



REGULAR MEETING MINUTES

Date: 2/27/2017
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, Katherine Strehl (Chair)

Staff: Michele Morris, Assistant Planner; Thomas Rogers, Principal Planner; Tom Smith, Associate Planner

C. Reports and Announcements

Principal Planner Thomas Rogers reported that the City Council at its February 7th meeting approved the final actions for the Station 1300 project and the zoning ordinance revisions for the secondary dwelling units and childcare facilities. He said the Council at that meeting also held a study session on the Ravenswood Grade Separation project and provided some direction on that to the Transportation Division. He said on February 28th the City Council would consider a small revision to the green building car charger regulations from the General Plan update and hear a presentation by Stanford on their general use permit revision for the main university operations. He said those operations were located in Santa Clara County but the topic was of interest to other communities. He said the draft EIR for the 500 El Camino Real project was available and would be on the Commission's agenda for March 27.

D. Public Comment

There was none.

E. Consent Calendar

- E1. Approval of minutes from the January 23, 2017 Planning Commission meeting. ([Attachment](#))

Chair Strehl noted a correction to the January 23 minutes submitted by email from Commissioner Riggs.

ACTION: Motion and second (Susan Goodhue/Henry Riggs) to approve the minutes with the following modification; passes 7-0.

- Page 10, 1st full paragraph, 5th line: Replace "100 block" with "1200 block"

F. Public Hearing

- F1. Use Permit/Scott Chamness/903 Timothy Lane:
Request for a use permit to add a second floor, as well as conduct interior modifications, to a single-family residence that would exceed 50 percent of the replacement value of the existing nonconforming structure in a 12-month period. The proposal would also exceed 50 percent of the existing floor area and is considered equivalent to a new structure. The subject parcel is located on a substandard lot in the R-1-U (Single-Family Urban) zoning district. ([Staff Report #17-011-PC](#))

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

Applicant Presentation: Mr. Scott Chamness said the addition was desired to better accommodate their family size. He said a neighbor had not liked their original design and they worked with that neighbor to find a design that was mutually agreeable. He noted in the surrounding area that there were second story additions and expressed appreciation for input he had received from Commissioner Kahle.

Chair Strehl opened the public hearing and closed it as there were no speakers.

Commission Comment: Commissioner Larry Kahle said that former Planning Commissioner Katie Ferrick had connected him with the applicant, and he and the applicant had had some email correspondence about the design. He said his earlier comments to the applicant included the question of what the style of the proposed addition was, and his concerns about the prominence of the garage as it was long and dominated the rest of the house, the use of stucco siding without any accent material and nothing in the gable ends to break that up, the vinyl windows, and the attic garage space which had a bump-out over the garage but which was lower than the rest of the wall. He said the applicant presented some thoughts about those design choices but he did not think there were any changes to the design as a result of their email conversation.

Chair Strehl asked the applicant to respond to the concerns raised by Commissioner Kahle.

Mr. Chamness said Commissioner Kahle's questions were legitimate and that they had raised the same questions with the designer. He said the bump-out on the garage was intended to modulate the step up from the garage to the second floor as well as provide some added storage space. He said two mature oak trees in the back and a mature ginkgo tree in the front tended to screen the garage. He said they had wanted to keep a one car garage but the addition to the house required a two-car garage, and added that they chose the shortest garage door possible. He said recently they had replaced all their first story windows for double-paned vinyl and it would be an environmental waste to remove all those. He said they had discussed the siding with their designer, and if the siding was an issue, they were open to adding some shingles or other architectural details such as louvers in the gable area. He said they had stepped in the side walls of the second story to provide some articulation and put a roof belt line around the perimeter.

Commissioner Riggs said he shared Commissioner Kahle's concern with the vinyl windows. He asked why there were high windows in the gable ends. Mr. Chamness said they were bathroom windows and faced the neighbor's home. He said those were above the bathroom mirror. Commissioner Riggs asked if they could make the design work with two windows rather than three windows in the two gable ends.

Mr. Rod Lacasia, project designer, said they had the ability to put two windows rather than three in the gable ends. He said the clients had seen interior bathroom designs with the three windows, and liked that feature.

Commissioner Andrew Barnes said the staff report addressed the Floor Area Limit (FAL) being at the maximum and using the attic space over the garage to get the FAL below that limit. He asked if they had been able to get below the threshold. Mr. Lacasia said they had and submitted section drawings showing the attic space below five feet in height. Commissioner Barnes asked about neighborhood outreach on the plan revision. Mr. Chamness said he had sent a complete packet of the views to the adjacent neighbor the previous week and received favorable response from them.

Commissioner John Onken said he understood the use of vinyl windows but seeing a mass of stucco coupled with vinyl windows was concerning particularly with no other materials to offset the stucco. He encouraged the applicant to look at other siding materials as suggested by Commissioner Kahle that would soften the window issue. He said he appreciated the orientation of the house and said the location of windows was acceptable. He said if the front door was moved over just slightly that would allow for a planting strip along that side of the garage which would screen that stucco wall. Mr. Chamness said that was their intention.

Commissioner Drew Combs said the lot was a bit unusual. He said he did not know if two small windows would be more aesthetically pleasing than three small windows in the gable ends. He said he could support the project.

Commissioner Kahle said that the applicant explained well how they reached their design decisions. He said he still felt the design needed more attention and he was struggling to support. He said although there were trees that screened the home those trees might die. He said it was important to pay attention to the house design. He said he agreed that two windows would probably work better in the gable ends.

Commissioner Barnes asked if a garage door might be made to look less like a garage door. Chair Strehl asked if it was one garage door. Mr. Chamness said it was modulated to look like two doors but was one door. Commissioner Onken said that a garage door could be made to look like two doors and trellis was sometime used as modulation.

Commissioner Riggs said although the triple window high up in the gable was a little awkward he was hesitant to ask for a change as that might significantly change the bathroom wall. He moved to approve the project as recommended in the staff report. Commissioner Goodhue seconded the motion.

Commissioner Onken asked if the makers of the motion and second would accept an amendment to allow an option for redesign so that the applicant might add different façade materials to create more articulation. Commissioner Kahle said that the project had bigger issues than just the stucco.

Commissioner Riggs as the maker of the motion said that this would be a good house for shingles but it was an economic issue, and he hesitated to direct that change. He said the project was approvable.

ACTION: Motion and second (Riggs/Goodhue) to approve the item as recommended in the staff report; passes 6-1 with Commissioner Kahle in opposition.

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by Rod Lacasia consisting of six plan sheets, dated received February 22, 2017, and approved by the Planning Commission on February 27, 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. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
 - f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
 - g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.
4. Approve the use permit subject to the following **project-specific** conditions:
 - a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans that demonstrate full compliance with the allowable floor area limit (FAL), subject to review and approval of the Planning Division. In particular, section diagrams and dimensions shall be provided to verify interior attic height measurements as measured from the top of the ceiling joist to the bottom of the roof sheathing.

- b. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised arborist report addressing the following, subject to the review and approval of the Planning Division:
 - i. Add to the Tree Protection Plan guidelines: “Any excavation within the tree protection zone shall be carefully performed by hand.”
 - ii. Add to the Tree Protection Plan guidelines: “No grading within the tree protection zones of on- and off-site Heritage trees.”

F2. Use Permit/Bryan Cho/515 Gilbert Avenue:

Request for a use permit to partially demolish, remodel, and add first- and second-story additions to an existing nonconforming single-story, single-family residence on a substandard lot with respect to lot area, depth, and width in the R-1-U (Single-Family Urban) zoning district. The proposed work would exceed 50 percent of the existing replacement value in a 12 month period. The proposal would also exceed 50 percent of the existing floor area and is considered equivalent to a new structure. ([Staff Report #17-012-PC](#))

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

Questions of Staff: Commissioner Kahle said the garage roof had a funky shape and asked whether it would be retained. Assistant Planner Morris said if they increased the roof eave into the side yard setback that a variance would be required.

Commissioner Riggs said there was mention that the left side windows had been coordinated with the adjacent neighbor's two-story building. He asked if staff had a sense of how the windows aligned and if it was a successful coordination. Assistant Planner Morris said she had not been given anything by the applicant showing the neighbor and project's window coordination. She said the applicants had submitted a project description noting there was such coordination.

Applicant Presentation: Ms. Lynn Fisher, Ogawa Fisher Architects, said the existing structure was an apartment size home in a neighborhood of one and two-story detached single family homes. She said the goal was to enlarge the residence to 1971 square feet. She said there were two-story homes to the sides and facing the property. She said they kept the existing nonconforming sections of the house and would expand the home in the middle front to back, and were adding a fairly modest second story that stepped in on the interior sides and both street sides. She said they kept the hip roof language of the existing nonconforming sections, and tried with the horizontal siding and the band of the clerestory windows to emphasize the horizontality of the hip roof and use the band of clerestory windows both to lighten the hip roof some and have a band of light both inside and outside. She said they placed windows so they were not face to face with the neighbors' windows.

Mr. Bryan Cho, property owner and applicant, said to respond to Commissioner Riggs' question that they contacted their neighbors during the design process. He said some of the elements in the design took into account neighbor comments about sunlight and daylight.

Commissioner Kahle asked about the dimensions of the eaves noting they seemed deep. Ms. Fisher said there was an extra deep section in the front and the bulk of the eaves were three feet deep. She said the goal was to provide extra shadow along that top edge and play up the horizontality of the hip roof. Commissioner Kahle said there was a skylight at the lower roof by the staircase and in the section it looked flush with the roof. He said he thought it would need to be

mounted on top of the roof, and asked what it would look like. Ms. Fisher said it would be a flat, custom, long skylight with a slight slope to a tiny curve at the roof. She said it would be a flatter slope than the roof. Commissioner Kahle said the proposal was well below the maximum height allowed but looking at the building sections and the attic space there was an extra piece of wall height at the outside edge of the eaves, and asked the reason for that. Ms. Fisher said the clerestory windows were pushed tight to the ceiling out of the eave height. Commissioner Kahle asked if the eaves were closed or open. Ms. Fisher said they were open. Commissioner Kahle asked why they did not push for more floor area. Ms. Fisher said it basically was cost noting there had been a scheme with a third bedroom on the second floor but they did not like the mass that put on the street.

Commissioner Onken asked about the open eaves and if those had rafters extending out or what. Ms. Fisher said that detail was not fully developed. Commissioner Onken said with deep set eaves that detail was important. Ms. Fisher said they could use wood siding or the eaves could be soffited, and made flat.

Chair Strehl opened the public hearing.

Public Comment:

- Al Amitabh and his wife Jessica Smith said their home was the left adjacent property. He said they were concerned with the monolithic structure of the proposed design due to the project's proximity to their home, and the limited space between the existing structure and their property line. He said the second-story building would significantly block light to their home. He said his home and the existing structure were very close to one another and maybe 14-feet apart. He said the project was three-feet and some inches from their property line. He said the applicant indicated they would take line of sight into consideration with their two upstairs windows but they had not heard anything regarding that.

Commissioner Barnes asked the speaker to describe the applicant outreach. Mr. Amitabh said the applicants had reached out to them to share the plans, and he and his wife had expressed concerns with those plans. He said they had not heard anything since then as to any changes.

Chair Strehl said there seemed to be a seven-and-a-half setback between the property lines. Mr. Amitabh said the property line widened and narrowed.

Commissioner Combs asked if Mr. Amitabh's home intruded into the side setback. Mr. Amitabh said he had owned his home for a year and a half but his understanding was the garage was an existing structure that preceded the build out of the 17-year old home. He said the right edge of the garage was flush with the fence. Commissioner Combs asked if the home intruded into the side setback. Mr. Amitabh said he did not know but noted their driveway was only 11 feet wide at its widest.

Chair Strehl closed the public hearing.

Commission Comment: Commissioner Barnes noted siding on one side of the existing home and asked if the applicant would be willing to add some detail to the stucco on the garage on the corner of Gilbert and Marmona. Ms. Fisher said the existing siding was old vinyl siding over the original stucco. She said they definitely wanted to remove the vinyl siding and planned to restore the existing stucco. She said the side of the garage referenced was the nonconforming portion in the

setback so adding a window or changing the roofline there was not a feasible action as it would require a variance request. Commissioner Barnes said the existing siding did create interest and asked if it could be used on the side of the garage facing Gilbert and Marmona. Ms. Fisher said she thought using siding on all sides of the garage would be preferable to only side of siding. She said it was possible but noted as the architect she preferred the stucco material as proposed.

Commissioner Onken said he appreciated the project design and the mix of materials and shapes. He said his only concern related to the proximity of the project to the property owners to the east noting the two full sized windows for the master bedroom. He said he would like that bedroom to be fenestrated with smaller windows. He said that would provide light but not view to the other property's bedroom windows just 18 feet away.

Commissioner Kahle said he liked the design noting he had not appreciated how close the house was to the property line until he saw it. He said he thought the deep eaves would be a problem under the building code and he thought those would need to be cut back severely at the property line. Ms. Fisher said those were the first floor existing bedrooms, which did not have the deeper eaves. She said the upper eaves were deeper and were out of the setback and within the daylight plane.

Commissioner Kahle said he agreed with Commissioner Onken about the bedroom windows facing the side house. He said those should be higher as they could get an egress window at the back. He said he also agreed with Commissioner Barnes about the garage as it was fairly prominent. He said it would be better if it was taller but if that needed a variance he did not see the point in doing that. He said it could benefit from another siding material or even a window as suggested. Ms. Fisher said the Commission's order to have a window in the garage wall would be welcome noting that it was a nonconforming wall which they could not substantively change. Replying to Commissioner Kahle, Principal Planner Rogers confirmed that a window could be added to a nonconforming wall.

Commissioner Riggs said once he realized that the garage could not be significantly changed and it was short that having it be a different material and introducing a balancing wing on the left side was kind of cool. He said although he did not like a wall without a window that the garage was one-story with a low roof so no one would ever know if there was a window or not. He said the building peak was some seven feet lower than code and the width of the second story facing the adjacent home was pretty restrained. He said he found the proposal overall to be a sensitive design. He said he trusted that gutters would be added at the seams of the standing metal roof.

Commissioner Kahle moved to approve the project as recommended in the staff report with a condition to raise the sill heights of the side facing master bedroom windows. Commissioner Riggs seconded the motion but asked the maker if those windows were fixed with an awning above if he would allow for obscured glass as an option other than raised sill heights. Commissioner Kahle said he would like to keep the motion as it was.

Commissioner Combs said he appreciated the neighbors coming to express their concern, clarifying the proximity of the properties.

Chair Strehl noted the stepping back of the second story.

ACTION: Motion and second (Kahle/Riggs to approve the item with the following modification; passes 7-0.

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by Ogawa Fisher Architects, consisting of 14 plan sheets, dated received February 21, 2017, and approved by the Planning Commission on February 27, 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. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
 - f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
 - g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.
4. **Approve the project subject to the following project-specific condition:**
 - a. **Simultaneous with the submittal of a complete building permit application, the plans shall be modified to raise the sill heights of the second floor windows of the East (Left) elevation, subject to review and approval of the Planning Division.**

F3. Use Permit/Kanler, Inc./515 Bay Road:

Request for a use permit to construct a new two-story, single-family residence on a substandard lot with regard to lot width and lot area in the R-1-U (Single-Family Urban Residential) zoning district. In addition, one heritage Joshua tree, 30 inches in diameter, in fair condition, and one heritage coast live oak, 22 inches in diameter, in fair condition, at the right side of the property would be removed. In addition, a heritage coast live oak, 16 inches in diameter, in fair condition, would be pruned more than 25 percent. ([Staff Report #17-013-PC](#))

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

Questions of Staff: Commissioner Kahle noted that staff expressed concerns in the staff report about the volume and unusual unbalanced aesthetics. He said there had been five revisions to the design. He asked staff to elaborate on those concerns and how they had arrived at the proposed design.

Associate Planner Smith said the original design had difficulties as the public utility easement (PUE) on the left side of six feet had not been recognized. He said it was more of a remodel and expansion project that kept most of the nonconforming left side wall but would demolish most of the rest of the house. He said they asked the applicant to come back with a redesign to bring the project fully into conformance, and that was the second submittal. He said then it was an iterative process of getting the design to a point where it addressed all the issues and met zoning ordinance requirements. He said the first story roof volume was a comment that staff had relayed to the applicant several times. He said the response was that since it was a narrow lot there was an interest to create more volume in the home for the residents' enjoyment. He said based on that staff felt they had pressed the applicant as much as reasonably possible for that to be changed. Commissioner Kahle confirmed with staff that no eaves or anything could be over a public utility easement.

Applicant Presentation: Mr. Rajiv Agarwal, the property owner, said he bought the home seven years ago when he graduated from college. He said he was married now with four children noting his parents often visit for months at a time and the home was very small for their needs.

Chair Strehl opened the public hearing and closed it as there were no speakers.

Commission Comment: Commissioner Kahle said that the drawings did not seem to be a modern Craftsman-style home as specified in the staff report. He said the key problem was the lack of overhangs noting that was why he had asked about the PUE. He said a Craftsman-style home has overhangs. He said vinyl windows were proposed everywhere and the proposed divided light patterns were not Craftsman style.

Commissioner Onken said the second story was stepped in and was less massive than the first story. He suggested the applicant might want to break up the fenestration. He said it looked like 20 of the same windows and it was very busy. He said he understood why the windows for the two shower rooms had been placed to the side but noted the sliding doors could be changed so those windows might be placed more centrally which he thought would help the front elevation. He said there were quite a few things aesthetically that could be calmed and it would be a perfectly fine house. He said he would like the project to return with more attention paid to the fenestration for improved modulation.

Commissioner Riggs said several topical design elements had been mentioned with the overriding one being the absence of overhangs. He said that the windows reminded him of a 20th century English cottage. He said the overhangs would provide shade and help the house with energy efficiency. He said he thought it was possible for the high roof over the garage to work but he did not know what to do about the overhangs.

Mehran Soltanzadeh said he was the designer. He said that no overhang was allowed over the PUE and just putting an overhang on the right side would make the look unbalanced. He said he would prefer overhangs on the second story gables. He said in the rear they had proposed one foot overhang over the gables.

Commissioner Onken said in terms of windows facing side to side that bedroom #3 had large windows facing neighbors. He asked how the wood shingles would be finished. Mr. Soltanzadeh said they would paint it light gray. Commissioner Onken said windows on second stories were often smaller and more modest than what was being proposed. He said without hitting the daylight plane they could raise the roof on the second story and extend the eaves there. He said there was a fireplace on the first floor that had no chimney. He suggested a chimney might help break up the length of the roof. Mr. Soltanzadeh said they could consider that if the Commission thought it would break up the mass.

Commissioner Kahle said the garage seemed to have a shed roof but wondered how that would work with the entry. He said he would like the project to come back with some eaves proposed and suggested adding a chimney. He said he would like the windows to be addressed and use wood rather than vinyl windows.

Commissioner Onken said he would support continuing the project for redesign for smaller windows on the second story and addition of eaves. He said they had already approved a project with fiberglass windows and one with vinyl windows the same evening. He suggested the applicant had to be very careful with vinyl windows as they tended to look cheap.

Commissioner Combs said the project met zoning ordinance requirements but there was some uneasiness with the proposed design expressed by staff. He asked why with those elements of concern the project had been brought forward. Associate Planner Smith said the project came to Planning in 2015 and needed a significant redesign due to the PUE. He said throughout 2016 they worked with the applicant on the design. He said they reached an impasse where staff was not getting a response to the concerns it had. He said they asked the applicant to supply justifications for what they were proposing so the project could come to the Planning Commission for consideration.

Principal Planner Rogers said when staff gets a project that meets the code but doesn't quite hit the mark with what they think the Commission has generally supported, that there were several options. He said the option chosen by staff here was to recommend approval while suggesting areas of potential improvement. He said staff felt the biggest issue was the large expanse of roof, but that issue had not been raised by the Commission this evening. He said another option was for staff to recommend approval with suggested changes to a project. He said staff might, if rarely, bring a continuance recommendation and even more rarely, a denial recommendation to the Commission.

Commissioner Kahle suggested the second floor massing could be adjusted to limit the amount of roof seen. He said that there were some issues that could be addressed to create a better house.

He moved to continue the project and have the issues of the eaves, window sizes and modulation, and lower roof massing addressed.

Commissioner Onken said he wanted to acknowledge the process the applicant has gone through, noting that the site placement and relationship to the neighbors were fine but the proposal needed a last effort. He seconded Commissioner Kahle's motion.

Commissioner Riggs said if this was a project on a conforming lot it would have been approved by the Planning Division as it met all development standards and ordinance code. He said he could not find enough of an issue with the roof and windows to suggest change.

Chair Strehl called for the vote. Chair Strehl started to summarize the vote when Mr. Agarwal asked to speak. Recognized by the Chair, Mr. Agarwal expressed how long they had been working on this proposal and asked if the Commission could be very specific in its direction.

Chair Strehl noted she would vote against the continuance as she agreed with what Commissioner Riggs had said.

Discussion ensued about the vote on the motion as there was some interruption of the count. Chair Strehl restarted the action and called for the vote.

ACTION: Motion and second (Kahle/Onken) to continue the item with direction including the following; passes 5-2 with Commissioners Riggs and Strehl opposing.

- Eaves should be added to the first- and second-story roofs of the proposed residence.
- More variation in window sizes and spacing should be provided, particularly on the proposed second story.
- The roof massing should be lowered on the first story, particularly on the front and right side elevations, in the areas above the proposed garage and family room.

- F4. Use Permit Revision and Architectural Control Revision/DES Architects & Engineers/1430 O'Brien Drive:
Request for a use permit and architectural control to partially convert, expand, and architecturally update an existing research and development (R&D) building located in the M-2 (General Industrial) zoning district. This project is a revision to approvals for a use permit and architectural control previously granted by the Planning Commission on July 25, 2016. The applicant is also requesting a use permit for indoor use and indoor and outdoor storage of hazardous materials in association with life sciences and biotechnology R&D. All hazardous materials would be stored within the building, with the exception of diesel fuel for a proposed emergency generator. In addition, the applicant is requesting a use permit for an outdoor seating area associated with cafe operations to be hosted within the building. In addition, one heritage flowering pear tree (19-inch diameter), in fair condition, at the center of the property would be removed. The applicant is also requesting a parking reduction based on the uses within the building and the proposed tenants' operations. Approximately 197 parking spaces would be provided, where 282 parking spaces are required by the M-2 square-footage-based parking requirements. The project includes a Below Market Rate (BMR) Agreement for the payment of an in lieu fee or the delivery of equivalent off-site units. *Continued to the Planning Commission meeting of March 13, 2017*

G. Informational Items

Commissioner Barnes asked about neighbor outreach requirements. Principal Planner Rogers said that mandatory neighbor notification about applications and project submittals was the City's legal responsibility for projects, and it typically went to a 300-foot radius. He said applicants were strongly encouraged to do neighbor outreach but it was not legally mandated. He said absent any communications from neighbors to staff, that staff depended on applicants to provide information on what neighbor outreach was done.

Commissioner Barnes said he and Commissioner Kahle would be attending the League of Cities Planning Commissioners Academy conference in Los Angeles and expressed his appreciations for the opportunity to attend.

G1. Future Planning Commission Meeting Schedule

- Regular Meeting: March 13, 2017

Principal Planner Rogers said the 1430 O'Brien continued from tonight's meeting would be on the March 13 agenda. He said also the 455 Oak Court project considered on January 9 and continued with a height reduction and landscaping revision would potentially be on the same agenda.

- Regular Meeting: March 27, 2017

Principal Planner Rogers said the 500 El Camino Real draft EIR and general study session would be on the March 27 agenda.

- Regular Meeting: April 10, 2017

I. Adjournment

Chair Strehl adjourned the meeting at 8:51 p.m.

Staff Liaison: Thomas Rogers

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on March 27, 2017