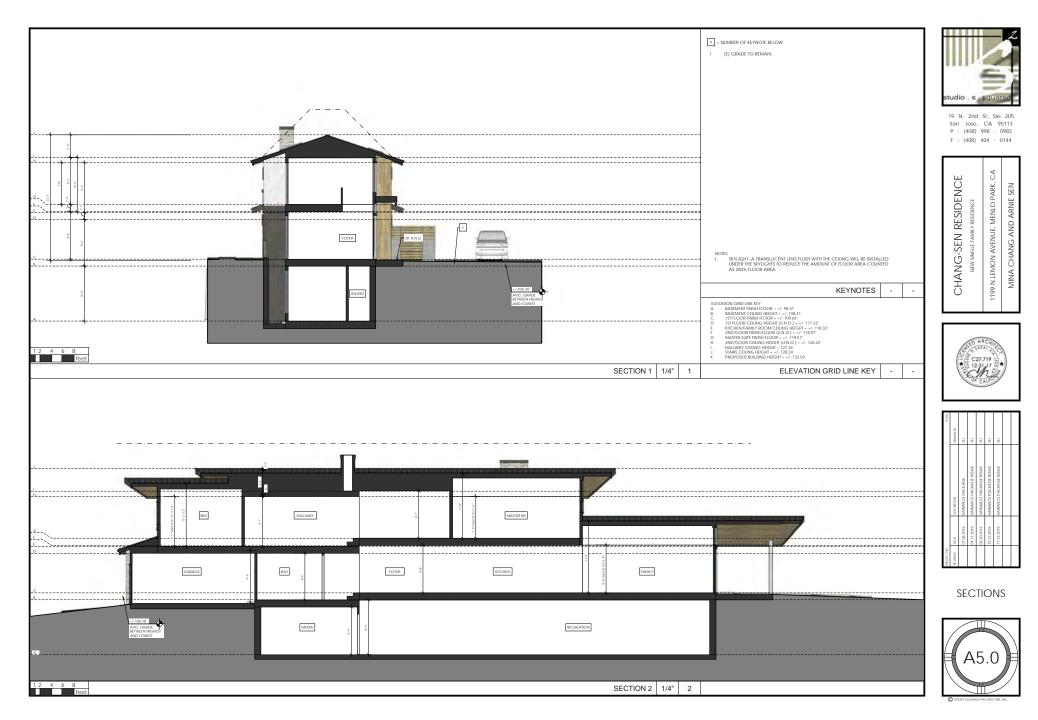


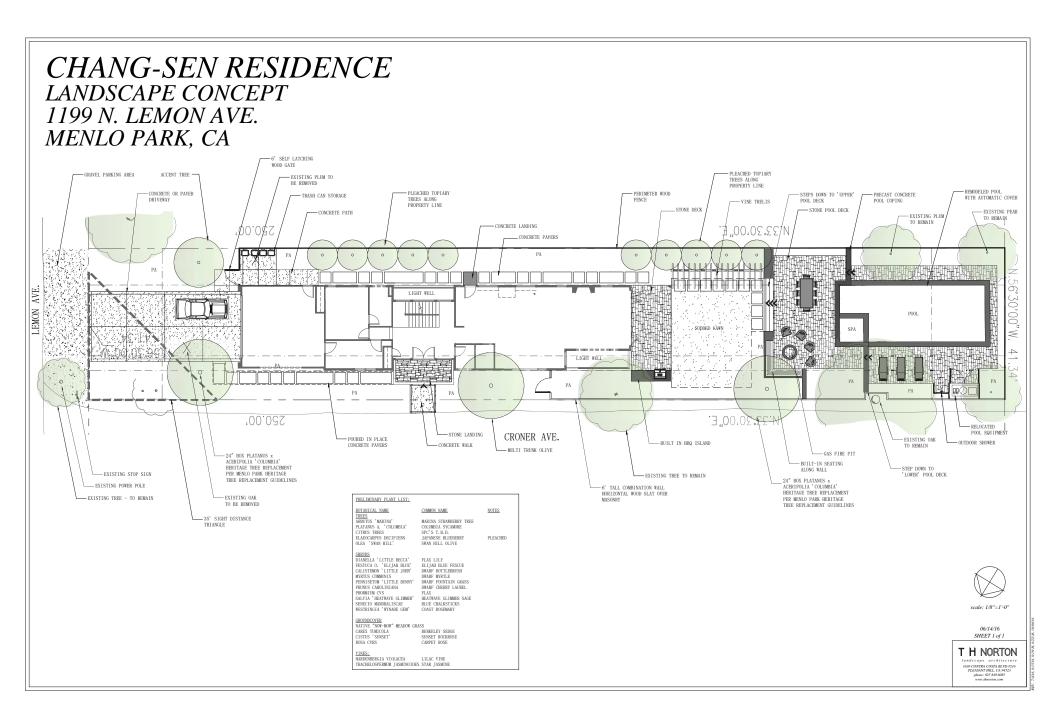












ATTACHMENT E



Studio S² Architecture, Inc.

19 N. 2nd Street, Ste. 205 San Jose, CA 95113 ph: (408) 998-0983 fax: (408) 998-0982 esakai@studios2arch.com

January 17, 2017

City of Menlo Park

Planning Department 701 Laurel Street Menlo Park, CA 94025

> 1199 N Lemon Avenue (Mina Chang and Arnie Sen Residence) Studio S Squared job# 15043 Use Permit Application—Letter of Description

Dear Sir/Madam:

Thank you for taking the time to review our intake application. Below is our written "Letter of Description" as requested.

- PURPOSE: Variance for new home on a substandard lot in the R1-S zoning district.
- SCOPE: DEMOLISH AN EXISTING SINGLE STORY RESIDENCE AND BUILD A TWO STORY OVER FULL BASEMENT, 4 BR 5.5 BA SINGLE FAMILY RESIDENCE WITH 3,136.8 NEW LIVING S.F. ABOVE GRADE ON A 10,335 S.F. LOT WITH A NEW GARAGE OF 495.3 S.F. TOTALING 3,632.1 S.F. THE RESIDENCE ALSO INCLUDES A HABITABLE BASEMENT OF 1,709.5 S.F.
- STYLE: "Transitional Modern"-influenced wood framed home with a combination of stain grade cedar siding, painted wood or composite and steel railings, and exterior trim, clad wood double paned windows.
- BASIS FOR SITE LAYOUT: comply with city ordinances, and requesting a variance to site setbacks due to narrow lot width. Maximize backyard and indoor/outdoor connection. Provide ample room for generous basement lightwell. Offer a balanced, unassuming front elevation to the street with varying rooflines and a rich but harmonious materials pallette.

- EXISTING/PROPOSED USES: Single family house/Single family house
- NEIGHBOR OUTREACH: The property owner has contacted the below listed neighbors and shared our plans:
 - O 1189 N. Lemon Avenue
 - O 1201 N. Lemon Avenue
 - O 1190 N. Lemon Avenue
 - O 1202 N. Lemon Avenue
- VEHICULAR ACCESS: All care will be taken not to impede vehicular access on Croner during construction.
- SUMMARY OF VARIANCE REQUEST CHANGES: We started the request with a 6' setback instead of the required 12' setback at Croner Avenue side. We then reduced the variance to be 8' setback instead of the required 12' setback at Croner Avenue side and 8' at the interior side instead of the required 10' setback. The owners next door asked to maintain the required 10' setback so we reduced the house width by 2' and adding the additional square footage to the length of the house. Our variance request is to have an 8' setback at Croner Avenue side instead of the required 12' setback.

Thank you for your assistance with our project. Please do not hesitate to call our office should you have any questions.

Sincerely,

Eugene H. Sakai, AIA, LEED AP President, Studio S² Architecture, Inc.

cc: Mina Chang and Arnie Sen

01/12/17

Community Development Department Planning Division 701 Laurel St. Menlo Park, CA 94025

RE: Variance Request for Setback Reduction

Project Address: 1199 N. Lemon Ave. Menlo Park, CA 94025

Project Description:

A new 3,632.1 SF two story home.

Variance Request for the Street Side Setback Reduction

Street Side Yard Setback Reduction:

We are requesting a street side yard setback along Croner Ave reducing the setback from the required 12 feet to 8 feet. The 41.34' X 250' lot is unusually narrow and thus restrictive for building a standard house. Receiving this variance would allow us to build a more typical size home with a width of approx. 23'2" feet, which is still fairly narrow and will not overwhelm the site. The front and rear setbacks of 20 feet and the interior side yard setback of 10 feet will be maintained.

Response to Findings

Street Side Setback Reduction:

The lot size and location present several hardships, which creates challenges for building a typical size family home.

- 1. This lot sustains a hardship peculiar to the property which is not created by the owner.
 - a. First, this lot has a substandard width of 41.34 feet. Most lots in this area are at a minimum of 50 feet. Further, most lots along North Lemon Avenue are at least 74 feet wide. In fact conforming lots in R-1-S are almost double the width of our lot at 80 feet wide. The narrowness of this lot means that a house can be no more than 19.34' of width if the required 22 feet setbacks are followed. This presents a hardship for creating a livable family house typical of suburban lots in Menlo Park.
 - b. Second, this lot is a corner lot that abuts a street on two sides. This results in a wider than usual 12' street side setback where 10 feet is otherwise required for an interior side setback. These are substantially wider setbacks than many lots in Menlo Park. This setback, in combination with the narrow lot, creates a substantial hardship for developing this property to its fullest potential.
 - c. In summary, all other codes, including the interior side yard setback, front and rear setback, lot coverage and FAL are being followed. We have worked diligently to comply with the codes and have incorporated the feedback from the city of Menlo Park

planning commission and council members to limit the setback variance request to only 4 feet on the street side.

- 2. The variance is necessary for the preservation and enjoyment of substantial property rights possessed by other conforming property in the same vicinity and the granting of a variance would not constitute a special privilege to the owner not enjoyed by surrounding neighbors. Allowing a reduction of the Croner Ave setback from the required 12 feet to 8 feet would allow 4 more feet of width to the house. The proposed house width is still modest ranging from 23'2" to 17'10" and sensitive to the neighbor homes. This setback reduction is necessary for the enjoyment of the property rights since without it the house would be long and narrow and not be suitable for family living. Absent setback variances, this proportion would also mean the house would need to be extended which would reduce the privacy of adjacent lots. Other homes in the vicinity have more typical lot widths and lesser setbacks since they are not abutting two streets. 4 more feet in the street side will help make our lot a more functional home with a practical flow between rooms, as enjoyed by conforming properties in the vicinity.
- 3. Granting this setback reduction would not be detrimental to the public health, safety, or welfare, and will not impair an adequate supply of light and air to adjacent property. The light and air to the neighbor property on the other side of Croner Ave will not be affected since there is a street separating the house from the neighbor's house, which provides plenty of buffer. The proposed residence would not substantially impair the sight distance since it would be set back nearly 41'6" feet from North Lemon Avenue which is well in excess of the required vision triangle for corner lots. We feel that the requested 4 feet setback on the street side (making it 8 feet rather than the required 12 feet) along Croner would improve the current conditions because some existing walls of the two existing homes currently located are 1 foot from the property line while the new home would be, at minimum, 8 feet from the property line thus providing more space. It should also be noted that the existing street side property line fence runs nearly the entire length of the Croner frontage and is within the public right of way for most of its length. Our new fence would of course be built within private property and thereby offer more room for cars and pedestrians to walk along this frontage.
- 4. The conditions upon which the requested variance is based upon would not be applicable to other property within the same zoning classification. The lots of most other properties in the same zoning classification with this floor area do not have such an elongated proportion. Thus, this lot faces a unique set of restrictions that make it atypical for its zone and worthy of consideration for a setback variance.
- 5. The above conditions which the variance is being requested are based upon an unusual factor that was not anticipated or discussed in detail during any applicable Specific Plan process.

We, the property owners of 1199 North Lemon Ave, met with Tom Baker, property owner of 1189 North Lemon Ave, on 8/20/16 and then again on 8/27/16, to discuss the revised plans. Mr. Baker expressed that he would prefer if we maintained the 10' setback on his side and instead

ask for the full 6' variance on the Croner side which has no immediate neighbors. Thus, we are only requesting one variance on the street side of only 4 feet for the reasons stated above.

ATTACHMENT G

Kielty Arborist Services LLC

Certified Arborist WE#0476A P.O. Box 6187 San Mateo, CA 94403 650-515-9783

January 4, 2016, Revised April 4, 2016, Revised 8/22/16, Revised 1/13/17

Mina Chang and Arnie Sen 310 Cresent Village Circle #1458 San Jose, CA 95134

Site:1199 North Lemon, Menlo Park, CA

Dear Mina Chang and Arnie Sen,

As requested on Monday, December 21, 2015, I visited the above site to inspect and comment on the trees. A new home is planned for this site and your concern for the future health and safety of the trees has prompted this visit.

Method:

All inspections were made from the ground; the trees were not climbed for this inspection. The trees in question were located on a map provided by you. The trees were then measured for diameter at 54 inches above ground level (DBH or diameter at breast height). The trees were given a condition rating for form and vitality. The trees condition rating is based on 50 percent vitality and 50 percent form, using the following scale.

1	-	29	Very Poor
30	-	49	Poor
50	-	69	Fair
70	-	89	Good
90	-	100	Excellent

The height of the trees was measured using a Nikon Forestry 550 Hypsometer. The spread was paced off. Comments and recommendations for future maintenance are provided.

1199 N. Lemon 8/22/16				(2)	
Survey: Tree# Species		DBH	CON	HT/SP Comments	
1	Valley oak (Quercus lobata)	10.2	50	25/15	Good vigor, fair form, poor location under utilities, less than 1 foot from utility pole.
2*	Monterey pine	26est	45	40/35	Good vigor, poor form, topped at 25 feet, multi leader at 25 feet, 7 feet from property line.
3	Flowering plum (Prunus cerasifera)	5.6	50	15/15	Fair vigor, fair form, codominant at 6 feet.
4 R	Coast live oak (<i>Quercus agrifolia</i>)	25.3	55	30/40	Fair vigor, poor form, codominant at 3 feet with poor crotch formation, poor crotches throughout tree.
5 R	Flowering plum (Prunus cerasifera)	19.4	40	20/15	Poor vigor, poor form, multi leader at 3 feet with split crotch, mushrooms at base, in decline.
6	Coast live oak (<i>Quercus agrifolia</i>)	25.6	50	30/40	Fair vigor, poor form, multi leader at 5 feet, under utilities, topped for utilities, buried root crown.
7	Chitalpa (Chitalpa tashkenten	3.0 sis)	55	10/5	Good vigor, good form, recently planted.
8	Evergreen pear (Pyrus kawakamii)	5.3	50	20/20	Fair vigor, fair form, codominant at 3 feet, fire blight damage, under utilities.
9	Evergreen pear (Pyrus kawakamii)	4.8	45	20/20	Fair vigor, poor form, heavy lean, suppressed by neighbors tree.
10 * Indi	Flowering plum (Prunus cerasifera) cates neighbors trees	7.4 R- Indic	50 ates pro	15/10 oposed i	Fair vigor, poor form, multi leader at 3 feet, heavily trimmed. <i>removal</i>

* Indicates neighbors trees **R-**Indicates proposed removal

Summary:

The trees on site are a mix of imported and native trees. Tree #1 is a young valley oak tree with a diameter of 10.2 inches. This tree is growing underneath utility lines and is located less than 1 foot from the utility pole. In the future this tree will be a problem as it will grow in diameter and damage the utility pole. Also the tree will need to be pruned for utility line clearance. This tree is a city street tree and is managed by the city and by the utility company. No work shall take place on the tree as it is owned by the city.

Tree #2 is a large Monterey pine tree located on the neighbors property, 7 feet from the property line. This tree received a condition rating of 45, making it a poor tree. The tree has been topped at 25 feet in the past and is now a multi leader tree at the 25 foot height. Topping trees is never recommended as it leads to epicormic growth shoots that are weakly attached and are more prone to failure.

Tree #4 is a large coast live oak tree. This tree is codominant at 3 feet and has a poor crotch formation with included bark. Included bark often leads to a leader failure. This risk is an unacceptable risk that the owner does not want on his property. Also there are poor crotch formations throughout the tree. This tree is proposed for removal to facilitate the construction of the proposed driveway. The owner would like to remove this tree and replant as needed.

Tree #5 is a mature flowering plum tree. This tree is in a state of decline and should be removed and replaced where seen fit regardless of the proposed construction. This tree is multi leader at 3 feet with a split crotch. This split crotch is evidence that the tree has failed. Also there were mushrooms growing at the base of the tree, indicating root rot. No mitigation measures are expected to reverse the health of this tree. This tree is to be removed due to the proposed driveway and because it is in a severe state of decline.

Coast live oak tree #6 is in fair condition. This tree is growing underneath utilities and has been pruned by the utility company in the past. This will be an ongoing maintenance problem for the utility company as the tree will continue growing towards the electrical lines. This type of pruning will make for a tree that will grow wide instead of tall. Long limbs will become hazardous in the future if not maintained. Limb reduction every 3-5 years would help the tree from losing a limb in the future. At the time of investigation this tree had a buried root crown. The root crown of this tree should be exposed in order to discourage fungus root growth and so the tree can receive sufficient oxygen to the root zone. A 6 foot wall is planned near this tree. When working underneath the dripline of this tree, great caution shall take place. The wall in this area should be supported by staggered piers, with the ability to move piers to a different location depending on the findings when digging for the piers. The piers holes shall be hand dug and inspected by the site arborist. Large roots over 2 inches in diameter shall be left intact. If large roots are found the piers may need to be moved to a better fit location that will not have a high impact to the trees health. This work shall take place near the end of the project so that the tree can be properly protected during the building of the home. When the tree protection fencing is to be moved the site arborist will need to be on site so that the work near the protected tree can be documented.

Site plan A1.0 dated 1/11/16 was reviewed for this report. At this time impacts to the trees on site are expected to be minor as work done near the protected trees on site is a good distance from the trees. All trees in Menlo Park that are over 15 inches in diameter are protected by the town and will need a tree protection plan during construction. The following tree protection plan will help ensure the safety and health of the retained trees on site. Trees that are under the protected size but are still to be retained should be protected in the same manner.

1199 N. Lemon 8/22/16

Tree Protection Plan: *Tree Protection Zones*

Tree protection zones should be installed and maintained throughout the entire length of the project. Fencing for tree protection zones should be 6' tall, metal chain link material supported by metal 2" diameter poles, pounded into the ground to a depth of no less than 2'. The location for the protective fencing should be as close to the dripline of desired trees as possible, still allowing room for construction to safely continue. No equipment or materials shall be stored or cleaned inside the protection zones. Areas outside protection zones, but still beneath the tree's driplines, where foot traffic is expected to be heavy, should be mulched with 4-6" of chipper chips. The spreading of chips will help to reduce compaction and improve soil structure.

Root Cutting and Grading

Any roots to be cut shall be monitored and documented. Large roots (over 2" diameter) or large masses of roots to be cut must be inspected by the site arborist. The site arborist, at this time, may recommend irrigation or fertilization of the root zone. All roots needing to be cut should be cut clean with a saw or lopper. Roots to be left exposed for a period of time should be covered with layers of burlap and kept moist. The over dig for the foundation should be reduced as much as possible when roots are encountered.

Trenching and Excavation

Trenching for irrigation, drainage, electrical or any other reason shall be done by hand when inside the dripline of a protected tree. Hand digging and the careful placement of pipes below or besides protected roots will significantly reduce root loss, thus reducing trauma to the tree. All trenches shall be backfilled with native materials and compacted to near its original level, as soon as possible. Trenches to be left open for a period of time, will require the covering of all exposed roots with burlap and be kept moist. The trenches will also need to be covered with plywood to help protect the exposed roots.

Irrigation

Normal irrigation shall be maintained on this site at all times. The imported trees will require normal irrigation. On a construction site, I recommend irrigation during winter months, 1 time per month. Seasonal rainfall may reduce the need for additional irrigation. During the warm season, April – November, my recommendation is to use heavy irrigation, 2 times per month. This type of irrigation should be started prior to any excavation. The irrigation will improve the vigor and water content of the trees. The on-site arborist may make adjustments to the irrigation recommendations as needed. The foliage of the trees may need cleaning if dust levels are extreme. Removing dust from the foliage will help to reduce mite and insect infestation.

Demolition

All tree protection must be in place prior to the start of demolition. Demolition equipment must enter the project from the existing driveway. If vehicles are to stray off the drive the area within the dripline of a protected tree must be covered with 6 inches of chips and steel plates or 11/4 inch plywood. The town of Menlo Park will require a letter from the site arborist stating the tree protection fencing is up before the start of demolition.

1199 N. Lemon 8/22/16

The information included in this report is believed to be true and based on sound arboricultural principles and practices.

Sincerely,

Kevin R. Kielty Certified Arborist WE#0476A David P. Beckham Certified Arborist WE#10724A



REGULAR MEETING MINUTES - EXCERPT

Date: 8/15/2016 Time: 7:00 p.m. City Council Chambers 701 Laurel St., Menlo Park, CA 94025

A. Call To Order

Chair Katherine Strehl called the meeting to order at 7:00 p.m.

B. Roll Call

Present: Andrew Barnes, Drew Combs (Vice Chair), Susan Goodhue, Larry Kahle, John Onken, Henry Riggs (arrived 7:02 p.m.), Katherine Strehl (Chair)

Absent: None

Staff: Thomas Rogers, Principal Planner; Sunny Chao, Assistant Planner; Tom Smith, Associate Planner

F. Public Hearing

F2. Use Permit and Variances/Eugene Sakai/1199 North Lemon Ave: Request for a use permit to demolish two existing one-story residences to build a new two-story residence with a basement on a substandard lot with regard to lot width in the R-1-S (Single-Family Suburban Residential) zoning district. The project also includes a variance request for the residence to have a corner side (facing Croner Avenue) setback of six feet, where the requirement is 12 feet, for both the first and second stories, and a variance request for a garage setback of 10 feet, where 20 feet is required. (Staff Report #16-066-PC)

Staff Comment: Associate Planner Tom Smith said an email on the project was received over the weekend and a copy made available to the Commission.

Applicant Presentation: Mr. Arnie Sen said he and his wife had bought the property in 2015 and wished to build a family home on the site.

Mr. Eugene Sakai, project architect, provided a handout to the Commission to view from the landscape architect noting a small change. He said staff described the constraints of the parcel well. He said the project proposal optimized the clients' desires for a single-family home within the constraints of the site.

Commissioner Kahle said it appeared there was a 10-foot setback on the left side and a 12-foot setback on the right side. He said the variance request was to encroach six-feet into the 12-foot setback. He asked if encroaching on the left side had also been considered. Mr. Sakai said they thought that putting the mass on the left side setback next to an adjacent home would have a greater impact than putting it on the right, or the street facing side. He said in the immediate streetscape was a home that enjoyed the reduced setback facing Croner Avenue, which was why

the bulk of the variance request was on the Croner Avenue side of the property.

Commissioner Riggs confirmed with staff that the height of the property line fence to N. Lemon Avenue was three feet for 35-feet from the corner in either direction. Commissioner Riggs asked if there was a walkway along North Lemon that used private property. Mr. Sakai said the pavement was about 10 feet outside of the property line and the property line seemed to be contiguous with a three-foot retaining wall.

Commissioner Onken said the Live oak was described by the arborist as in fair condition and lopsided. He said the plan seemed to be designed around the Live oak despite its condition. Mr. Sakai said the oak tree was an important part of the planned design which was why they were requesting a variance for the garage setback so the driveway would not intrude into the tree's root zone from N. Lemon Street. He said there would be some steps coming from N. Lemon Street around the tree base using pervious material.

Chair Strehl opened the public hearing.

Public Comment:

- Sue Kinder, 1201 N. Lemon Street, said her home was directly across the street from the • subject property. She said her property has a 10-foot setback from the property line of Croner Avenue, which was a right-of-way, and not actually a street. She said it was listed as Parcel 2 on her deed and was an easement created for her property. She said they had an existing driveway and garage there before they built a second floor. She said they had asked for a variance and then did not use it as they did a 10-foot setback on each side. She said her lot was the same size as the subject property. She said her second floor was 21 feet wide and had four bedrooms and two baths. She said a safety hazard would be created with the project's driveway on the side toward her because of the narrowness of the street. She said the project's proposed front door would look right into her back door. She said a balcony they had proposed would have looked directly into her gazebo and pool area. She said the balcony was replaced with a large window that would still look into her pool area. She requested a good construction plan so her right-of-way and garage would not get blocked. She said she might have to put a fence back up to protect her driveway. She said she thought there was space to put the garage and driveway over on the other side and to have the front door face the front as it should.
- Jeff Scroggin, unincorporated Menlo Park, Croner Avenue, said he had sent the email that Planner Smith referenced. He said he met the new property owners and understood the challenges of the lot. He said his first concern was safety. He said Croner Avenue along the side of the subject property was a one lane street and there was no way for two cars to pass on it. He said Croner Avenue was very popular for walking as it ran parallel to Valparaiso and Santa Cruz Avenues, which were very busy streets. He said with the project construction there would be a fence the entire length of Croner Avenue and there would be no place for pedestrians to step aside when a car needed to pass. He said currently there were gaps in the fencing that pedestrians could use to get out of the way of vehicles. He said having the driveway on Croner Avenue created danger for pedestrians and cyclists. He said his second concern was aesthetics. He said across from this property was a two-story home with 10-foot side setbacks. He said having a second story home with a six-foot setback variance directly across from that home would change a country lane into an urban alley.

- Ron Dumont, 1190 N. Lemon Street, said his home was directly across from the construction project. He said the design was too much house in too small a space and it would not match the street character. He said the aesthetics was his main concern as well as the safety issue raised.
- Steven Koenig, Croner Avenue, said he had three concerns. He said regarding aesthetics that
 the home was an oversized structure protruding nearly into the street on both stories and was
 out of character with the neighborhood. He said his second concern was congestion. He said
 the six-foot setback to Croner Avenue with only a 10-foot setback for the garage was not even
 enough space to park a car there. He said there was no assurance that the residents or their
 guests would park without encroaching into the street. He said his third concern was safety.
 He said the hill on Croner Lane was so steep that a person on it could not see what traffic
 coming in either direction. He said children rode bikes, scooters, and skateboards on that hill.
 He said with the potential of a garage, cars parked and cars coming in and out of the subject
 property that would create a safety hazard for those children and other walkers and riders.
- Susan MacDonald, 1106 N. Lemon Street, said other speakers had addressed her concerns. She said her primary concern was safety. She said she walked her dog along Croner Lane to N. Lemon Street. She said N. Lemon Street has no barriers and heavy pedestrian traffic including children walking to Hillview School. She said the variance should not be granted.
- Hallie Colorado, 17 Croner Avenue, said her concern was safety. She said as mentioned there
 was no visibility from the hill of traffic in either direction. She said currently delivery vans hit
 tree canopies on the street and if driving in opposite directions, one van has to back into private
 property to let the other one pass. She said if the variance was granted and six feet width was
 lost, with a garage and two fences, that should a fire truck need access, that allowed no room
 for pedestrians, dog walkers, strollers or bikes to get out of the way.

Chair Strehl closed the public hearing.

Commission Comment: Replying to Commissioner Kahle, Planner Smith said the Croner Avenue right-of-way was about 13 feet and eight inches in width, property line to property line.

Commissioner Onken said the first speaker indicated that Croner Avenue was an access easement and not a dedicated street. Planner Smith said the information in assessor records and property deeds that staff reviewed indicated it was a public street. Commissioner Onken said there were PG&E power poles along Croner Avenue and asked if there were any plans for those to be placed underground. Mr. Sakai said they were considering undergrounding utilities.

Chair Strehl said the conditions of concern noted by speakers existed today on Croner Avenue, as it was a very narrow street. She said it might be worthwhile for residents to solicit whomever to make it one way.

Commissioner Kahle said the design was nice but seemed too massive for the lot, which was very unique. He said he did not agree with the request for the variance all on one side. He said with a 10-foot driveway, cars would overhang the property line. He said he would like to see either a variance on each side or to have the garage face N. Lemon Street to avoid the concerns caused by the narrowness of the lot.

Commissioner Goodhue said she concurred with Commissioner Kahle. She said it was a

City of Menlo Park 701 Laurel St., Menlo Park, CA 94025 tel 650-330-6600 www.menlopark.org

handsome house but after visiting the site and seeing how narrow Croner Avenue was and hearing the safety concerns, she had concerns. She said the comment about it turning into an urban alley resonated with her, especially with the frontage wall. She said she would like to know more about the utility poles and to have certainty that it was a public street. She said in the rendering, the oak tree was made to look much more significant than it was. She said there seemed to be room on the left for a driveway. She said although the project's garage and the neighbor's would be offset, it still was a very narrow area to maneuver cars given the lack of visibility caused by the hill. She said with the heavy foot traffic that concerned her.

Commissioner Onken said he agreed with the comments made by Commissioners Kahle and Goodhue. He said the lot was very long and narrow. He said ideally the garage would go on the left hand side to be accessed from N. Lemon Street. He said that would be away from the oak tree and would cause no more damage under the canopy than what the existing garage did. He said that might require the garage to be at a basement level, which would count toward square footage. He said that would be preferable in relationship to the other houses. He said currently the entry was a big glass wall that was two-story high and double width that appeared to treat Croner Avenue as a 50-foot deep lawn. He said the variance being requested would permit nearly full build out on lot, and while this was a very unique lot, that should not entitle building to the full square footage allowable. He said due to problems of the bulk and massing as well as the orientation of the proposed house that he would like the project continued for redesign.

Commissioner Combs said he visited the property and could not support the project as currently proposed. He said the variance being requested was not a matter of a few inches but six feet. He said he understood that the lot shape was challenging but as noted by Commissioner Onken that did not give the owner the right to a variance. He said additionally there was the issue of the narrow street or easement, whatever it actually was. He said the proposed design would create a canyon effect if the building was brought into the setback six feet.

Commissioner Riggs asked if 1201 N. Lemon was located in Menlo Park. Planner Smith said it was. Commissioner Riggs asked if it was built under current regulations or before annexation to Menlo Park. Planner Smith said the original structure may have been built prior to that. He said there was an addition in 1988 that was under the City's zoning ordinance at that time. Commissioner Riggs asked if anything with 1201 N. Lemon was nonconforming. Planner Smith said he believed so. Chair Strehl said she believed it was nonconforming in respect to its driveway. Planner Smith said there was a permitted variance in 1988 for a 10-foot driveway length from the side property line to the garage door.

Chair Strehl said it appeared from the staff report that the subject property and 1201 N. Lemon Street were the same width and neither complied with current regulations.

Commissioner Onken moved to continue so the applicant could redesign to address the concerns about the driveway and garage location, to generally look to relocate the proposed home, and to get clarity regarding property rights along Croner Avenue. He suggested if a variance was needed that the applicant looks at the interior side yard as opposed to the Croner side yard. He said no variance was the preference. Commissioner Goodhue seconded the motion.

Chair Strehl asked if staff and the applicant had enough direction. Planner Smith said direction was fairly clear in terms of the driveway and garage location. He said they also would get more information about Croner Avenue and its history. Chair Strehl said also to look at the consistencies between 1199 and 1201 N. Lemon Street.

ACTION: Motion and second (Onken/Goodhue) to continue the item with direction including the following; passes 7-0.

- Redesign project potentially to have garage and driveway relocated to N. Lemon Avenue; or
- If variance needed, to have it on the interior side yard and not on the Croner Avenue side; and
- Confirmation of Croner Avenue designation and rights

H. Adjournment

The meeting adjourned at 9:27 p.m.

Staff Liaison: Thomas Rogers, Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on September 12, 2016

ATTACHMENT I

tudio

SEN RESIDENCE E FAMILY RESIDENCE

19 N. 2ND ST., Ste. 205 San Jose, CA 95113 P: (408) 998 - 0983 F: (408) 404 - 0144

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SEN

AND ARNIE

CHANG ,





1199 N LEMON AVENUE, MENLO PARK, CA



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