



REGULAR MEETING MINUTES

Date: 05/24/2021
Time: 7:00 p.m.
Meeting Location: [Zoom.us/join](https://zoom.us/join) – ID# 997 7358 9076

A. Call To Order

Chair Henry Riggs called the meeting to order at 7:04 p.m.

B. Roll Call

Present: Andrew Barnes, Chris DeCardy, Michael Doran (Vice Chair), Larry Kahle, Camille Kennedy, Henry Riggs (Chair), Michele Tate

Staff: Corinna Sandmeier, Senior Planner; Leo Tapia, Planning Technician; Chris Turner, Assistant Planner

C. Reports and Announcements

Senior Planner Corinna Sandmeier said the City Council at its May 25, 2021 meeting would consider appointments to City advisory bodies and receive a report on the Housing Element Update project. She said tentatively the plan was for City Council and advisory bodies to meet in person starting in September.

Replying to Commissioner Camille Kennedy, Ms. Sandmeier said she would check with the other commissioners and provide information to Ms. Kennedy on which neighborhoods individual commissioners lived in.

Commissioner Kennedy said she hoped the Planning Commission membership would achieve community balance with representation of communities most impacted by development.

Chair Riggs noted that only two applications were received for the upcoming Planning Commission vacancy.

D. Public Comment

None

E. Consent Calendar

Commissioner Michael Doran said he was not present at the April 26, 2021 meeting and would need to abstain from approving those minutes.

E1. Approval of minutes from the April 12, 2021, Planning Commission meeting. ([Attachment](#))

ACTION: M/S (Chris DeCardy/Larry Kahle) to approve the April 12, 2021 Planning Commission



meeting minutes; passes 7-0.

- E2. Approval of minutes from the April 26, 2021, Planning Commission meeting. ([Attachment](#))

ACTION: M/S (DeCardy/Kahle) to approve the April 26, 2021 Planning Commission meeting minutes; passes 5-0-2 with Commissioners Doran and Kennedy abstaining.

F. Public Hearing

- F1. Use Permit/Daniel Ewald/414 Claremont Way:
Request for a use permit to demolish an existing one-story, single-family residence with an attached garage, and construct a new two-story residence with an attached garage on a substandard lot with regard to minimum lot depth in the R-1-U (Single Family Urban Residential) district. ([Staff Report #21-026-PC](#))

Staff Comment: Planning Technician Leo Tapia said staff had no additions to the staff report.

Applicant Presentation: Scott Frewing introduced himself and his wife, Charlotte Drew, as the property owners. He said the project goal was to create an accessible home noting needs of family members. He introduced the project architect Daniel Ewald.

Mr. Ewald said the lot was a substandard corner lot and the existing home faced Claremont Way. He said the frontage due to the nonconforming lot depth was determined to be on Claremont Place on the north side. He said the proposal reoriented the garage to the north for a fully conforming building with minimal impact on heritage trees. He said the height was not maxed out and setbacks exceeded minimum requirements on three sides including the two sides facing adjacent neighbors. He said the most open side, the south side, was set back 26.5-feet, 6.5-feet more than the minimum required. He said massing was set back from both Claremont Way and Claremont Place.

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

Commission Comment: Commissioner Kennedy said she supported the proposal and moved to approve.

Commissioner Kahle asked about the shaded sections around the windows in particular. Mr. Ewald said most of the windows were corner windows and the idea was to group those together on both elevations by having a corner panel and then above the windows to fill the space between the soffit and the top of the windows. Replying further to Commissioner Kahle, Mr. Ewald said the siding was stained cedar. He said the stone used would have a slightly elongated brick proportion size. Commissioner Kahle asked if would make sense for the chimney to have the stone finish rather than wood siding. Mr. Ewald said from the backyard the chimney element was seen through glass and the fireplace was minimal. He said they did not want a heavy element noting the interior had grayish brown cabinetry in the fireplace area and that was what would extend up to the exterior. He said they also thought the elevator tower although larger than the chimney served as an anchor.

Commissioner Kahle said it was a handsome project. He said he appreciated the proposed height noting one-story residences in the area and the effort to save the tree near the driveway. He seconded Commissioner Kennedy's motion to approve.

Commissioner DeCardy said for the record that his family and the Drew/Frewing family knew each other socially but that would not affect his judgement on the project.

Chair Riggs said the proposed modern design was very compatible with the neighborhood and expressed his gratitude that the project would clearly add to the neighborhood.

ACTION: M/S (Kennedy/Kahle) to approve the item as recommended in the staff report; passes 7-0.

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
 - a. The applicant shall be required to apply for a building permit within one year from the date of approval (by May 24, 2022) for the use permit to remain in effect.
 - b. Development of the project shall be substantially in conformance with the plans prepared by ETA-SF Architecture consisting of 13 plan sheets, dated received April 30, 2021 and approved by the Planning Commission on May 24, 2021, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
 - c. 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.
 - d. 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.
 - e. 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.
 - f. 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.

- g. 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.
 - h. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Heartwood Consulting Arborists, dated revised April 19, 2021.
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 plans that include the following note: "If no elevator is installed, the elevator shaft shall count as additional floor area and revisions may be necessary to bring the home into compliance with the floor area limit."

Chair Riggs said that Vice Chair Doran would take over for him for Item F2 as he was the project architect and would recuse himself from the meeting.

- F2. Use Permit/Plamen Marinov/135 Willow Road:
Request for a use permit to change the use of an existing commercial building from office to a child care center in the C-1-A (Administrative and Professional) district. Child care centers are considered special use in the C-1-A district and require use permit approval. At maximum capacity, the child care center would have 40 children, ages 1.5 to five years old, and five staff members. The child care center would operate between the hours of 8:00 a.m. and 6:00 p.m., Monday through Friday. ([Staff Report #21-027-PC](#))

Staff Comment: Assistant Planner Chris Turner said staff had received two pieces of correspondence after publication of the staff report. He said one received last week was from Steve Follmer, who stated that although he had general concerns about traffic on Willow Road, he had no specific concerns with the proposed project. He said correspondence received this evening from Zishu Lin indicated questions about the number of children and the enrollment cap as well as the driveway entrance and traffic along Willow Road. He said these comment letters were now attached under item F2 on the online agenda for May 24, 2021.

Applicant Presentation: Plamen Marinov introduced his wife, Michele Doan. Ms. Doan said she was the owner, director and founder of Wund3rSCHOOL that was currently operating at 1215 O'Brien Drive.

Mr. Henry Riggs, project architect, indicated the multiplicity of steps involved in locating a child care center near residential neighborhoods and the need for it to be compatible with the area. He commented on the need for child care services in the community.

Vice Chair Doran opened the public hearing.

Public Comment:

- Heather Hopkins said she was with the nonprofit, Community Equity Collaborative, based in Menlo Park. She said they advocated for early learning on the San Francisco Peninsula and also

were a consultant for Build Up for San Mateo County's Children. She said she sent a letter of support for the subject project and wanted to reiterate that 1) more child care was needed in Menlo Park; 2) it was exceedingly difficult to find appropriate space for child care in San Mateo County; and 3) while traffic, parking and noise were almost always concerns with the use during the permitting process there were actually very few issues and complaints after child care centers opened in San Mateo County according to Build Up.

- Michael Zhang said he lived next door to the proposed project and he and his wife had received conflicting answers over a period of time about the number of children proposed for enrollment at the center. He asked also whether the applicants could increase enrollment later as there was potential to do that. He said the driveway was only 20-feet wide and would only handle one car going in and out at a time. He said also it was near the intersection of Willow and Middlefield Roads, so he was concerned about the cars trying to turn right or left from the site, especially during rush hours. He questioned the validity of the proposed traffic plan. He said also he had safety concerns for pedestrians and bicyclists in the area.

Vice Chair Doran closed the public hearing.

Commission Comment: Commissioner Kahle said a stop sign was recommended at the end of the driveway. He asked if consideration had been made to have an only a right hand turn sign there noting the dangerousness of making a left across Willow Road. Planner Turner said the Transportation Division reviewed the plans and suggested only the stop sign. He said looking at the entrance to the driveway there was a double yellow line directly in the median of Willow Road, which would not allow for a left turn there. Commissioner Kahle said visiting the site he had made a left turn there and realized it was probably a mistake. He suggested requiring a right turn only sign might be a good condition to add. He said the next door property had a hedge and he had to pull the car out almost to the sidewalk to see traffic coming westbound on Willow Road. He said he hoped that could be addressed with the neighbor to make the sidewalk there safer.

Commissioner DeCardy asked if the recommendation was to approve enrollment of 40 children. Planner Turner said the applicant's proposal was for a maximum of 40 children, which staff reviewed and was recommending that as the enrollment cap. Commissioner DeCardy asked about staggered drop off and pick up and if only one car could travel up and out the driveway. Mr. Marinov said that was to prevent traffic backup on Willow Road and they used that method at their current site. Ms. Doan said the driveway could accommodate two cars coming in and out of the driveway.

Commissioner Andrew Barnes said this was a great reuse of the building. He said the turn radius into the driveway was tight. He said he thought parents and/or staff would need to be attentive to make sure the circulation worked. He moved to approve as recommended in the staff report.

Commissioner Kahle asked if the maker of the motion would consider requiring a right-hand turn only rather than or in addition to the required stop sign. Commissioner Barnes said he would like the Transportation Division to have the opportunity to weigh in on that rather than have the Commission prescribe it. He asked if the condition of approval could be to have the Transportation staff review and decide based on best practices.

ACTION: M/S (Barnes/Kahle) to approve the item with the following modification; passes 6-0 with Commissioner Riggs recused.

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 would 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. The applicant shall be required to apply for a business license within one year from the date of approval (by May 24, 2022) for the use permit to remain in effect.
 - b. Development of the project shall be substantially in conformance with the plans prepared by Henry L Riggs, AIA, consisting of six plan sheets, dated received May 11, 2021, and the project description letter received May 11, 2021, and approved by the Planning Commission on May 24, 2021, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
 - c. The applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
 - d. The applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - e. The applicant shall submit a plan for any new utility installations or upgrades for review and approval of 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.
4. Approve the use permit subject to the follow **project specific** conditions:
 - a. Prior to operating at the subject property, the applicant shall obtain a business license from the City of Menlo Park and demonstrate they have secured the appropriate state and county licensing.
 - b. Hours of operation shall be limited to 8:00 a.m. to 6:00 p.m. Monday through Friday.
 - c. The maximum number of students enrolled at the school shall be limited to 40 students.
 - d. The maximum number of employees shall be limited to five employees.
 - e. Use of the outdoor play areas shall be limited to a maximum of ten children at any one time.
 - f. All student drop-off/pick-up shall occur within the school site's parking lot and shall not occur on Willow Road.

- g. Pick-up and drop-off times shall be limited to between 8:00 a.m. and 9:20 a.m. for morning drop-off, and 4:40 p.m. and 5:50 p.m. for evening pick-up, and shall be staggered in ten-minute intervals.
- h. Prior to issuance of a business license, the applicant shall install the stop sign at the entrance to the property and provide proof of installation subject to review and approval of the Planning Division and Transportation Division.
- i. No outdoor amplification of sound shall be permitted.
- j. *The applicant shall coordinate with the Transportation Division to consider the suitability of a "right turn only" sign placed in the same location as the required stop sign. If the Transportation Division concludes the sign is suitable for the site, prior to business license issuance, the applicant shall install the "right turn only" sign and provide proof of installation for the review and approval of the Planning Division and Transportation Division.***

G. Informational Items

G1. Future Planning Commission Meeting Schedule

- Regular Meeting: June 7, 2021

Planner Sandmeier said that 211 Oak Court, an O'Connor Water Tract project, and review of the Capital Improvement Program for consistency with the General Plan would be on the agenda for the June 7 meeting.

- Regular Meeting: June 21, 2021

H. Adjournment

Chair Riggs adjourned the meeting at 7:58 p.m.

Staff Liaison: Corinna Sandmeier, Senior Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on June 21, 2021

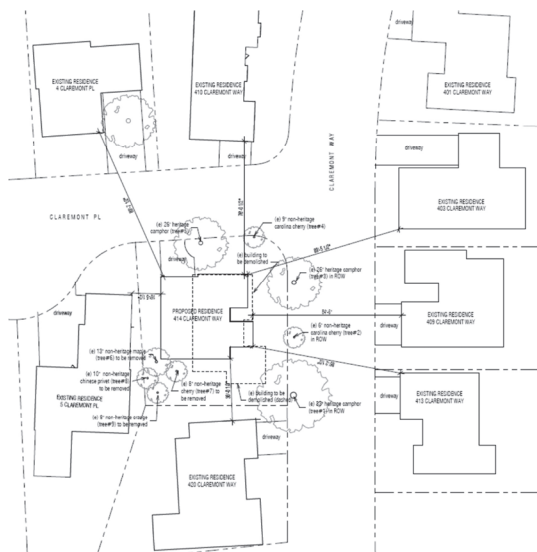
414 Claremont Way

Use Permit

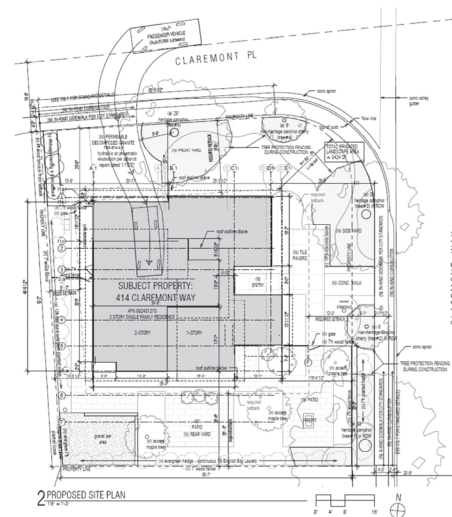
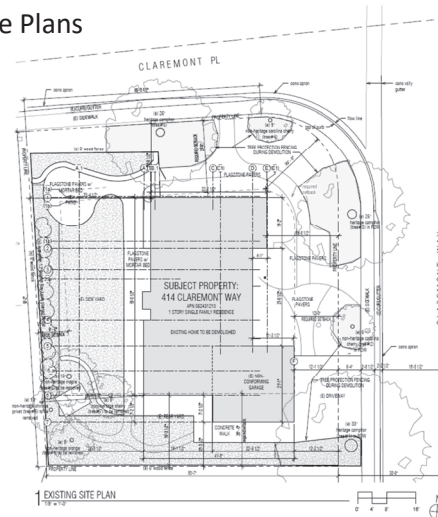


existing house

Area Plan



Site Plans



view at corner



view from Claremont Way



view from Claremont Place



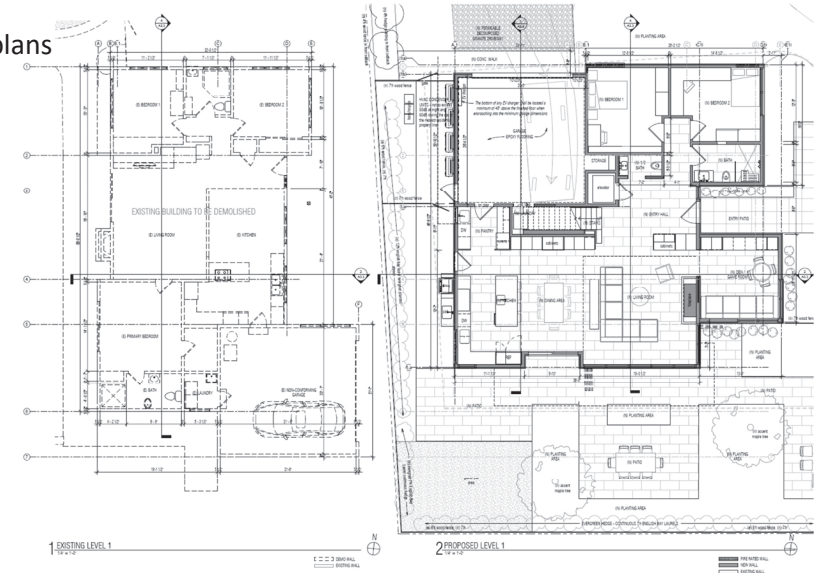
view west at rear yard



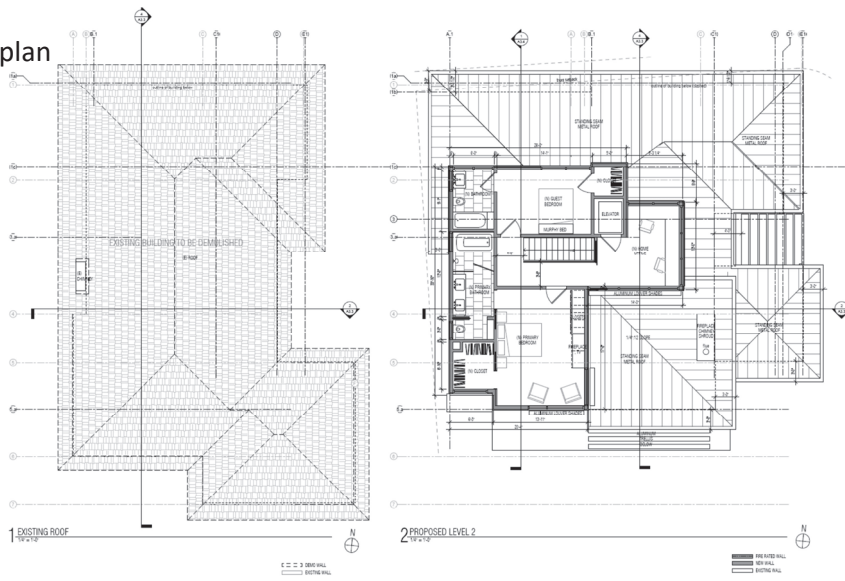
view southwest at rear yard



1st floor plans



2nd floor plan



aerial view



view south from 2nd floor



view west from 2nd floor



adjacent 5 Claremont Place carport (behind)

end of presentation –
additional slides for reference

streetscape

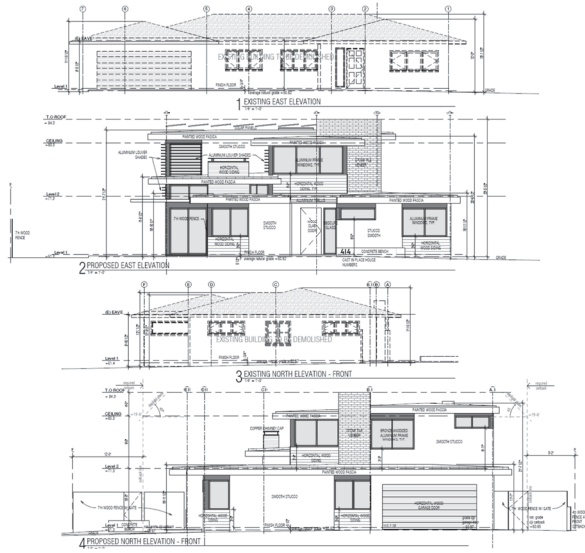


EAST ELEVATION - CLAREMONT WAY STREETScape

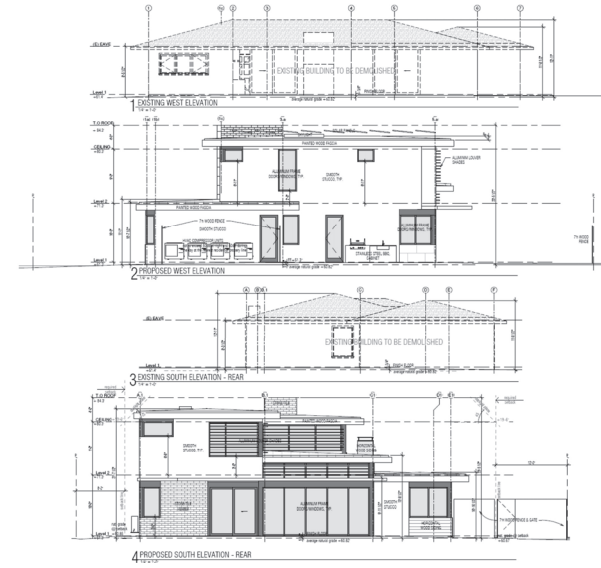


NORTH ELEVATION - CLAREMONT PLACE STREETScape

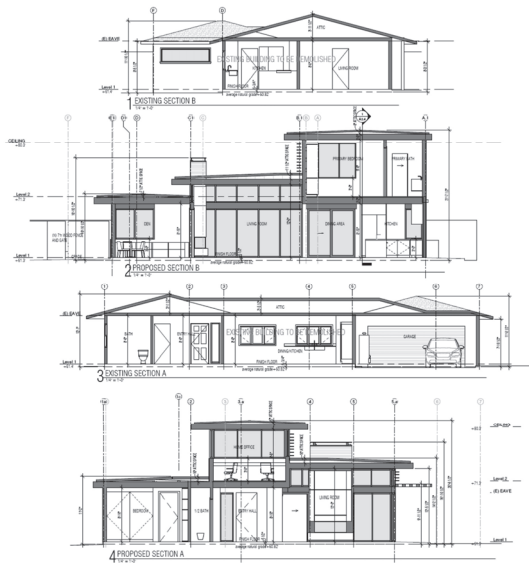
elevations



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materials

