



REGULAR MEETING MINUTES

Date: 2/24/2025
Time: 7:00 p.m.
Location: Zoom.us/join – ID# 846 9472 6242 and
City Council Chambers
751 Laurel St., Menlo Park, CA 94025

A. Call To Order

Chair Jennifer Schindler called the meeting to order at 7:00 p.m.

B. Roll Call

Present: Jennifer Schindler (Chair), Andrew Ehrich (Vice Chair), Katie Behroozi, Linh Dan Do, Katie Ferrick, Misha Silin (arrived at 7:05 p.m.), Ross Silverstein

Staff: Connor Hochleutner, Assistant Planner; Fahteen Khan, Associate Planner; Kyle Perata, Assistant Community Development Director; Eric Philips, Legal Counsel

C. Reports and Announcements

Assistant Community Development Director Kyle Perata said the City Council would hold a special meeting on March 4, 2025 for its review and discussion of the selection criteria used during the City’s Housing Element Update and at its March 11, 2025 meeting would review the appeal of the Planning Commission approval of the 320 Sheridan Drive project.

D. Public Comment

None

E. Consent Calendar

E1. Approval of minutes from the January 27, 2025 Planning Commission meeting ([Attachment](#))

Chair Schindler opened the item for public comment and closed public comment as no persons requested to speak.

ACTION: Motion and second (Ferrick/Behroozi) to approve the consent calendar consisting of the minutes from the January 27, 2025 Planning Commission meeting; passes 7-0.

F. Public Hearing

F1. Use Permit Revision/Yarden Ben Arye/332 Barton Way:
Consider and adopt a resolution to approve a use permit revision for an existing nonconforming, two-story, single-family residence on a substandard lot in the R-1-U (Single Family Urban



Residential) zoning district, and determine this action is categorically exempt under CEQA Guidelines Section 15301's Class 1 exemption for existing facilities. The original use permit was granted in 2006, and the revisions include a ground-floor addition at the front with a new second-level deck on top. (Staff Report #25-007-PC)

Mr. Perata said staff had no updates to report.

Peter Aylaian, property owner, spoke on behalf of the project.

Commissioner Silverstein said he lived within 1000 feet of the subject property, and would not recuse as he did not have financial interest in the property nor have any conflict of interest for the project.

Chair Schindler opened the public hearing and closed it as no one requested to speak.

Commission discussion focused on the use permit revision process and support for the project.

ACTION: Motion and second (Ehrich/Silverstein) to adopt a resolution to approve the project as submitted; passes 7-0.

- F2. Use Permit, Architectural Control, Below Market Rate (BMR) Housing Agreement, Environmental Review/3705 Haven, LLC/3705 Haven Ave.:
- Consider and adopt a resolution to approve a use permit, architectural control, and below market rate (BMR) housing agreement to demolish an existing single-story 10,361 square-foot commercial building, and construct an eight-story multi-family residential bonus-level development project with 112 units on a 0.66-acre parcel, located in the R-MU-B (Residential Mixed Use-Bonus) zoning district. The project would use the City's bonus level development allowance for increases in density, intensity (gross floor area), and height in exchange for the provision of community amenities. Additionally, the proposed project would utilize benefits pursuant to the State Density Bonus Law, which include additional units along with incentives, concessions, waivers and parking reductions under Gov. Code, § 65915. Specifically, the State Density Bonus Law allows for an increase from 66 to 112 units. In addition, the State Density Bonus Law provides for waivers from development standards to increase the maximum height, increase the maximum floor area ratio (FAR), reduce the ground floor height requirement, reduce the ground floor transparency requirement, reduce the minimum number of parking spaces and modify parking stall dimension requirements, allow smaller BMR units, and deviate from building modulation and open space requirements. Additionally, the State Density Bonus Law entitles the proposed project to up to three concessions; the project includes requests for concessions to not replace an existing utility pole, remove the requirement to dual-plumb the buildings for future use of recycled water, and to allow rents for moderate income BMR housing units to use the rental amount permitted by the Health and Safety Code without being subject to the City's BMR Guideline requirement that BMR rents be limited to no more than 75% of market rents. The proposed project would include a BMR housing agreement for a minimum of 15 percent of the base density units (10 units), affordable to seven very-low and three moderate income households. The BMR agreement would also apply to the project's proposed three additional BMR units affordable to very-low income households as the community amenity in exchange for bonus level development and the project's proposed one additional unit affordable to a moderate income household necessary to satisfy the requirements of State Density Bonus Law. The proposed project would include a total of 14 BMR units. Determine this action is exempt from the California Environmental Quality Act under Public Resources Code

Section 21083.3 and CEQA Guidelines Section 15183. The proposed project includes three development-related heritage tree removals, which the City Arborist has reviewed and conditionally approved. (Staff Report #25-008-PC)

Associate Planner Fahteen Khan said staff received 14 emails in support of the project and copies of those were on the back table.

Ms. Khan introduced the project.

Michelle Loeb, project architect, spoke on behalf of the project and presented the project.

Mr. Perata and Mr. Eric Philips, City Attorney's Office, answered the Commission's clarifying questions about State Density Bonus Law projects, environmental review for the project, and BMR income levels. Mr. Christian Sebrian, Land Use Counsel for the applicant, answered clarifying questions regarding parking and potential fees for that.

Chair Schindler opened the public hearing.

Public Comment:

- Nels Delander, representative Carpenters Local 217 of San Mateo County, commented on the importance of hiring responsible general contractors utilizing apprenticeships and a labor workforce to build the project and that provided a living wage and health care.
- Ali Sapirman, Housing Action Coalition, said they supported the project for the housing it provided and that the parking was not favored over housing.
- David Beam expressed support for the project.
- Annabelle Tzou expressed support for the project.
- Joey (no last name given) expressed support for the project.
- Chween An expressed support for the project.
- Emma (no last name given) expressed support for the project.
- Blas Rodriguez expressed support for the project.

Chair Schindler closed the public hearing.

Commissioner comments included support for the bicycle storage provided, support for increased housing, and concern that the project had no retail component in a Bayfront neighborhood lacking retail presence as that meant people had to leave area to shop, dine out and other things or use an app, which did not support the development of a neighborhood culture or community.

Replying to Commissioner Ehrich, Planner Khan indicated the City had since December 2023 developed a short list of consultants for request for proposals to help streamline the consultant selection process.

Additional Commissioner comments included the importance of having held a study session on the project and appreciation for two entrances for vehicles, bicycles and pedestrians into the project providing better access, circulation, and safety,

Replying to Commissioner Ferrick, Ms. Loeb said doing the combined standard and compact 104 parking spaces versus 99 standard parking spaces allowed them to provide as much parking as they could within the space they had to provide a one to one ratio for tenant parking.

After additional discussion with staff and Counsel about parking spaces and potential flexibility around those related to compact and standard parking spaces, Commissioner Ferrick suggested the Commission consider adding flexibility around parking to the approval, which the applicant agreed to as long as it was their discretion.

Additional Commissioner comments included that the building design fully maximized the site, an appreciation for how the massing stepped back from the street and the creation of a series of the pool deck on the third floor and the roof decks on the fifth and eighth floors, potential use of commercial parking lots nearby for nighttime parking for tenant guests, concern of lack of bicycle lanes on Haven Avenue, and appreciation for the size mix of units.

Commission discussion ensued with staff and Counsel as to the wording to allow for the parking flexibility desired.

Motion and second (Behroozi/Schindler) to adopt a resolution approving a use permit, architectural control, and below market rate housing agreement, with a modification to the proposed waiver pursuant to the State Density Bonus Law to permit the project to provide 104 parking spaces (56 code-compliant and 48 compact spaces), or, at the applicant's election, as few as 99 parking spaces (provided that in no event shall the project provide fewer than 56 code-compliant parking spaces); determine that the action is exempt from the California Environmental Quality Act; and direct staff to make conforming changes to the resolution and findings to reflect the modified waiver related to parking; passes 7-0.

H. Informational Items

H1. Future Planning Commission Meeting Schedule .

- Regular Meeting: March 10, 2025

Mr. Perata said the March 10 agenda was expected to have two single family home projects, a 2024 Housing Element annual progress report and the first Environmental Justice Element annual report.

- Regular Meeting: March 24, 2025

I. Adjournment

Chair Schindler adjourned the meeting at 9:35 p.m.

Staff Liaison: Kyle Perata, Assistant Community Development Director

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on March 10, 2025