



REGULAR MEETING AGENDA

Date: 03/14/2022
Time: 7:00 p.m.
Location: Zoom.us/join – ID# 871 4022 8110

NOVEL CORONAVIRUS, COVID-19, EMERGENCY ADVISORY NOTICE

On March 19, 2020, the Governor ordered a statewide stay-at-home order calling on all individuals living in the State of California to stay at home or at their place of residence to slow the spread of the COVID-19 virus. Additionally, the Governor has temporarily suspended certain requirements of the Brown Act. For the duration of the shelter in place order, the following public meeting protocols will apply.

Teleconference meeting: In accordance with Government Code section 54953(e), and in light of the declared state of emergency, all members of the Planning Commission, city staff, applicants, and members of the public will be participating by teleconference.

How to participate in the meeting

- Submit a written comment online up to 1-hour before the meeting start time:
PlanningDept@menlopark.org *
- Access the meeting real-time online at:
zoom.us/join – Meeting ID# 871 4022 8110
- Access the meeting real-time via telephone (listen only mode) at:
(669) 900-6833
Regular Meeting ID # 871 4022 8110
Press *9 to raise hand to speak

*Written and recorded public comments and call-back requests are accepted up to 1 hour before the meeting start time. Written and recorded messages are provided to the Planning Commission at the appropriate time in their meeting. Recorded messages may be transcribed using a voice-to-text tool.

Subject to Change: Given the current public health emergency and the rapidly evolving federal, state, county and local orders, the format of this meeting may be altered or the meeting may be canceled. You may check on the status of the meeting by visiting the City's website www.menlopark.org. The instructions for logging on to the webinar and/or the access code is subject to change. If you have difficulty accessing the webinar, please check the latest online edition of the posted agenda for updated information (menlopark.org/agenda).

Regular Meeting

A. Call To Order

B. Roll Call

C. Reports and Announcements

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 January 10, 2022, Planning Commission meeting (*continued from February 28, 2022*). ([Attachment](#))

F. Public Hearing

- F1. Use Permit and Variance/Scott Landry/628 Cambridge Avenue:
Request for a use permit to remodel and construct first-floor additions to an existing nonconforming, one-story residence on a substandard lot with regard to minimum lot width and area in the R-2 (Low Density Apartment) zoning district. The proposed work would exceed 50 percent of the existing replacement value in a 12-month period and requires use permit approval. Additionally, the proposal includes a request for a variance to construct additions within the required right-side setback. ([Staff Report #22-015-PC](#))

G. Presentation Item

- G1. Receive a presentation from Planning staff on recently approved and currently proposed Bayfront projects.

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: March 28, 2022
 - Regular Meeting: April 11, 2022

J. Adjournment

At every regular meeting of the Planning Commission, in addition to the public comment period where the public shall have the right to address the Planning Commission on any matters of public interest not listed on the agenda, members of the

public have the right to directly address the Planning Commission on any item listed on the agenda at a time designated by the chair, either before or during the Planning Commission's consideration of the item.

At every special meeting of the Planning Commission, members of the public have the right to directly address the Planning Commission on any item listed on the agenda at a time designated by the chair, either before or during consideration of the item. For appeal hearings, appellant and applicant shall each have 10 minutes for presentations.

If you challenge any of the items listed on this agenda in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Menlo Park at, or prior to, the public hearing.

Any writing that is distributed to a majority of the Planning Commission by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available by request by emailing the city clerk at jaherren@menlopark.org. Persons with disabilities, who require auxiliary aids or services in attending or participating in Planning Commission meetings, may call the City Clerk's Office at 650-330-6620.

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 menlopark.org/agenda and can receive email 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 City Clerk at 650-330-6620. (Posted: 03/09/22)



MEMORANDUM

Date: 3/9/2022
To: Planning Commission
From: Corinna Sandmeier, Acting Principal Planner
Re: Corrected Minutes for January 10, 2022 Planning Commission Meeting

On January 10, 2022, the Planning Commission approved a use permit to demolish an existing one-story, single-family residence and one detached accessory building, and construct a new two-story residence with a basement on a substandard lot with regard to minimum lot width in the R-E (Residential Estate) zoning district, at 755 Hermosa Way. The use permit request included excavation within the left-side setback for a basement lightwell. The project was approved 6-0-1, with Commissioner Tate absent.

The action included project-specific condition 4b. At the February 28, 2022 Planning Commission meeting, the approval of the January 10, 2022 minutes was continued as a question arose on whether the text of condition 4b included in the minutes fully captured the Commission's action. After reviewing the recording of the meeting, staff determined that the condition of approval in the draft minutes did not accurately reflect the Commission's action. The condition, with the corrections, is included below and in the attached draft corrected minutes:

Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans to clarify that the hedges would not consist of trees and to provide one or two new trees between the left side of the second floor deck and left-side property line for privacy screening, subject to review and approval of the Planning Division and the City Arborist.

Staff recommends that the Planning Commission approve the corrected minutes.

Attachments

- A. Draft Corrected January 10, 2022 Planning Commission Minutes



REGULAR MEETING DRAFT MINUTES

Date: 01/10/2022
Time: 7:00 p.m.
Location: Zoom

A. Call To Order

Chair Michael Doran called the meeting to order at 7:00 p.m.

At Chair Doran's request, Assistant Planner Chris Turner explained how applicants and the public would be able to participate in the virtual meeting.

B. Roll Call

Present: Andrew Barnes, Chris DeCardy (Vice Chair), Michael Doran (Chair), Cynthia Harris, Camille Gonzalez Kennedy, Henry Riggs

Absent: Michele Tate

Staff: Nira Doherty, City Attorney; Matt Pruter, Associate Planner; Corinna Sandmeier, Acting Principal Planner; Chris Turner, Assistant Planner

C. Reports and Announcements

Acting Principal Planner Corinna Sandmeier said she did not have any updates to report.

Chair Doran confirmed with Planner Sandmeier that the Planning Commission agenda was on the City's new website.

Commissioner Henry Riggs commented on the new website and suggested that the public should be given prompts to find the new location for meeting materials.

D. Public Comment

Chair Doran opened Public Comment and closed it as there were no speakers.

E. Consent Calendar

E1. Approval of minutes from the November 1, 2021, Planning Commission meeting. (Attachment)

Commissioner Cynthia Harris said in reviewing the minutes she had a general and specific question. She said when a member of the public asked for information under General Public Comment how was it determined whether or when that information would be distributed. She said she was referring to speaker Pam Jones who had a number of questions about ADU applications. She said at the end of the November 1, 2021 meeting, Commissioner Tate asked that when the information was made

available to Ms. Jones that it also be distributed to the Commissioners.

Replying to Chair Doran, Planner Sandmeier said she could send the information out noting in this instance staff had the constituent's email address. She said normally staff would not have that information so the constituent would need to follow up with the Planning Commission.

Chair Doran said that the informational items at the end of the agenda was probably the best place to follow up on questions like those posed by Commissioner Harris.

ACTION: Consent to approve the minutes from the November 1, 2021 Planning Commission meeting; passed 5-0 with Commissioner Riggs abstaining.

F. Public Hearing

- F1. Use Permit/Brandon Knitter/209 McKendry Drive:
Request for a use permit to demolish an existing one-story, single-family residence and detached garage, and construct a new two-story residence with attached garage on a substandard lot with regard to minimum lot width, depth and area in the R-1-U (Single Family Urban Residential) district. (Staff Report #22-001-PC)

Staff Comment: Planner Turner said staff had no additions to the staff report. He noted an email from Commissioner Andrew Barnes that he would recuse himself from consideration of this item.

Chair Doran noted that there was still a quorum with five members present.

Applicant Presentation: Brandon Knitter introduced himself and Angie Len as the property owners. He said Andrew McIntyre and Toby Long would present on the project.

Toby Long, project architect, said the design had traditional sensibility with regard to some of the massing and the rooflines and some contemporary flair with regard to some of the fenestration. He said the existing landscaping would remain. He said they were doing this as a modular building project. He said they had included diagrams in the plans to describe how the construction system and sequencing for that would unfold at the street line. He said they were sorting through a few remaining technical issues with PG&E.

Andrew McIntyre said he thought the presentation included all that was needed.

Chair Doran opened the public hearing.

Public Comment:

- Andrew Barnes, 211 McHenry Drive, said he thought the applicants had done extensive outreach in the neighborhood that was documented in the item packet. He said the design and materials were compatible with the neighborhood and thoughtful. He said he thought the siting of the project on the property was well done and thoughtful of neighbors on either side. He said the project was deserving of Planning Commission consideration for approval.
- Steve Mack, neighbor, said the lots were small dimensions and suitable for single-family, one-story homes. He said single-family homes in the area would have their privacy and natural light

impacted. He expressed concern with the negative impact on property values for others in the area from the project.

Chair Doran closed the public hearing.

Commission Comment: Commissioner Chris DeCardy said he appreciated the second speaker's concern about development and building lot sizes but noted the City's rules were set to provide fairness that applied in this instance. He said the project was supportable and he was prepared to support.

Commissioner Riggs expressed his agreement with Commissioner DeCardy's comments. He said the City did not set more restrictive rules in most of the City. He said there were more restrictive rules in the Lorelei neighborhood for increased second story setback but the rest of the City had not adopted those. He said as a reviewing Commissioner he regretted to see a pair of equal gables as the front elevation of a house and noted they emphasized the awkwardness with the early 20th century corner windows. He said however the city also did not have aesthetic requirements. He said he would support the project.

Commissioner DeCardy moved to approve as recommended in the staff report. Commissioner Camille Gonzalez Kennedy seconded the motion.

ACTION: M/S (DeCardy/Kennedy) to approve the item as recommended in the staff report; passed 5-0-1-1 with Commissioner Barnes recused and Commissioner Tate absent.

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 (January 10, 2023) for the use permit to remain in effect.
 - b. Development of the project shall be substantially in conformance with the plans prepared by CH x TLD Architecture, consisting of 17 plan sheets, dated received November 9, 2021 and approved by the Planning Commission on January 10, 2022, 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. Simultaneous with the submittal of a complete building permit application, the applicant shall provide documentation indicating the amount of irrigated landscaping. If the project proposes more than 500 square feet of irrigated landscaping, it is subject to the City's Water Efficient Landscaping Ordinance (Municipal Code Chapter 12.44). Submittal of a detailed landscape plan would be required concurrently with the submittal of a complete building permit application.
 - i. Simultaneous with the submittal of a complete building permit application, the applicant shall submit an Erosion Control Plan and construction detail sheet that documents all erosion control measure implemented during the course of construction including, but not limited to, straw waddles, silt fence, temporary construction entrances, inlet protection, check dams, tree protection fencing, etc.
 - j. Required frontage improvements include but not limited to: Construct a new concrete curb and gutter along entire project frontage conforming to the adjacent properties.
 - k. 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 August 14, 2021.
4. Approve the use permit subject to the following **project-specific** condition:
- a. If operation of the crane and placement of the modules requires encroachment onto the adjacent property, prior to submittal of a complete building permit application, the applicant shall obtain and possess all requisite approvals, rights, and interests in real property necessary to allow encroachment into, on, and/or above the adjacent property located at 213 McKendry Drive for operation of the crane arm and placement of the structure's modules. If no such approval, right and/or interests have been acquired by the applicant, the applicant shall ensure the operation of the crane and placement of the modules does not encroach onto the adjacent property.

- F2. Use Permit/Gabriela and Peter Hebert/755 Hermosa Way:
Request for a use permit to demolish an existing one-story, single-family residence and one detached accessory building, and construct a new two-story residence with a basement on a substandard lot with regard to minimum lot width in the R-E (Residential Estate) zoning district, at 755 Hermosa Way. The use permit request includes excavation within the left-side setback for a basement lightwell. The project also includes a detached Accessory Dwelling Unit (ADU), which is a permitted use. (Staff Report #22-002-PC)

Staff Comment: Associate Planner Matt Pruter said in addition to the eight comment letters in the packet another 26 comment letters were received after publication of the staff report. He said the agenda packet had been updated to include 24 of the 26 additional comments. He said two comments were not provided in time to be included in the updated packet. He said 16 comment letters supported the project and 10 comment letters expressed concerns that were generally focused on issues with the amount of encroachment proposed for the light well, the second-floor massing, and outreach efforts.

Applicant Presentation: Peter Hebert said he and his wife Gabriela moved to Menlo Park six years prior to work, live and raise their family. He said that they made revisions to the plan as highlighted in the staff report to address what they understood were the most pressing concerns of their neighbors. He said those were higher windows on the north side, no upper story windows on the south side, removal of the master bedroom balcony, removal of the outdoor oven, and elimination of the basketball hoop. He said they provided a full set of revised plans that they intended to submit to the city to both adjoining neighbors and both provided written affirmative acknowledgment via emails August 2021 that their principal concerns had been resolved. He said what they proposed and what the prior property owner had proposed were extensively different and their proposal addressed all known issues. He said a sympathetic neighbor the weekend before this meeting advised him that another neighbor was circulating an email to neighbors opposing the light well encroachment. He said the email was not sent to them, the applicants or architects. He said there was no feasible way to increase the setback for the light well on the south side to 20 feet. He expressed their desire to build a home that would be a lasting asset to the community.

Chair Doran asked about the landscaping plan for the light well. Planner Pruter said it was Attachment D. Chair Doran said for the record that he found it harder to navigate the item packets as now organized. He said to clarify that the landscape plan in the vicinity of the light well was a fence and a row of shrubs. Ms. Kirby Lee, project architect, said it was intended to be a hedge, likely a laurel hedge. Chair Doran asked if the fence was six feet tall. Ms. Lee said it was either six or seven feet tall.

Commissioner DeCardy asked which heritage tree was removed for development. Ms. Lee said tree number 1, a Magnolia on the south side of the property.

Chair Doran confirmed with the applicant that the light well encroaching into the setback was the one on the left looking from the street.

Commissioner Riggs noted the proposed privacy hedge and two-story structure. He asked how tall the hedge was. Ms. Lee said the species would reach 20 feet in height over its lifetime. She said it would be seven feet in height when planted. Commissioner Riggs asked how far apart they would be planted as it seemed tight. Ms. Lee said about 36-inches apart. Commissioner Riggs asked if the trees would grow 20 to 30 feet in width over time. Ms. Lee said it was a hedge so each would grow

about four-foot in width. She said it would be a solid hedge over time. Commissioner Riggs asked if the project would maintain the hedge at a certain height or would it in effect become a wall. Ms. Lee said the hedge was kept typically to a height of 17 to 20 feet but she did not know the technicalities of how maintenance was performed on it.

Planner Sandmeier said a solid hedge per zoning regulations had to be maintained at no more than seven feet in height. She said trees that were spaced apart could grow taller.

Chair Doran opened the public hearing.

Public Comment:

- Molly Fogg Cardwell, neighbor, said she had been generally pleased with many of the homes developed in the area. She said she had not experienced outreach with this project as she had with others and it was a misrepresentation that she approved of the plans or had given feedback. She said the two principal issues she had with the project were an open deck area on the second story with a direct view line of sight into her child's bedroom and bathroom as well as the private areas of her dining room, kitchen and half bath and the excavation in the setbacks for the lightwells. She said she had brought these things up with the prior property owners and they had indicated it would be changed but it had not been. She said the bulk of the proposed house was built to the exterior of the lot and imposed on the neighbors.
- Doug Devine said he and his wife lived at 619 Hermosa Way since 1979. He said they objected to the encroachment into the side setback for the light well excavation as that would set a precedence. He said the new owners had not reached out to them about the proposal. He said the property owner should redesign the home so the light well did not exceed into the setback.
- John Duret said his wife's name was Beth Benjamin and they lived at 777 Hermosa Way, immediately adjacent to the subject property. He said the property owners had been very proactive in reaching out to them about the project. He said the applicants had purchased the property and the architectural plans from the previous owners and that had made things a complicated process. He said the previous owners' plan had light wells that encroached into both side setbacks and on his side by six feet. He said they opposed that encroachment as did the neighbor on the other side of the subject property. He said other neighbors opposed the encroachment for fear of setting a precedent. He said the previous owner redid plans and removed the encroachment on their side and it was assumed on the other side, too. He said he and his wife had significant privacy concerns but the new property owners immediately reached out to them and had dialogue after which they addressed their most significant privacy concerns by raising the height of the second story windows on their side and removing a large second story deck. He said they would prefer not to have a large home right on the 10-foot setback but they were fine with the changes.

Chair Doran closed the public hearing.

Commission Comment: Chair Doran said he was concerned about the light well noting in general he was philosophically opposed to light wells and encroachments. He said setbacks allowed for landscaping and trees for screening and that was especially important for a two-story house. He said he found the light well and encroachment particularly troubling for this project as he thought the landscape plan was inadequate. He said the hedge was not allowed under zoning to be taller than seven feet and yet that was the plan to have it taller and would violate the zoning ordinance. He said

he was not convinced a seven-foot hedge would provide adequate screening for the neighbors. He said he would like to hear from the applicant about screening.

Mr. Hebert said concerning the neighbor at 719 that he had not shared his complete correspondence with them to demonstrate that the efforts he made upon purchasing this property was genuine. He said he really tried to meet with both individuals and at a minimum speak. He said that did not happen but through email, which he was happy to provide now or separately, the owner of 719 expressed satisfaction with what they had done. He said their intent was privacy noting his young family and having no interest in or a desire to create anything that would overlook on a neighbor's property. He said the screening they offered was to provide maximum privacy and the neighbor signed off on that and that was documented in the emails. He said at no point in all of his correspondence was there any mention of the light well. He said he provided all the plans the Commission had seen with respect to setback and light well and there was not a single mention. He said their intention and this was in conjunction with their southern neighbor was to find something that provided screening and privacy.

Chair Doran asked Ms. Lee to address the screening for privacy from second story windows and a deck and a zoning ordinance that limited a hedge height to seven feet. Ms. Lee said one of the things that created immediate privacy was that there were no second-floor windows on the south side elevations. She said the only windows were on the first floor and those would be easily concealed by the proposed hedge. She said the landscape plan was preliminary and showed intent but specific species were yet to be decided. She said the balcony was a walkway to connect from the master closet to the office and was not intended to be a space to gather. She said also it was set back over 27 feet from the property line.

Commissioner Kennedy said she appreciated the passion on both sides of the project. She said part of the issue was that were some streets that were experiencing a great deal of development and residents no doubt became weary of all the construction. She said the applicant took on a property that had been encumbered with a lot of challenges. She said the sole issue seemed to be the light well noting that it was codified. She moved to approve the project as recommended.

Commissioner Riggs said the project was a stylish home with quality finishes. He said it was a big reach in any neighborhood to build to the maximum. He said while he shared the Chair's hesitancy about setbacks, particularly on a half-acre lot that had a lot of room to work with, the applicant had made the point that it was approvable by use permit, and the Commission had to have a reason to deny it. He said he wished that the chimneys other than the freestanding barbecue chimney were not covered in shingles. He said having completely blank second-floor walls was a detriment to that adjacent neighbor but that neighbor might not be aware of what that was going to be like to have a building next door that had no windows. He said other than the massive façade his concern was that privacy was to be addressed by landscaping and the landscaping as far as he could tell was unworkable based on its intent. He said he had seen trees planted as a hedge and it looked the same always, hugely awkward and unfriendly. He said also it was extremely expensive to remove when a dozen trees had been planted in the space that actually fit three and was close to \$2,000 per tree. He said he thought the landscape screening needed to be reconsidered. He said he would be much more comfortable if that was done professionally. He said he would make an alternative motion and that was to continue the project for the benefit of a revised landscape plan.

Chair Doran referred to sheet B.15 or A.31 that showed this elevation and there were no windows on the setback. He said he was seeing some windows in the middle so there were second floor windows on this side of the house. He said they just were not all the way out to the setback line. He

asked Ms. Lee if that was correct. Ms. Lee said the windows were much further along and were actually the other wing or on the other side of the "U." Mr. Hebert said the house was designed for privacy so everything looked inward rather than out from a second floor at the neighbors. Ms. Lee said that they were not relying on landscaping to provide privacy and that it was actually the design of the house that provided privacy to the neighbors.

Commissioner DeCardy referred to the deck on the second floor concerning the neighbor who spoken and asked what screening it had. Ms. Lee said it was a solid 35-inch guardrail with a panel of six-inch metal hog wire bringing it up to a height of 42 inches. Commissioner DeCardy said that essentially was a walkway and was not meant as a space to gather. He asked about potential conversation with the neighbor and a possibility to screen even higher.

Ms. Lee said architecturally there were options even if just providing plantings on the walkway or even something architecturally that would provide a screen. She said they were not aware until this evening that was a concern so they had not had a chance to address it.

Mr. Hebert said they had engaged a landscape architect to create a hedge suitable for the neighbor and that neighbor had found the proposal suitable. He said he was happy to proceed forward and if with any other landscape plan revisions that were feasible.

Commissioner DeCardy said he appreciated the property owners' care and good will. He said the ADU, permitted and protected by state law, seemed to be lined up further back in the yard than the light well and closer to the property line. He asked whether the ADU was closer to the property line than the light well, noting that it would be a view up rather than down. Ms. Lee said that was correct.

Commissioner DeCardy said he understood the dilemma and appreciated Commissioner Riggs' comments about the landscape plan. He said he was prepared to approve the project with the direction that the neighbors work with staff to sort out the two issues and trust they could come to a decent agreement. He said he would like to approve with that guidance rather than continue the project.

Chair Doran asked if Commissioner Riggs' motion was to continue. Commissioner Riggs said it was and had presented it for comment. He said he thought Commissioner DeCardy's summarization narrowed the concerns to two issues. He said he appreciated the applicants' clarification of the intent of the building facades in addressing privacy. He said the hedge to him was more of an issue to have something that would be reasonable and maintainable. He said the second issue that Commissioner DeCardy referred to was the balcony, which seemed to be the only remaining second story privacy issue. He said he was sure Ms. Lee and the Heberts could devise something like a couple of feet of privacy glass on top of the railing for example. He said he would withdraw his motion to continue. He said he would second Commissioner Kennedy's motion to approve with Commissioner DeCardy's suggested modifications.

Planner Sandmeier said she was not sure if obscured glass on top of the guardrail was possible as that made more of an enclosed space and that area currently was not counted as floor area. She said the other suggestion was for staff to work with the applicant and neighbor on a solution but it might not be easy to find a solution everyone agreed with so she thought it would be better for staff and the applicant to get better direction of what landscaping the Commission was looking for and they could work with the applicant to make sure that was shown on the plan.

Commissioner Andrew Barnes said there was some talk of precedence. He said his perspective was that it was not the applicant's job to design a project that served the preference of the neighbors. He said it was the job of the applicant to design a project that conformed to development standards and was defensible. He said the project was before them primarily due to excavation for a light well. He said that was entirely the prerogative of the applicant. He said the lot was 20,000 square feet and the proposal was 6,488 square foot of building excluding the basement where 6,489 square feet was maximum allowed. He said there was almost 3,000 square feet of basement. He said it was preposterous to think that the excavation of the light well could not have happened anywhere else on the property. He said it was the applicant's choice to proceed with the plans they purchased with the property and he thought it was incumbent upon the applicant to figure out how to put the minor setback into the 20,000 square foot lot. He said with a use permit application he asked himself if it had something detrimental to the neighborhood to the extent that it would not be okay to approve it. He said that this project did not rise to that level, but he did not like that they were being asked to agree to an intrusion because of the applicant's reticence to modify their project as many other people have had to and chosen to do.

Chair Doran said Mr. Hebert had proceeded in good faith and demonstrated attention to the neighborhood and its cohesiveness. He said noting Commissioner Barnes' other comment that this was a 21,904 square foot lot. He said the proposed home was being built to the setbacks and excavating into the setback was something he was having trouble understanding as necessary and why a use permit was needed. He said the use permit required the Commission to find that the project could be built without impacting the comfort or general welfare of the neighborhood. He said they had had 10 comments from neighbors expressing their belief that it would impact their comfort and general welfare. He said they should take that into account. He said he would call the motion and if it failed, he would move to continue the project to allow for redesign so the light well was not in the setback.

Commissioner Riggs asked for clarification on the motion to approve and if there were any modifications proposed. Chair Doran said he thought the motion was to approve without modifications and that Commissioner Riggs had seconded the motion. He confirmed with Commissioner Kennedy that her motion was to approve as presented. He said Commissioner Riggs seconded the motion with reservations but thought Commissioner Riggs had amended his second to be without any qualifications.

Commissioner Riggs said that would be correct if he could understand that it was not laurel trees planted three feet on center and was merely a hedge to be identified with appropriate plants.

Replying to Chair Doran, Planner Sandmeier said it would be helpful if that was a formal condition.

Commissioner Kennedy said she would amend her motion to include Commissioner Riggs' recommended condition.

Chair Doran confirmed the second made by Commissioner Riggs.

Commissioner DeCardy asked whether the motion might include for the second-floor balcony to have acceptable additional screening up to six feet and so it did not count toward floor area.

Replying to Chair Doran, Planner Sandmeier said it would be difficult to do something more physically on the deck than what was proposed without increasing floor area and suggested trees planted to screen the deck was a potential solution.

Commissioner DeCardy asked if it would be possible to do a series of planters up against the deck that would effectively screen. Planner Sandmeier said planters on top of the guard rail with three-foot plants might work, but she did not think those would provide complete screening.

Commissioner Harris said she would accept the project without the changes to the deck as that seemed very difficult to do but suggested to the applicant that they consider things such as plantings to create that additional screening for the deck.

Commissioner Riggs said the Commission might recommend that trees be planted in sensitive areas. He said the balcony (deck) had a 27-foot setback that provided room in place of, or in between the seven-foot-high screening hedge where a couple of trees might be planted positioned between the balcony and the sensitive view areas of the adjacent property. He asked if they could recommend a clarified landscape proposal to be reviewed by staff with the purpose of placing one or two trees such that they would before too long provide visual screening between the balcony and the adjacent property sensitive areas.

Replying to Chair Doran, Commissioner Kennedy asked for clarification of the full recommended change to her motion.

Commissioner DeCardy said he would withdraw his recommendation for balcony screening.

Commissioner Riggs said he would clarify that the landscape plan be resubmitted to just clarify that the hedge was not based on trees and that one or two trees in coordination with the Planning Division would be added to the sensitive area such as at the property line between the balcony and the right-side neighbor's property. He suggested asking the property owner if that seemed acceptable and doable.

Mr. Hebert said it was acceptable and he was sure they could find a tenable solution.

Replying to Chair Doran, Commissioner Kennedy indicated the proposed amendment to her motion was acceptable.

ACTION: M/S (Kennedy/Riggs) to approve the item with the following modification; passed 6-0-1 with Commissioner Tate absent.

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 January 10, 2023) for the use permit to remain in effect.

- b. Development of the project shall be substantially in conformance with the plans prepared by Kirby Architecture, consisting of 21 plan sheets, dated received January 3, 2022, and approved by the Planning Commission on January 10, 2022, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
- c. Prior to building permit issuance, 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. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
- 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. All applicable public right-of-way improvements, including frontage improvements and the dedication of easements and public right-of-way, shall be completed to the satisfaction of the Engineering Division prior to building permit final inspection.
- h. 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.
- i. Post-construction runoff into the storm drain shall not exceed pre-construction runoff levels. The applicant's design professional shall evaluate the Project's impact to the City's storm drainage system and shall substantiate their conclusions with drainage calculations to the satisfaction of the City Engineer prior to building permit issuance.
- j. Simultaneous with the submittal of a complete building permit application, the applicant shall provide documentation indicating the amount of irrigated landscaping. If the project proposes more than 500 square feet of irrigated landscaping, it is subject to the City's Water Efficient Landscaping Ordinance (Municipal Code Chapter 12.44). Submittal of a detailed landscape plan would be required concurrently with the submittal of a complete building permit application.
- k. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Colony Landscape and Maintenance, dated received September 1, 2021.

Ms. Price said the proposed project was located at the corner of San Antonio Street and Encinal Avenue. She said they were reconfiguring the existing parking lot to develop the three-story townhome project all of which would front the San Antonio Street frontage and was approximately 15,287 square feet with units ranging from 2100 to 2500 square feet. She said the Mission style design aesthetic was selected to blend with the existing fabric of the neighborhood, a mixture of both traditional and transitional buildings. She said each unit had a private, two-car garage located on the southside of the building and faced the parking lot and office building. She said the project included all new landscaping. She said they had had very successful community outreach during the review of the proposed project and had received positive feedback during open houses held. She said they were redesigning the current parking lot to provide the required 70 spaces. She indicated the slide show presented the most current parking plan that met the 70 required parking spaces.

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

Commission Comment: Commissioner Barnes said he liked that they would make better use of the existing parking lot and provide more housing. He said he was not concerned about the number of parking spaces. He clarified with staff why they were weighing in only on architectural control and BMR Rental Housing Agreement. He asked to have the slide of the elevation of the rear of the project viewable again. He said he had not liked the smoothness of stucco on the 1300 Station project but this appeared to have enough architectural interest to offset the smooth stucco.

Commissioner Riggs said the design was well placed in context with the San Antonio Street architecture and even went one step above with real divided light windows and copper gutters. He said the applicant's goal to have a high-quality project was much appreciated. He said a future neighbor had commented that except for the middle two units the lower levels of the front elevations were a bit plain. He said his response was if this were a study session the Commission might ask if some additional interest might be placed on that lower level. He said he was not inclined to challenge the architecture with the one review. He said the landscaping might well provide enough interest so San Antonio residents would be comfortable with the new view and new shapes. He asked about the location of guest bicycle parking on the site plan.

Ms. Price referred to the slide of the site plan and noted guest bicycle parking was shown on the lower right-hand corner of the building where the start of the drive aisle off that easement was. She said directly across the drive aisle from the guest bicycle parking was the trash enclosure. She said across the drive aisle on the lower right-hand corner was where there was guest bicycle parking as well as next to the entrance of the office building at 1550 El Camino Real.

Replying to Commissioner Riggs' concern about a guest needing to park a bicycle some distance from the unit residents being visited, Ms. Price said there was ample storage in the two-car garages for each unit and suggested that would be a good place for guests to store their bicycles while visiting. Commissioner Riggs asked if he could come up the entry balcony too if it was a quick meeting or such. Mr. Tolbert said each entry front yard was enclosed with a gate. He said the guest could pull the bike into the friend's front yard just behind the gate. Commissioner Riggs said that made sense. He said generally he was glad there was a guest parking requirement but he did not feel it really applied to this building. He said there were individual units and commented that perhaps in the future reconsideration could be made whether to even ask for guest bicycle parking at a ground floor residential destination.

Commissioner Riggs confirmed with Ms. Price that the trash enclosure for the office building would also serve the residences. Ms. Price said they had a working session with an operational deputy for

Recology, the waste removal company, and he preferred that they have one main door accessed on the easement side because the trash collection trucks would enter the easement off of El Camino Real and drive north toward San Antonio Street with the truck stopping right in front of the trash enclosure and collect both the residential and building trash as well as directly across the easement from this location from the trash enclosure for 1540 El Camino Real, a new development there. She said the Beltramos were amenable to Recology's recommendation. Commissioner Riggs said it was a benefit for Recology but he thought for residents in units 1,2,3 or 4 that it would be a bit of a hike making the multiple trips needed to the exterior trash each week. He said he would just make the observation that it seemed challenging and if the applicants or architects would like some flexibility regarding Commission approval this evening, he would hate to hold this design and the approval to that one location for trash that was so convenient for Recology. He said this was a nice project and easy to support.

Commissioner Barnes referred to Sheet R-1 and asked about landscaping along Encinal Avenue as it seemed to be a stark view with only lower vegetation. Mr. Tolbert said that particular rendering was to show the building itself and did not show existing street trees there. Ms. Price referred to the planting plans, Sheet L-1.0 that showed a large tree at the end of the drive aisle, tree #15, which would be retained. She recalled it was so substantial arborists recommended not planting other trees near it. She said also there was a row of deciduous trees between the pavers along the residential drive aisle. Commissioner Barnes noted the difficulty of viewing an entire agenda packet in one document and suggested if possible that a tree or trees be added in that area.

ACTION: M/S (Barnes/Kennedy) to approve the item as recommended in the staff report; passed 6-0 with Commissioner Tate absent.

1. Make findings with regard to the California Environmental Quality Act (CEQA) that the proposal is within the scope of the project covered by the El Camino Real/Downtown Specific Plan Program EIR, which was certified on June 5, 2012. Specifically, make findings that:
 - a. The project is consistent with and contemplated by the El Camino Real/Downtown Specific Plan, as demonstrated in the attached Specific Plan Standards and Guidelines checklist (Attachment E).
 - b. The project is exempt from CEQA pursuant to Government Code section 65457, as there are no substantial changes or new information that would cause significant impacts not addressed in the El Camino Real/Downtown Specific Plan Program EIR, and no circumstance or event that would require additional environmental review pursuant to Public Resources Code 21166.
 - c. Relevant mitigation measures have been incorporated into the project through the Mitigation Monitoring and Reporting Program adopted by the City as part of the Program EIR and approval of the Specific Plan (Attachment H), which is approved as being applicable to the project as part of this finding.
2. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:
 - a. The general appearance of the structure is in keeping with the character of the neighborhood. The proposed exterior materials and finishes would be high quality in nature and would reinforce the neighborhood compatibility. The scale variation enables a smooth

and cohesive transition from the denser and taller El Camino Real frontage to the medium density areas closer to San Antonio Street.

- b. The development will not be detrimental to the harmonious and orderly growth of the City. The construction and ongoing occupation of the site would proceed in accordance with all applicable City requirements and procedures, as verified in these conditions of approval.
 - c. The development will not impair the desirability of investment or occupation in the neighborhood. The project would maintain the existing office building and increase housing units, including one below market rate (BMR) housing unit.
 - d. The development provides adequate parking as required in all applicable City Ordinances and has made adequate provisions for access to such parking.
 - e. The development is consistent with the El Camino Real/Downtown Specific Plan, as verified in detail in the Standards and Guidelines Compliance Worksheet (Attachment E).
3. Approve the Below Market Rate Rental Housing Agreement (Attachment G).
 4. Approve the architectural control, to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by EID Architects, consisting of 41 plan sheets, dated received on December 13, 2021, and recommended for approval by the Planning Commission on January 10, 2022, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
 - b. Minor modifications to building exteriors and locations, fence styles and locations, signage, and significant landscape features may be approved by the Community Development Director or designee, based on the determination that the proposed modification is consistent with other building and design elements of the approved Architectural Control and will not have an adverse impact on the character and aesthetics of the site. The Director may refer any request for revisions to the plans to the Planning Commission for architectural control approval. A public meeting could be called regarding such changes if deemed necessary by the Planning Commission.
 - c. Minor modifications where the Community Development Director determines the modifications are more substantive than the changes outlined in condition 3b may be approved by the Community Development Director, provided the modifications are determined to be consistent with the building and design elements of the approved project, subject to notification of the Planning Commission. A member of the Planning Commission may request to discuss these modifications on the next agenda.
 - d. Major modifications to the development plan which involve material changes, or expansion or intensification of development may be allowed subject to obtaining an architectural control permit from the Planning Commission.
 - e. Prior to building permit issuance, the applicant shall comply with all Sanitary District, California Water Company, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.

- f. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - g. 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.
 - h. Prior to building permit issuance, the applicant shall submit plans for construction related parking management, construction staging, material storage and Traffic Control Handling Plan (TCHP) to be reviewed and approved by the City. The applicant shall secure adequate parking for any and all construction trades, until the parking podium is available on the project site. The plan shall include construction phasing and anticipated method of traffic handling for each phase.
 - i. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Advanced Tree Care, dated received November 15, 2021.
 - j. Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality, in accordance with the approved Stormwater Pollution Prevention Plans.
 - k. Prior to issuance of a building permit, the final, signed BMR agreement shall be recorded with the County of San Mateo and a conformed copy shall be submitted to the Planning Division.
5. Approve the architectural control subject to the following **project-specific** conditions:
- a. The applicant shall address all Mitigation, Monitoring, and Reporting Program (MMRP) requirements as specified in the MMRP (Attachment H). Failure to meet these requirements may result in delays to the building permit issuance, stop work orders during construction, and/or fines.
 - b. Simultaneous with the submittal of a complete building permit application, the applicant shall submit an updated LEED Checklist, subject to review and approval of the Planning Division. The Checklist shall be prepared by a LEED Accredited Professional (LEED AP). The LEED AP shall submit a cover letter stating their qualifications, and confirm that they have prepared the Checklist and that the information presented is accurate. Confirmation that the project conceptually achieves LEED Silver certification shall be required before issuance of the building permit. Prior to final inspection of the building permit or as early as the project can be certified by the United States Green Building Council, the project shall submit verification that the development has achieved final LEED Silver certification.
 - c. Prior to issuance of building permit, the applicant shall submit the El Camino Real/Downtown Specific Plan Preparation Fee, which is established at \$1.13/square foot for all net new

development. For the subject proposal, the fee is estimated at \$17,387.99 (\$1.13 x 15,387.6 net new square feet).

- d. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised site plan that provides a total of 70 parking spaces within the surface parking lot, comprised of 66 standard parking spaces and four Americans with Disabilities Act (ADA) compliant spaces, of which one space would be van accessible, subject to review and approval of the Community Development Director, Transportation Manager, City Arborist, and Engineering Division. The site plan modifications shall utilize reduction of the number of ADA spaces facing Encinal Avenue, stall width reductions for the diagonal parking spaces closest to the interior side property line, and the addition of a diagonal parking space near Encinal Avenue, or other similar modifications, to provide the required 70 parking spaces.
- e. Engineering-specific Conditions, subject to review and approval of the Engineering Division except as otherwise noted:
 - i. Required frontage improvements include but not limited to:
 1. 3-inch grind and A.C. overlay (curb to curb) on San Antonio Street and Encinal Avenue along entire frontage.
 2. Existing sidewalk, curb and gutter shall be removed and replaced along the San Antonio Street and Encinal Avenue frontages.
 3. Lateral connections to overhead electric, fiber optic, and communication lines shall be placed in a joint trench.
 4. ADA compliant wheelchair ramps at corner of El Camino Real and Encinal Avenue, and San Antonio Street and Encinal Avenue shall be upgraded.
 5. Existing street light fixture on existing PG&E pole on San Antonio Street shall be upgraded to LED.
 6. Two new street lights on San Antonio Street (LED fixture per City of Menlo Park standards) shall be provided.
 7. Street lights on El Camino Real shall be upgraded to LED (Caltrans Standard), and repainted Mesa Brown.
 - ii. El Camino Real frontage improvement: The following improvement shall be designed during the design phase prior to issuance of the first building permit:
 1. Existing sidewalk, curb and gutter shall be removed and replaced along El Camino Real. Per Specific Plan, provide 15-foot sidewalk on El Camino Real, inclusive of a ten-foot wide clear pedestrian through zone and a five-foot wide furnishings zone.
 2. Provide two 36-inch box street trees on El Camino Real.
 3. 3-inch grind and A.C. overlay of eight feet along El Camino Real frontage.
 - iii. Applicant shall provide cost estimate and execute a DFIA (deferred Improvement agreement) associated with El Camino Real improvement prior to issuance of the first building permit. All new construction or additions of 10,000 or more square feet of gross floor area to the commercial building or for tenant improvements on a site where the cumulative construction value exceeds \$500,000 over a five-year period will trigger the construction of El Camino Real sidewalk improvements.

- iv. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a draft Public Service Easement (PSE) along the property frontage on El Camino Real to accommodate the full 15-foot wide sidewalk (as measured from back of curb) along the frontage of 1550 El Camino Real. Said PSE dedication shall be subject to review and approval of the Engineering and Transportation Divisions, and recorded with the San Mateo County Recorder's Office prior to building permit final inspection.
- v. All public right-of-way improvements, including frontage improvements and the dedication of easements and public right-of-way, shall be completed to the satisfaction of the Engineering Division prior to building permit final inspection.
- vi. All private easements shall be recorded with the County of San Mateo prior to building permit final inspection.
- vii. Prior to commencing any work within the right-of-way or public easements, the Applicant shall obtain an encroachment permit from the appropriate reviewing jurisdiction.
- viii. Prior to building permit issuance, Applicant shall comply with all Sanitary District, California Water Company, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
- ix. Prior to building permit issuance, Applicant shall submit plans to remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for the review and approval of the Engineering Division.
- x. Prior to building permit issuance, Applicant shall submit a Grading and Drainage Plan for review and approval. Post-construction runoff into the storm drain shall not exceed pre-construction runoff levels. A Hydrology Report will be required to the satisfaction of the Engineering Division. Slopes for the first 10 feet perpendicular to the structure must be 5% minimum for pervious surfaces and 2% minimum for impervious surfaces, including roadways and parking areas, as required by CBC §1804.3.
- xi. Prior to building permit issuance, Applicant shall provide documentation indicating the amount of irrigated landscaping. If the project proposes more than 500 square feet of irrigated landscaping, it is subject to the City's Water Efficient Landscaping Ordinance (Municipal Code Chapter 12.44).
- xii. If construction is not complete by the start of the wet season (October 1 through April 30), the Applicant shall implement a winterization program to minimize the potential for erosion and sedimentation. As appropriate to the site and status of construction, winterization requirements shall include inspecting/maintaining/cleaning all soil erosion and sedimentation controls prior to, during, and immediately after each storm event; stabilizing disturbed soils through temporary or permanent seeding, mulching, matting, tarping or other physical means; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; and covering/tarping stored construction materials, fuels, and other chemicals. Plans to include proposed measures to prevent erosion and polluted runoff from all site conditions shall be submitted for review and approval of the Engineering Division prior to beginning construction.

- xiii. Prior to building permit issuance, Applicant shall pay all Public Works fees the Storm Drainage Connection Fee, currently \$150.00 per multi-family unit. Refer to City of Menlo Park Master Fee Schedule.
 - xiv. During the design phase of the construction drawings, all potential utility conflicts shall be potholed with actual depths recorded on the improvement plans submitted for City review and approval.
 - xv. Prior to building permit issuance, the Applicant shall submit engineered Off-Site Improvement Plans (including specifications & engineers cost estimates), for approval by the Engineering Division, showing the infrastructure necessary to serve the Project. The Improvement Plans shall include, but are not limited to, all engineering calculations necessary to substantiate the design, proposed roadways, drainage improvements, utilities, traffic control devices, retaining walls, sanitary sewers, and storm drains, street lightings, common area landscaping and other project improvements. All public improvements shall be designed and constructed to the satisfaction of the Engineering Division.
 - xvi. Prior to issuance of each building permit the Applicant shall pay the applicable Building Construction Street Impact Fee in effect at the time of payment to the satisfaction of the Public Works Director. The current fee is calculated by multiplying the valuation of the construction by 0.0058.
 - xvii. Irrigation within public right of way shall comply with City Standard Details LS-1 through LS-19 and shall be connected to the on-site water system.
 - xviii. Prior to final inspection, the Applicant shall submit a landscape audit report.
 - xix. The Applicant shall retain a civil engineer to prepare "as-built" or "record" drawings of public improvements, and the drawings shall be submitted in AutoCAD and Adobe PDF formats to the Engineering Division prior to Final Occupancy
- f. Transportation-specific Conditions, subject to review and approval of the Transportation Division except as otherwise noted:

Prior to issuance of building permit, the applicant shall submit all relevant transportation impact fees (TIF), subject to review and approval of the Transportation Division. The TIF is estimated to be \$44,535.22. This is calculated by multiplying the fee of \$5,566.90/Unit for Multi-Family Homes by net new Multi-Family Homes of 8 Units. Please note this fee is updated annually on July 1st based on the Engineering News Record Bay Area Construction Cost Index. Fees are due before a building permit is issued.

- F4. Zoning Ordinance Text Amendment/Cyrus Sanandaji: Request for a Zoning Ordinance text amendment to modify Municipal Code Chapter 16.92 (Signs-Outdoor Advertising). The proposed text amendment includes eliminating the current square footage cap on the total sign area for certain larger projects within the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district and establishing new regulations to calculate permitted signage for certain projects in the SP-ECR/D zoning district. (Staff Report #22-004-PC)

Commissioner Kennedy expressed apologies she would need to leave the meeting at this point.

Staff Comment: Planner Sandmeier said she had no additions to the written report.

Applicant Presentation: Cyrus Sanandaji noted a study session on this item a few weeks earlier and suggested forgoing a presentation as it was the same as the one at the study session.

Chair Doran opened the public hearing.

Mr. Sanandaji said one point of clarification was received from the City Attorney referring to the text amendment that they should not distinguish between project identity signage and tenant signage. He said that led to a small change in the language for legal reasons that was vetted by the City Attorney's office and his colleague Steve Atkinson.

Chair Doran closed the public hearing.

Commission Comment: Commissioner Barnes referred to page 346 in the agenda packet and project description: *Since the last study session, the applicant has revised the proposed zoning ordinance amendment including the following revisions.* He noted it showed four bullet points and asked for input on how those related to the revisions made since the last time the Commission saw the proposed ordinance.

Planner Sandmeier noted some changes but the overall amount of signage would be roughly equal to what would have been allowed under the previous proposal heard in December. She said some language was added on the process for Master Sign Program review allowing the Planning Commission some flexibility from the design guidelines as desired. She said the restriction on project identification signage was eliminated that would have prevented the use of consumer product or corporate identity. She said that had to do with First Amendment issues. She said the project identification and directional signage allowance was replaced with additional signage based on gross floor area of the project. She said it was intended to be roughly the same amount of signage. She said the limit on office tenant signage was changed to eliminate upper-level commercial signage for buildings with a mixture of office and other commercial uses and also had to do with First Amendment issues. She said also it was she believed an issue raised by Planning Commissioners during the study session. She said the applicant's massing studies were the same.

Commissioner Barnes asked about the process for the Planning Commission's approval for signage. Planner Sandmeier said any signage that went beyond the 100 feet permitted currently for primary frontage or 50 feet permitted currently for secondary frontage would have a Master Sign Program reviewed by the Planning Commission for conformance with the design guidelines, but there would be some flexibility as the Commission desired. She said the new language was Section 69.92.110(10). She said it was found in the last section of the proposed text. Replying to Commissioner Barnes, Planner Sandmeier said signage allowed currently was reviewed ministerially but that would not apply to these larger projects, because they needed additional signage that would be allowed by this amendment. She said signage for larger projects would go to the Planning Commission, whether it met design guidelines or not, to assure a cohesive look.

Commissioner Barnes said he thought they had left this proposal with trying to create transparency in the process and having the Commission weigh in on development standards and not selecting signs and having preferences that would affect commercial signage in the commercial districts.

Recognized by the Chair, Mr. Sanandaji said the idea for future large projects would be for the Master Sign Program to be approved at the same time a project was approved. He said their project had been approved already so this was not what the situation would be in the future. He said the amendment they were proposing provided for an objective standard as to the square footage and placement of signs. He said there was discretionary review as a one-time safety net for the Planning Commission to establish a Master Sign Program consistent with the look and feel of the project.

Chair Doran said the third bullet that was referred to by Commissioner Barnes said: *Eliminate the exclusion exemption concept for project identification and directional signage*. He asked if it was a First Amendment issue that they could not allow extra footage for an exit sign or one way sign, or such. Planner Sandmeier said anything related to safety such as an exit sign could not be exempt. She said it was more likely the large Springline sign where the City was regulating the content that a Springline sign was okay but you could not have a sign for the name of a restaurant. Chair Doran said he understood that but he was confused by bullet point 3. He asked if there was a First Amendment issue with saying you could not have a one-way only or exit sign on the garage or something like that.

City Attorney Nira Doherty said they made a few proposed changes including the 2nd and 3rd bullet points referenced. She said those changes primarily sought to ensure that the regulations being proposed were not based on the category of signs. She said if you needed to read the sign to determine what regulations would apply to it, there was a presumption that the sign was content based and there was a presumption that the content based sign would be unconstitutional and subject to heightened scrutiny for it to be constitutionally valid. She said there were exceptions from this principle for the size and location of signs as those were generally considered not content based. She said the 2nd and 3rd bullet points were changes made to ensure that they were not promulgating any content-based regulations.

Chair Doran said he understood the content-based regulation and the 2nd bullet in the problem of prohibiting consumer product or corporate entity identification. He said he had a problem with the directional signage and why a one-way only sign would be a First Amendment issue. Steve Atkinson said in their prior proposal they had an exclusion and exemption really for directional signage and for project identification signage. He said the project identification signage notably was the big arched Springline sign over the main entry. He said most of the area covered by that exemption was to be from Springline project identification sign. He said he understood from reviewing the case and the City Attorney's office that they probably could have done an exemption for the purely directional signage. He said they could have kept that as an exemption but they could not have been able to exclude the Springline project identification sign. He said rather than split this exemption up so they had a small exemption for the directional signage and then a separate one dealing with the Springline project identification sign, they decided to come up with another formula that would give them approximately the same amount of signage as they had shown in the diagrams. He said they created this provision which gave them an additional signage allocation based on the commercial square footage of the project.

Chair Doran said presumably there were regulatory requirements for exit and entrance signs to the parking garage so people did not get in the wrong lane. He said he was good with that and wanted to move on.

Commissioner Riggs said they had a couple of goals when they discussed this previously. He said one was to allow that a project sign not compete with tenant signage. He said he felt strongly however about top of building signage. He said he did not think that was a content-based issue at

all. He said, if necessary, he would suggest that they be specific and say that anything in the top 50% of the bulk height of the building should be limited to no more than one sign per 50,000 square feet of project, or no more than one sign per 100,000 square feet of project. He said he did not want to see along the parapet on the extensive frontage business signage for multiple tenants strung out on the top of the building. He said such signage should be limited to the level of their tenancy, which for retail was typically first level. He said even a 10,000 square foot building such as 1706 or 1906 El Camino Real could have three, even four tenants. He said if all of them wanted their names on the top of the building that he could not see that was approvable. He said if legally they could not separate the top of the building from the bottom of it, and if legally they could not separate directional signage from tenant and sponsorship signage, he suggested they not increase the square footage allowance for signage at all, and that everything above that square footage require approval by the Planning Commission in public hearing(s). He said he agreed with Commissioner Barnes that there should be clear rules and that the building developer, building management and tenants should all be able to guess what their approvable signage should be and where.

Recognized by the Chair, Mr. Atkinson said they did have a restriction on upper-level signage that basically said on the El Camino Real frontage that no more than one half a square foot of sign per foot of frontage could be above the ground level of the building. He said because of the concerns the City Attorney raised on content-based restrictions that previously they had a restriction on office signage, which they thought would probably occur on the upper levels and they changed that to a restriction on upper-level signage at the ratio he indicated earlier. He said for their El Camino Real frontage only about 200 square feet of signage would be allowed above ground level. Commissioner Riggs asked what percentage of the total signage was 200 square feet. Mr. Atkinson said their total signage on El Camino Real based on the length of the frontage was 540 square feet. He said they had an additional allocation of signage based on area of a little over 200 square feet, which they were using most of for the project identification and directional signage. He said they had approximately 300 square feet of signage for ground level uses and then about 200 square feet on El Camion Real for upper level uses. He said the project basically intended to use that to have two upper-level office signs or two upper level signs on each of the two El Camion Real facing office buildings.

Mr. Sanandaji said that was consistent with the massing they shared during the second study session. He said for context the project identity signage on the archway would be slightly above 200 square feet. He said that could not be distinguished. Commissioner Riggs asked if that meant it couldn't be distinguished from the rest of the total signage or from the upper level or from the lower level. Mr. Atkinson said the Springline sign by its physical location was upper-level signage. He said they had a specific provision that said the project identification signage was exempt from the restriction on upper-level signage. He said the upper level project identification signage that would be allowed was approximately 200 square feet, which would be for commercial signage and then another approximately 200 square feet for the Springline arch sign, and as project identification excluded from the allowed upper level square footage. Commissioner Riggs asked if calling it upper level created that competition why not call it parapet signage that would be limited. He said parapet signage was a common phrase. He asked whether they could limit parapet signage. He asked if there was any legal reason, they could not limit parapet signage. Ms. Doherty said she would want the planners to weigh in on that scope. Mr. Atkinson said theirs was a three-story building. He said their limit on upper level signage would apply to anything above the ground level, which would include but not be limited to the parapet. He said there was no competition. He said the Springline sign did not take away from the other upper-level signage allowed.

Commissioner Riggs said staff indicated that directional, project identification, and tenant signage could not be segregated and distinguished. He said in working back from that restriction they have subsequently heard that probably directional signage could be in a separate square footage budget. He said personally he thought it could be anything other than vertical directional signage, which he hoped was excluded such as painting on the ground. He said if project directional signage could be separate perhaps, they could dispose of the phrase “upper-level signage.” He said if they wanted to limit parapet signage, he would like parapet signage to have a budget. He said if they wanted project identification signage, they could define it as a sign over the primary entry that identified the project as a whole and then they could have retail signage on the façade or within the eight foot vertical and 50 foot horizontal of the tenancy or the major entrance to the tenancy. He suggested that they could be specific about what they were doing. He said he thought the Commission had presented a goal that tenants would have a reasonable sign budget and know it in advance, so they each could have a sign depending on how much ground level was divided into and to restrict parapet signage for the sake of the overall appearance of the building on the street frontage. He said he thought that could be accomplished by stating it more directly. He said the concept of upper signage and lower signage was not helping.

Ms. Doherty said she was in agreement with Commissioner Riggs on the parapet signage but was not certain if she was in complete agreement with the remainder of his suggestions with respect to specifying the project or the entity on the street level signage.

Planner Sandmeier said they could definitely limit parapet signage. She said they noted in the staff report the previous feedback from the Commission about signage above the first floor. She said what was presented this evening was submitted by the applicant and certainly could be refined through the Commission’s review.

Mr. Atkinson said it appeared they misunderstood and thought the Commission’s concern was about all signage above the ground floor. He said Commissioner Riggs’ focus tonight was specifically on the parapet. He said he believed they had intended their upper-level signage in their diagrams to be located at the parapet level. He said it was conceivable that a second-floor office tenant for example might want a sign at the second-floor space. He asked Mr. Sanandaji if they could change their limit on upper-level signage to an equivalent language limit on signage just at the parapet level. Mr. Sanandaji said it would work for their projects, but the goal was not intended to be a set of modifications specifically tailored to Springline. He said they were going to revisit the Commission with their specific Master Sign Program and proposal. He said in conjunction and through the discussions they had with Stanford and contemplating what potential future development might come that would be impacted by these modifications that he could certainly see a scenario in which building architecture would really require signage to not be at the parapet level but rather sort of in the midlevel whether it was a second floor or otherwise, and that being a more appropriate application. He said they did not want to be prescriptive and try to write something that really only solved their project issue. He said they were looking for modifications that would more broadly and appropriately apply to the entire area and for all projects. He said selfishly speaking it would work perfectly fine for their program.

Commissioner Riggs said he was thinking of other projects and even quoting a couple of projects that were as small as 10,000 square feet, which probably would not even fall under the label of a large project. He said he had a follow up suggestion but noted Commissioner Harris was waiting to speak.

Commissioner Harris referred to the one bullet eliminating the restriction of a project identification signage that would prevent the use of a generally known consumer product or corporate identity. She said “generally known” confused her. She said she could not understand the actual wording of the change. She said she did not want a “generally known consumer product or corporate identity” to be treated differently than a new company or corporation or a new brand.

Mr. Atkinson said the language Commissioner Harris was referring to was part of the exclusion they had before for project identification signage. He said the issue they saw in drafting that was the project “Springline” was not a well-known commercial project or other business. He said they were concerned that someone might think there was a circumstance where you could have a project like this and instead of a name like Springline that did not have larger commercial meaning a big company could come along and instead of having an arch that said Springline they could have an arch that said Bank of America Plaza or Safeway Plaza. He said they assumed people would say when you are having the project identification being the name of a project like that it was really advertising. He said that was why it was in there to begin with so when they changed from an exemption for project identification and directional to this additional allocation that became irrelevant. He said in discussions with the City Attorney’s office they thought saying you could exclude project identification but not if it was a well known commercial name would violate the content restriction on consent based distinctions. He said the distinction they were making before became irrelevant.

Commissioner Harris said in general they wanted to support retail businesses and not disadvantage them in Menlo Park.

Commissioner DeCardy said he was further along on the restriction trajectory than Commissioner Riggs. He said as a community they had to do more development, more infill development and they were going to have larger buildings in the downtown. He said people would be frustrated by that and the loss of the look and feel of a small-town community. He said buildings could be designed better to address that but if they allowed signage like that visible from the highway, or the hotel and legal complex like that at the exit from Highway 101 to University Avenue then that would wreck the feel of a smaller community. He said here a restriction was proposed that might be too restrictive and unfair relative to other property owners but they had the opportunity to correct over time and be able to get signage that actually fit the look and feel of the community and in the end be supportive of what they had to do with greater density to have better housing in these areas. He said this was why he would vote against the item.

Commissioner Riggs said there was concern with over-signage. He said he agreed with Commissioner Barnes that they needed to have rules that could be read, followed and predicted, but he thought it might be wise to augment the signage allowance here. He said the project signage was clearly needed. He said he thought increasing it to allow for the retail signage at retail level perhaps should be as far as they go and then allow for overall project identification signage to be a discretionary review process. He said he thought that was the only way they could separate it without running into legal issues. He said tenants and building management would have rules to inform choices and the original development would be handled separately the way they handled other issues upon initial development. He asked if the applicant could work with that and if it was an overall viable approach to large projects.

Mr. Sanandaji said if he understood Commissioner Riggs’ proposal that would be to create or to limit the modification to create an objective standard for purely ground floor level signage applicable to retail or commercial uses and then have a discretionary process for any upper level signage.

Commissioner Riggs said that was incorrect. He said he thought it would serve them best if they removed the phrase “upper level.” He said they wanted to increase the signage allowance so it was reasonable and proportional for retail signage at the retail level noting that there was some retail on Oak Grove on the second level. He said they wanted to put a maximum allowable amount of signage at the parapet. He said the third element would be the overall project identification signage that potentially could have a budget but was discretionary approval. He said they could call it additional overall project identification and perhaps Ms. Doherty could lend an opinion on whether that had any conflict with content based signage. He said the two elements would have budgets. He said he believed that future Planning Commissions would support the overall project identification as that was part of supporting an incoming project.

Mr. Sanandaji thanked Commissioner Riggs for the clarification. He said as long as there were clear formulas that were based on project size, whether linear footage or otherwise, they could have a clearer understanding of what the signage allowance was that could be parsed between the uses, parapet and retail as examples. He said he would feel comfortable based on the assessment of their project and the assessment of the hypothetical project that they had thought about in discussions with the Stanford team and others to make this proposed language that that would work. He said he would have anticipated that the Planning Commission’s review of the Master Signage Program would have essentially entailed a review of the entirety of the composition of the signage being proposed. He said if they were saying that there was a formulaic component for retail or sort of among ground level, commercial and then parapet, then really the subjective component was in terms of location and maybe size of other signage, and that then was sort of negotiated and from a design standpoint proposed through that discretionary review process and approval or denial of the Master Signage Program. He said from their perspective as a project sponsor he thought that would be viable for all future large developments.

Commissioner Riggs said he hoped that rather than waiting for the Master Signage Program that building management would be able to go ahead and tell perspective tenants how much signage to expect. Mr. Sanandaji said his suggestion to that end and he was not sure what the process would look like but in other jurisdictions they spent a lot of time developing a proposed hypothetical signage plan because retail spaces were generally located in certain areas and there were only general areas on the parapets where you would likely place commercial signage, and then the project identity would be there regardless of the tenancy so you could propose essentially that Master Signage Plan as part of the original proposal so it was approved concurrently. He said it would not lag so far behind as their project had because of absence of those rules. He said during the design process and to Commissioner DeCardy’s point buildings could be designed in a tasteful way meaning not just the building mass, form and aesthetics but also the signage so it was integrated. He said he thought that was how they could get to the best outcomes collectively as a city and community.

Commissioner Riggs asked what they might propose for the parapet limitations as he did not think it was really square footage but really how many signs. He said it would be nice on one building mass to not have more than one sign. Mr. Sanandaji said that Stanford had an extremely long frontage and the intent was to limit the number of parapet signs as a function of the length of the frontage of a project. He said it would not be uncommon and he thought for aesthetic purposes would have better balance if the major frontage had one parapet sign on each corner that would anchor that elevation. He said for example the Stanford project with its long frontage might need more than three there and the formula might allow for that. He said limiting to one did not necessarily achieve a goal of having appropriate signage

Commissioner Riggs said he had suggested preferably one per building mass. He said for example Stanford had at least 10 El Camino Real building front corners. He said even though it was a long frontage it was a matter of signage per parapet mass. He said there were a number of masses among what he thought were five buildings. He said by Specific Plan intent you had more than one parapet mass due to the major modulations. He said his suggestion was that per building mass under 100 feet that you would not have two parapet signs. Mr. Sanandaji thanked the Commissioner for the clarification.

Chair Doran said the proposal from Commissioner Riggs was a limit on ground floor level retail signage with a separate limit on parapet signage, and then for a discretionary approval for project signage. He said Mr. Sanandaji restated it somewhat differently he thought with a limit on retail signs, limit of parapet signage and then discretionary approval for all other signs. He asked the City Attorney to speak to whether they were allowed to provide an extra discretionary signage allowance if it was for project identification or if that again would run into First Amendment problems.

Ms. Doherty said she thought there was a way to structure it to accomplish what was being recommended. She said she was not sure they were going to be able to write that language at this hearing as she would want to work with staff and Mr. Atkinson on it. She said she thought they could accomplish that in a manner that was content neutral.

Commissioner Barnes asked if Mr. Sanandaji and Mr. Atkinson were getting what they needed for their project. He said he was saying that against the landscape of what he thought was a hard process they were in. He said the applicant was toggling between what would work for their project, Stanford's project and hypothetical projects in the future. He said he did not think they were doing a service to the process or the applicant or future development. He asked if this could be made a two-step process. He asked if they could just hear what was going to work for Springline and then through an administrative process have, and he did not know how that would work, but they would review and approve for Springline and then have a provision that what was approved was part of a future determination that looked across the entire Downtown Specific Plan area. He said he thought they were arguing too many hypotheticals and he did not think they were going to get there. He said he would be more comfortable with what was going to work for Springline, what were best practices and then provide stakeholders a voice in the discussion.

Replying to Commissioner Barnes, Ms. Doherty said they could narrow the application of the ordinance so that it would not apply throughout the Specific Plan area.

Commissioner Barnes asked what that would look like and whether he would make a motion.

Chair Doran said the agenda item was to make a recommendation to the City Council for an actual ordinance. He said if a different ordinance was wanted that would need specificity that he thought was not possible to accomplish here.

Ms. Doherty said she was not sure about a spot zoning issue as it related just to signage. She said it was a good suggestion of something that they would look into. She said this evening they had a text amendment that the applicant had applied for and the Planning Commission was asked to make a recommendation on and the City Council would make a determination. She said the proposal by the applicant would go forward to the City Council with a recommendation in favor or against or without a recommendation. She said some of the suggestions being made tonight were useful and helpful to the applicant as to whether they wanted to go to City Council. She said if they wanted to bifurcate

the process that was not something the applicant would propose but something the Planning Commission would ask the City Council to consider.

Mr. Atkinson said the concern their team would have with the change in process would be the amount of time in terms of rethinking this. He said they were in the process of bringing on retail people and it was very difficult to do that without the ability to tell them whether all the retail along El Camino Real was going to have to divide up 100 square feet of signage. He said if they wanted to just limit this to approximately the Springline site the entirety of that was included in one subdistrict of the Specific Plan. He said there were a few other properties to the north of the project site also in that subdistrict but were all small properties that were unlikely to be affected by this. He said he was not sure how to proceed as time was of the essence.

Commissioner Riggs said he thought they were close to concluding a proposal that would satisfy those particularly concerned about parapet signage. He said they had clarified the goals to increase the retail signage from a budget of 100 square feet minus others to something closer to 300. He said in the test case of the Springline project it would have a separate parapet budget. He said they could simplify both the proposed ordinance and approval process or this recommendation process by pulling out the overall project identification signage as special signage that would be discretionary.

Ms. Doherty said she could summarize what Commissioner Riggs was recommending as a path forward for them to proceed if the Chair and other commissioners were interested. She said she thought the recommendation was to adopt the resolution with the recommendations as drafted with the following changes: excluding project information signage from the review process as proposed and instead subject it to a discretionary review process that would be determined and potentially crafted before this went to the City Council. Replying to Ms. Doherty, Commissioner Riggs said he thought it was that and asked if they had already agreed that directional signage was a separate category and that did not need to be restricted by the retail or parapet budgets. Ms. Doherty said she had not heard the Commission make that decision and would defer to the Chair.

Chair Doran said he understood that if directional signage was required that regulatory requirement would not be subject to limits. Ms. Doherty said she wanted to clarify one thing. She said they could differentiate against with respect to the directional signage and craft language she thought they would be comfortable with but they were not making a blanket determination that all distinction was not content based. She said with that small qualifier she was with Commissioner Riggs on what was proposed.

Commissioner Harris said she supported the ordinance as written but she understood Commissioner Riggs' concerns. She said she would be happy to reframe bifurcating the parapet signage and the project signage. She said the only thing she did not understand with the new idea was what the parapet signage requirements were. She asked if they would be similar to what the original upper level or whatever it was signage rules. She said if they were all in agreement in making the parapet signage separate that they decide on what the rules on that were.

Commissioner Riggs said he was not challenging the good work that had been done over the many weeks in defining that upper signage. He said he just wanted to categorize these three.

Commissioner Barnes said he thought they were making progress. He said he had deep reservations about not hearing from the other stakeholders on this. He said if we were going to move forward, he wanted someone to summarize besides Commissioner Riggs what was different from what was in the current amendment.

Replying to Chair Doran, Ms. Doherty said she would like to work through the proposed changes to the amendment with Mr. Atkinson and Mr. Sanandaji between this meeting and the City Council meeting. She said this was the applicant's proposed text amendment. She said she would like direction from the Planning Commission on what changes it wanted to see to the applicant's text amendment and they would then revise the resolution making the recommendations subject to those changes.

Chair Doran said as he understood the proposal was to retain the current draft restrictions in terms of square footage permissible both for the retail level and upper level but not include the third bullet point, they had discussed which was additional allowance for signage based on gross floor area for project identification and instead of having a budget to be allocated to have that be discretionary.

Commissioner Riggs referred to the page shown onscreen noting that the four bullet points were the proposed changes to the applicant's proposal. He said he wanted to dispense with the phrase upper signage as what was desired was to distinguish parapet signage and retail signage or if it were more appropriate retail and tenant signage saying he would leave that to the applicant.

Chair Doran noted it was 10:57 pm and they would need to conclude by 11 pm unless approved by motion to continue past 11 p.m. He said there was one more item after this one. He suggested moving to continue the meeting for the purpose of the signage amendment past 11 p.m. but not take Item G1 and continue that to another meeting.

Chair Doran polled the Commissioners and there was an agreement to continue past 11 p.m. for the current item under discussion and to continue Item G1 to another meeting.

Chair Doran recessed the meeting for five minutes.

Chair Doran reconvened the meeting at 11:03 p.m.

Replying to Chair Doran, Commissioner Barnes said he was not sure he understood what was being proposed and he needed to understand.

Commissioner DeCardy said he appreciated Commissioner Barnes' earlier comments to sever and just do the project approval versus the whole. He said it had been very difficult for it to come together and now they were doing the signage four years after the project had been approved. He said there was something simple they could do. He said this proposal was going to the City Council anyway and they could make recommendations or not recommend. He said he would vote to not recommend.

Recognized by Chair Doran, Ms. Doherty said she and the applicant spoke and the applicant was amenable to working with her office between tonight and the City Council meeting to propose alternative language for the City Council to consider. She said her procedural recommendation was they had an applicant's text amendment before the Planning Commission and it could recommend or not recommend it, or recommend it subject to some proposed revisions. She said what she heard was the Commission would like to perhaps adopt the resolution recommending the text amendments subject to a few revisions. She said the first would be to revise to allow an exemption for directional signage. She said she thought there was a way they could do that consistent with First Amendment principles on content based restrictions. She said the second would be to provide and establish or utilize an existing discretionary process for project identification signage in excess of the overall

signage allocation. She said the last was to revise the upper-level limitations to be based on some parapet square footage or frontage measurement. She said they needed to understand better Commissioner Riggs' intent on that if the Commission wanted to make that a recommendation.

Commissioner Riggs said he was not proposing any change to the calculation, the measurement or budget, rather he was proposing that they refer to parapet signage as a limitation distinct from the tenant signage and dispense with the terms upper-level signage because the concern was with the tops of buildings, the parapets being overloaded with signage.

Commissioner Riggs moved to approve the proposal for signage amendments with the following revisions that directional signage be separated from building signage budget, that parapet and tenant level signage be distinct budgets, with the intent to restrict parapet signage and augment tenant particularly retail signage and that overall project identification signage be approved through discretionary reviews. Chair Doran suggested clarifying that the tenant signage would be subject to the formula in the existing amendment and the parapet signage be subject to the formula in the existing amendment for upper-level signage. Commissioner Riggs said yes and which he thought in this case would be 200 square feet for Springline as opposed to that additional 200 square feet for the Springline project identification sign. Commissioner Harris seconded the motion.

Commissioner Barnes asked Ms. Doherty about the practicality of the proposed motion and from the applicant as to the functionality of the proposed revisions.

Ms. Doherty said she thought they could take this direction and craft some revisions to the ordinance that were content neutral and defensible.

Replying to Commissioner Barnes, Mr. Sanandaji said there was no intent to change budgets and they wanted the formulas prescribed in the draft ordinance. He said if any of those were exceeded that was where discretionary review would occur as part of the application process for the Master Sign Program. He said this would work for their project with the further clarification as it was extremely helpful for leasing and marketing to have prescriptive limits. He said that was the transparency and the objective metric they all could rely on.

ACTION: M/S (Riggs/Harris) to recommend that the City Council approve the proposed text amendments, with the following revision:

- Revise the ordinance to provide an exemption for directional signage;
- Provide for a discretionary review process for project identification signage in excess of the overall signage allocation; and
- Eliminate upper level signage references and replace them with reference to parapet signage.

Motion passed 4-1-2 with Commissioner DeCardy opposed and Commissioners Kennedy and Tate absent.

G. Presentation Item

- G1. Presentation for a Master Plan/Signature Development Group and Peninsula Innovation Partners, LLC on behalf of Meta Platforms, Inc. (formerly Facebook, Inc.)/1350-1390 Willow Road, 925-1098 Hamilton Avenue, and 1005-1275 Hamilton Court:
Receive a presentation on the proposed Willow Village mixed-use master plan development. This presentation would allow for the Planning Commission and members of the community to learn more

about the proposed project. The proposed Master Plan would comprehensively redevelop an approximately 59-acre existing industrial, research and development (R&D), and warehousing campus with up to 1,730 housing units, up to 200,000 square feet of retail uses, an approximately 1,600,000 square feet office campus for Meta, formerly Facebook, (inclusive of 1,250,000 square feet of office use and up to 350,000 square feet of meeting and collaboration space), a 193 room hotel, and publicly accessible open space including an approximately 3.5 acre publicly accessible park. The proposal includes a request for an increase in height, floor area ratio (FAR), and density under the bonus level development allowance in exchange for community amenities. The proposed project also includes the realignment of Hamilton Avenue and an elevated park to connect the main project site with the Belle Haven Neighborhood Shopping Center. The project would also consider reconstruction of an existing service station at 1399 Willow Road and an approximately 6,700 square foot expansion at the Belle Haven neighborhood shopping center as a future separate phase. The main project site encompasses multiple parcels zoned O-B (Office) and R-MU-B (Residential Mixed Use). The gas station and shopping center parcels are zoned C-2-S (Neighborhood Shopping, Restrictive). (Staff Report #22-005-PC)

Item was continued to a future meeting.

H. Informational Items

H1. Future Planning Commission Meeting Schedule

- Regular Meeting: January 24, 2022

Planner Sandmeier said that the agenda for January 24 would include the Housing Element NOP and a single-family residential project.

Chair Doran said he found the single PDF document for all the agenda items very cumbersome and hoped they could go back to the prior format.

Commissioner Barnes suggested on the same matter that they at least keep the links to staff reports on the agenda.

- Regular Meeting: February 14, 2022
- Regular Meeting: February 28, 2022

I. Adjournment

Chair Doran adjourned the meeting at 11:31 p.m.

Staff Liaison: Corinna Sandmeier, Acting Principal Planner

Recording Secretary: Brenda Bennett



STAFF REPORT

Planning Commission

Meeting Date: 3/14/2022

Staff Report Number: 22-015-PC

Public Hearing: Use Permit and Variance/Scott Landry/628
Cambridge Avenue

Recommendation

Staff recommends that the Planning Commission approve a use permit to remodel and construct first-floor additions to an existing nonconforming, one-story residence on a substandard lot with regard to minimum lot width and area in the R-2 (Low Density Apartment) zoning district. The proposed work would exceed 50 percent of the existing replacement value in a 12-month period and requires use permit approval. The proposal also includes a request for a variance to construct additions within the required right-side setback. 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 subject site is located at 628 Cambridge Avenue between University Drive and El Camino Real in the Allied Arts neighborhood. The subject parcel is bounded by the R-3 (Apartment) zoning district to the north. The parcels to the south, east, and west of the subject parcel are also zoned R-2 (Low Density Apartment). The immediate neighborhood consists of a mix of single-story and two-story structures, with newer homes generally having two stories. The neighborhood is comprised of a mixture of housing types, including single-family residences, as well as attached and detached two-unit and multi-unit developments. Relative to other properties in the vicinity, the subject parcel and the neighboring parcel to the west (right) are uniquely narrow.

Previous Planning Commission review

In 2016, the Planning Commission approved a use permit to demolish the then existing detached one-car garage to build a new one-car garage with an attached accessory building (art studio) to the rear of the property.

Analysis

Project description

The applicant is proposing to remodel the existing one-story residence and add 141.8 square feet to the rear-left and rear-right of the existing residence to create an additional bedroom and enlarge the existing master bedroom. The existing residence is a 752 square-foot, 2-bed 2-bath, single-story residence. On the right side of the property there is an access easement that's shared with 626 Cambridge Avenue. Setbacks for lots with access easements are measured from the easement line and the existing structure is considered non-conforming in regards to the right-side setback.

The proposed remodeling and additions would allow for an additional bedroom and change the existing layout for better functionality. The floor area, building coverage, and height of the structure would all be within the maximum amounts permitted by the Zoning Ordinance. Additionally, the structure would comply with the front, rear and left setbacks and with the minimum landscaping requirements in the R-2 zoning district. The proposed additions would also be separated from the accessory structure by over ten feet as is required. On the right side the proposed addition would be approximately 26 feet, nine inches away from the existing one-car garage, and on the left the proposed addition would be approximate 14 feet away from the existing art studio.

The property is non-conforming in regards to parking. The detached one-car garage meets the requirement of one covered space. However, due to the existing improvements on the lot there is no additional space for a second, conforming parking space, whether covered or uncovered. The tandem space shown on the site plan on sheet A.101 does not count towards the property's off-street parking requirement although it may provide informal parking. The existing site plan, which was reviewed by the Transportation Division, shows that even with the proposed addition there would be adequate space to turn into the detached one-car garage.

The applicant is also proposing to remove the 62.3-square foot shed attached to the detached garage and art studio at the rear of the lot and convert it into a bike storage with no roof. The bike storage would not count towards the floor area limit or building coverage as it would have no roof. The play house on the corner left side at the rear of the property is also proposed to be removed as part of this proposal.

The proposed remodeling and additions would exceed 50 percent of the replacement value of the existing non-conforming residence and therefore the project requires use permit approval. The applicant is also requesting a variance to modify the right-side setback from the access easement to be 2.5 feet instead of five feet. A data table summarizing parcel and project attributes is included as Attachment C. The project plans and the applicant's project description letter are included as Attachments D and E, respectively.

Design and materials

The existing residence is a small 752 square-foot, gabled-roof bungalow with horizontal wood siding on the exterior walls. The addition area would have 1x6 horizontal wood lap siding, whereas the existing house has 1x4 horizontal wood lap siding. The left side addition's roof would be a new flat roof, whereas the roof on the right-side addition would match the existing shingle roofing. The new windows on the left addition to the master bedroom would have black aluminum trims; whereas the bedroom window at the

rear would be white vinyl to match existing windows. Staff believes that the scale, materials, and style of the proposed additions would complement the existing residence.

VariANCES

As part of this proposal, the applicant is requesting a variance to reduce the right-side setback for one of the proposed additions from 5 feet to 2.5 feet as measured from the access easement. The applicant has provided a variance request that is included as part of their project description letter, Attachment E. The required variance findings are evaluated below in succession:

1. *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 narrow sites create a hardship for the owners, who wish to remodel and expand their home in a functional manner. The subject site is not a typical, substandard lot with a width of 50 feet, but instead has a width of 32.5 feet, with the access easement taking up approximately two feet of width. The combination of the narrow lot width, the existing access easement, and the placement of the existing residence creates a hardship. Staff concurs that this is a hardship peculiar to the property and not created by an 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;*

The applicant states that the requested variance is necessary for the continued enjoyment of the home to retain the existing floor plan and create functional space that would create additional useable space for the property owners. Additionally, it would help maintain the existing character of the structure. Staff believes that the proposed addition would allow the creation of more functional and useable space necessary for the enjoyment of substantial property rights.

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*

The applicant states that granting of the variance will not materially affect the neighborhood in any way, as the proposed addition would occur at the rear of the lot. The most affected neighbor would be 626 Cambridge; with whom they have discussed the proposal. Staff believes that the proposed encroachment of the right-side addition would not be detrimental to the public health, safety, and welfare, or impair an adequate supply of light and air to the adjacent properties. The encroachment would be one-story and modest in size, and the remodeled and expanded residence would comply with the maximum building coverage, floor area limit, daylight plane, and building height.

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 applicant cites the lot's narrow width and the access easement shared between the neighbors as examples of the uniqueness of this situation. Because the variance would allow a reduced setback from the access easement instead of the right-side property line, the revised setback would be based on the unique conditions of the parcel, which would not be applicable, generally, 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. Hence, a finding regarding an unusual factor does not apply.

Staff believes that the five findings can be made with regard to the proposed variances for encroachments into the required right side yard setback, given the unique conditions of the existing building and lot shape. Staff recommends approval for the variance and findings to this effect are included in the recommended actions.

Trees and landscaping

There are a total of nine trees on or near the property of which one is heritage-size. A heritage 44-inch redwood tree on the rear-left of the property would be retained,. The non-heritage trees are fruit trees mostly to the front of the property and do not provide any privacy. No trees are proposed to be removed as part of this proposal. The existing magnolia trees on the 636 Cambridge will allow for privacy between the proposed addition and the existing residence on 636 Cambridge. The new construction is not anticipated to adversely affect the heritage tree. Since the proposed addition is not within 10 times the diameter of the tree an arborist report was not required. Standard heritage tree protection measures will be ensured through recommended condition 3h.

Valuation

To calculate the replacement and new construction costs on which the use permit threshold is based, the City uses standards established by the Building Division. The City has determined that the replacement cost of the existing structure would be \$146,566 meaning that the applicants would be allowed to propose new construction and remodeling at this site totaling \$73,283, which is 50% of the total replacement valuation cost in any 12-month period without applying for a use permit. The City has determined that the value of the proposed work would be approximately \$89,098.5 (61%). Based on this estimate, the proposed project exceeds 50 percent of the replacement cost of the existing structure, therefore requiring use permit approval by the Planning Commission.

Correspondence

The applicant indicated that the property owners discussed the project with their neighbors. Neighbors at 626 Cambridge Avenue reached out to staff with concerns over the addition closest to the access easement. Staff shared the plans with the neighbors. The neighbors responded that the plans that were submitted to the City eliminated concerns about accessibility to the parking spaces accessed via the easement.

Conclusion

Staff believes that the scale, materials, and style of the proposed additions would complement the existing residence. The project complies with all Zoning Ordinance requirements other than the right-side setback and number of parking spaces. The variance would be based on the unique lot width and the existing access easements. The applicant reached out to neighboring property owners to discuss the project plans. For these reasons, staff recommends that the Planning Commission approve 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
- C. Data Table
- D. Project Plans
- E. Project Description Letter

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

Staff Report #: 22-015-PC

Report prepared by:
Fahteen Khan, Assistant Planner

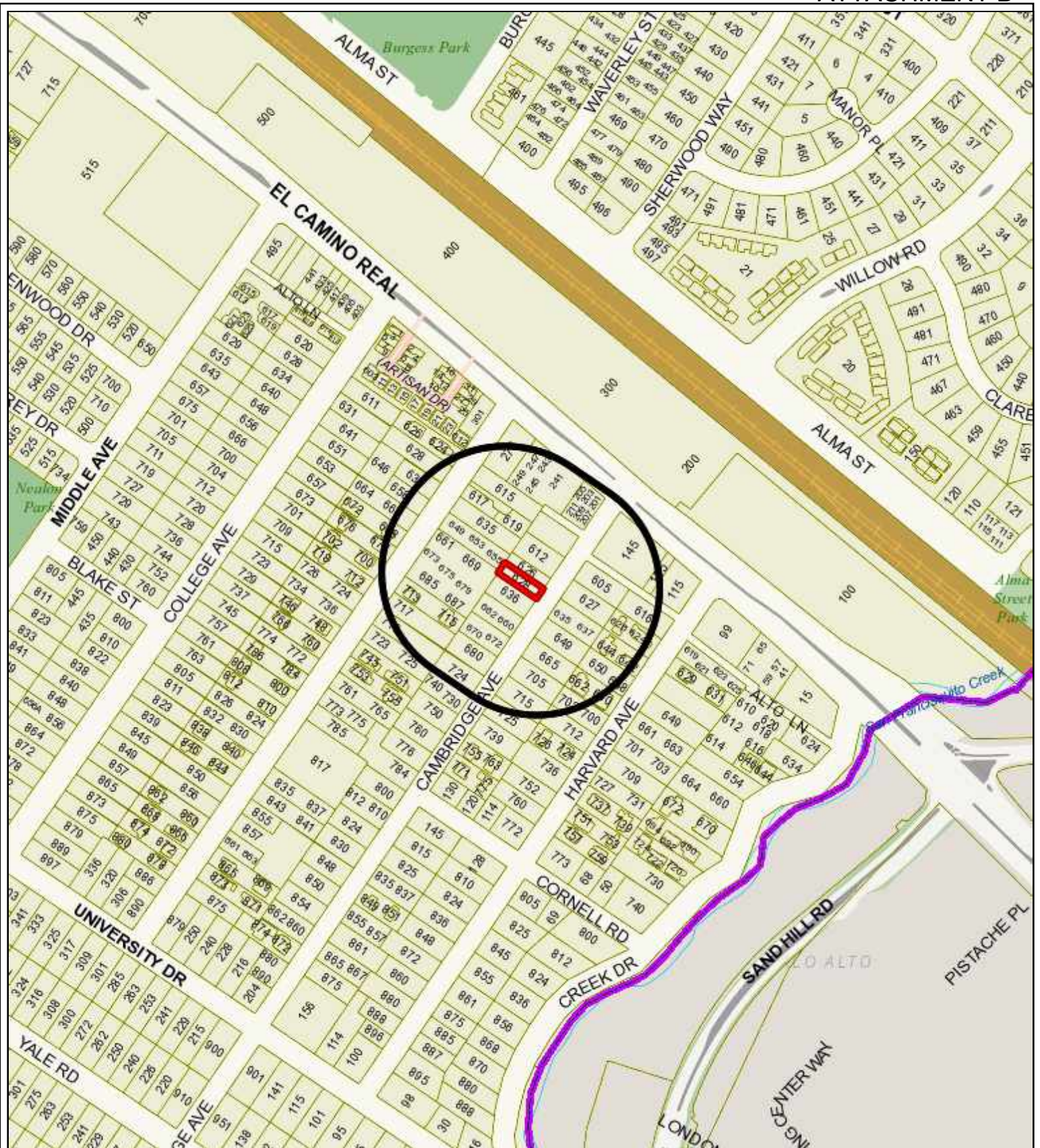
Report reviewed by:
Corinna Sandmeier, Acting Principal Planner

628 Cambridge Avenue – Attachment A: Recommended Actions

LOCATION: 628 Cambridge Avenue	PROJECT NUMBER: PLN2021-00012	APPLICANT: Scott Landry	OWNER: Andy Russell
REQUEST: Request for a use permit to remodel and construct first-floor additions to an existing nonconforming, one-story residence on a substandard lot with regard to minimum lot width and area in the R-2 (Low Density Apartment) zoning district. The proposed work would exceed 50 percent of the existing replacement value in a 12-month period and requires use permit approval. Additionally, the proposal includes a request for a variance to construct additions within the required-right side setback.			
DECISION ENTITY: Planning Commission	DATE: March 14, 2022	ACTION: TBD	
VOTE: TBD (Barnes, DeCardy, Doran, Harris, Kennedy, Riggs, Tate)			
ACTION:			
<ol style="list-style-type: none"> 1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, “Existing Facilities”) of the current California Environmental Quality Act 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 approval of the variance: <ol style="list-style-type: none"> a. The subject site is not a typical, substandard lot with a width of 50 feet, but instead has a width of 32.5 feet, with the access easement taking up approximately two feet of width. The combination of the narrow lot width and the existing access easement creates a unique hardship not created by an act of the owner. b. The requested variance is necessary for the continued enjoyment of the home to retain the existing floor plan and create functional space that would create additional useable space for the property owners. c. The proposed encroachment of the right-side addition would not be detrimental to the public health, safety, and welfare, or impair an adequate supply of light and air to the adjacent properties. The encroachment would be one-story and modest in size, and the remodeled and expanded residence would comply with the maximum building coverage, floor area limit, daylight plane, and building height. d. The lot’s narrow width and the access easement shared between the neighbors creates a unique situation. Because the variance would allow a reduced setback from the access easement instead of the right-side property line, the revised setback would be based on the unique conditions of the parcel, which would not be applicable, generally, to other properties within the same zoning classification. e. The property is not within any Specific Plan area. Hence, a finding regarding an unusual factor does not apply. 4. Approve the use permit and variance subject to the following standard conditions: <ol style="list-style-type: none"> a. The applicant shall be required to apply for a building permit within one year from the date of approval (by March 14, 2023) for the use permit to remain in effect. b. Development of the project shall be substantially in conformance with the plans prepared by Studio 101 Designs, consisting of 12 plan sheets, dated received February 17, 2022, and 			

628 Cambridge Avenue – Attachment A: Recommended Actions

LOCATION: 628 Cambridge Avenue	PROJECT NUMBER: PLN2021-00012	APPLICANT: Scott Landry	OWNER: Andy Russell
REQUEST: Request for a use permit to remodel and construct first-floor additions to an existing nonconforming, one-story residence on a substandard lot with regard to minimum lot width and area in the R-2 (Low Density Apartment) zoning district. The proposed work would exceed 50 percent of the existing replacement value in a 12-month period and requires use permit approval. Additionally, the proposal includes a request for a variance to construct additions within the required-right side setback.			
DECISION ENTITY: Planning Commission	DATE: March 14, 2022	ACTION: TBD	
VOTE: TBD (Barnes, DeCardy, Doran, Harris, Kennedy, Riggs, Tate)			
<p>ACTION:</p> <p>approved by the Planning Commission on March 14, 2022, except as modified by the conditions contained herein, subject to review and approval by the Planning Division.</p> <ul style="list-style-type: none"> 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. <p>5. Approve the use permit and variance subject to the following project-specific condition:</p> <ul style="list-style-type: none"> a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised topographic and boundary survey showing existing setbacks, from the property line to the existing buildings, subject to review and approval of the Planning Division. 			

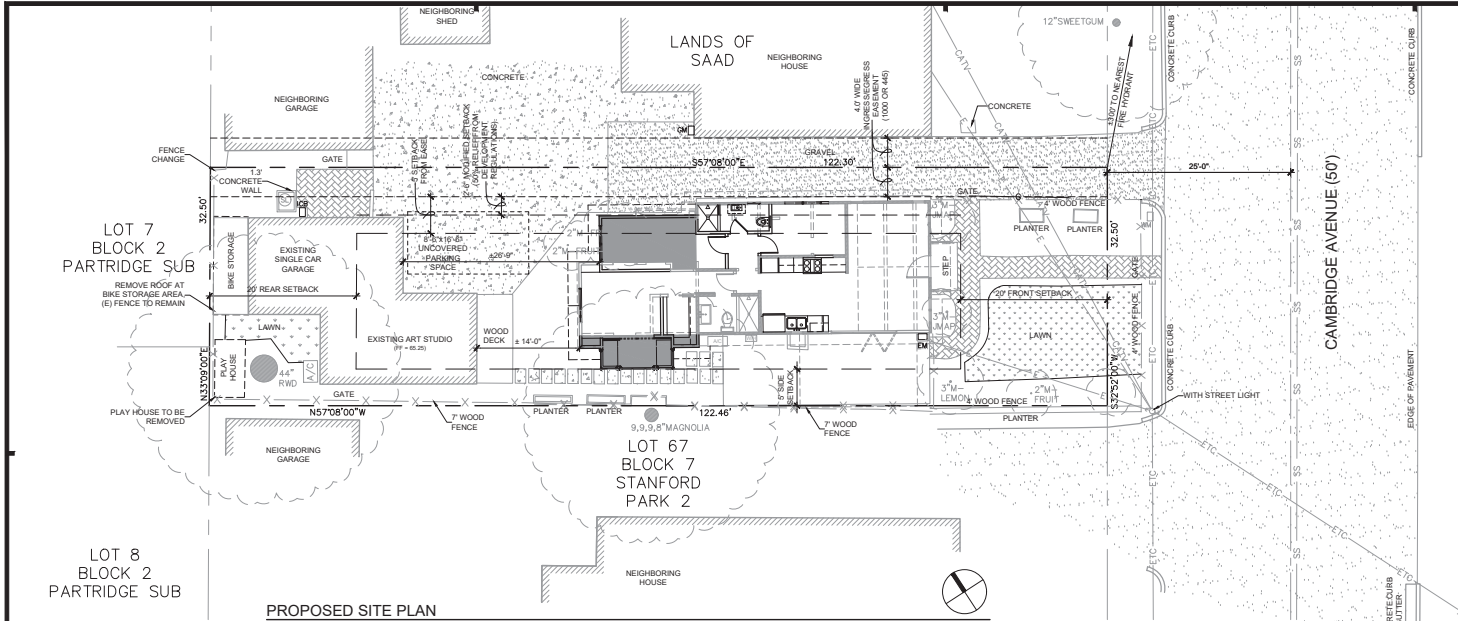


City of Menlo Park
 Location Map
 628 Cambridge

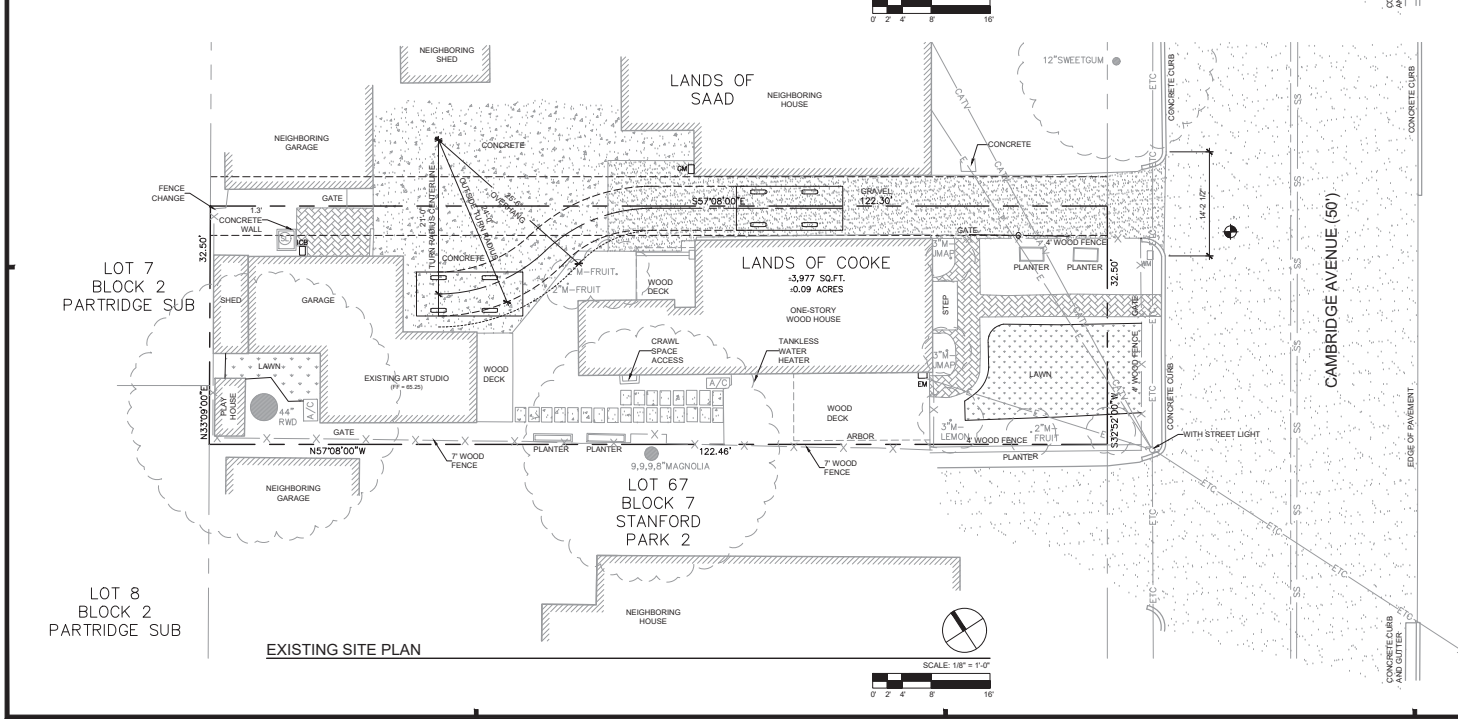


628 Cambridge Avenue – Attachment C: Data Table

	PROPOSED PROJECT	EXISTING DEVELOPMENT	ZONING ORDINANCE
Lot area	3,977.0 sf	3,977.0 sf	7,000 sf min.
Lot width	32.5 ft.	32.5 ft.	65.0 ft. min.
Lot depth	122.4 ft.	122.4 ft.	100.0 ft. min.
Setbacks			
Front	23.9* ft.	23.9* ft.	20.0 ft. min.
Rear	50.3* ft.	50.3* ft.	20.0 ft. min.
Side (left)	5.0 ft.	9.4* ft.	5.0 ft. min.
Side (right)	0.5* ft.	0.5* ft.	5.0 ft. min.
Building coverage	1,387.8 sf 34.9 %	1,308.3 sf 32.9 %	1,392 sf max. 35.0 % max.
FAL (Floor Area Limit)	1,392.8 sf	1,308.3 sf	1,590.8 sf max.
Square footage by floor	893.8 sf/1 st floor 494 sf/garage/art studio 0 sf/shed	752 sf/1 st floor 494 sf/garage/art studio 62.3 sf/shed	
Square footage of buildings	1,387.8 sf	1,308.3 sf	
Building height	12.4 ft.	12.4 ft.	28 ft. max.
Parking	1 covered	1 covered	1 covered/1 uncovered
Note: Areas shown highlighted indicate a nonconforming or substandard situation.			
Trees	Heritage trees: 1	Non-Heritage trees: 7	New Trees: 0
	Heritage trees proposed for removal: 0	Non-Heritage trees proposed for removal: 0	Total Number of Trees: 8
* Existing setbacks to be confirmed through a new survey per condition 5a.			



PROPOSED SITE PLAN



EXISTING SITE PLAN

PROJECT DATA	
ZONING:	R-2
TOTAL LOT AREA:	3977 SF
NET LOT AREA (EXCL. EASEMENTS):	3486 SF
FLOOR AREA:	
EXISTING FLOOR AREA:	752 SF
RESIDENCE	494 SF
ACCESSORY STRUCTURE	62.3 SF
SUBTOTAL	1,308.3 SF
PROPOSED FLOOR AREA:	752 SF
RESIDENCE	141.8 SF
ADDITIONS	494 SF
ACCESSORY STRUCTURE	1,750.2 SF
SUBTOTAL	2,986.0 SF
TOTAL ALLOWED FLOOR AREA LIMIT:	40%
(3977 SF x .40)	1590 SF
LOT COVERAGE:	
MAX ALLOWABLE BUILDING COVERAGE:	35%
(3977 SF x 0.35)	1392 SF
PROPOSED BUILDING COVERAGE:	752 SF
EXISTING RESIDENCE	494 SF
ACCESSORY STRUCTURE	42.3 SF
SHED (TO BE REMOVED)	-32.44 SF
PLAY HOUSE (TO BE REMOVED)	141.8 SF
ADDITION	1,387.8 SF
TOTAL	1,387.8 SF
(1,387.8 SF / 3977 SF)	34.9%
PROPOSED LANDSCAPE COVERAGE:	794.5 SF
PAVED AREAS	1736 SF
LANDSCAPE AREAS	43.5%
TOTAL PROPOSED IMPERVIOUS SURFACE:	
EXISTING IMPERVIOUS AREA	2,394 SF
PROPOSED NEW IMPERVIOUS AREA	104.0 SF
IMPERVIOUS AREA TO BE REMOVED:	0 SF
TOTAL	2,498 SF
PROPOSED PARKING:	
1 COVERED	2
1 UNCOVERED	

- GENERAL NOTES - SITE PLAN**
1. AN ENCROACHMENT PERMIT FROM THE ENGINEERING DIVISION IS REQUIRED PRIOR TO ANY CONSTRUCTION ACTIVITIES IN THE PUBLIC RIGHT OF WAY.
 2. ALL EXISTING CRACKED OR DAMAGED FEATURES ALONG THE PROPERTY FRONTAGE MUST BE REPAIRED IN KIND. ALL FRONTAGE IMPROVEMENT WORK SHALL BE IN ACCORDANCE WITH THE LATEST VERSION OF THE CITY STANDARD DETAILS.
 3. GRADES WITHIN THE FIRST 10 FEET ADJACENT TO A STRUCTURE MUST HAVE A 6% SLOPE ON IMPERVIOUS SURFACES, AND A 2% SLOPE ON IMPERVIOUS SURFACES.
 4. UNDER NO CIRCUMSTANCE SHALL DRAINAGE RESULTING FROM THIS PROJECT, DURING OR POST CONSTRUCTION, DIRECTLY SHEETFLOW ACROSS AN ADJOINING PROPERTY. RUNOFF SHALL BE CONTAINED ON-SITE UP TO THE 10-YEAR STORM.
 5. AVOID UNNECESSARILY DAMAGING ROOTS, COMPACTING SOIL, DAMAGING BRANCHES, AROUND EXISTING TREES.

SITE PLAN LEGEND	
	EXISTING GRAVEL DRIVEWAY
	EXISTING CONCRETE SLAB
	NEW CONSTRUCTION
	GRASS AREA
	ELEVATION NOTATION

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CITY OF MENLO PARK - USE PERMIT SUBMITTAL

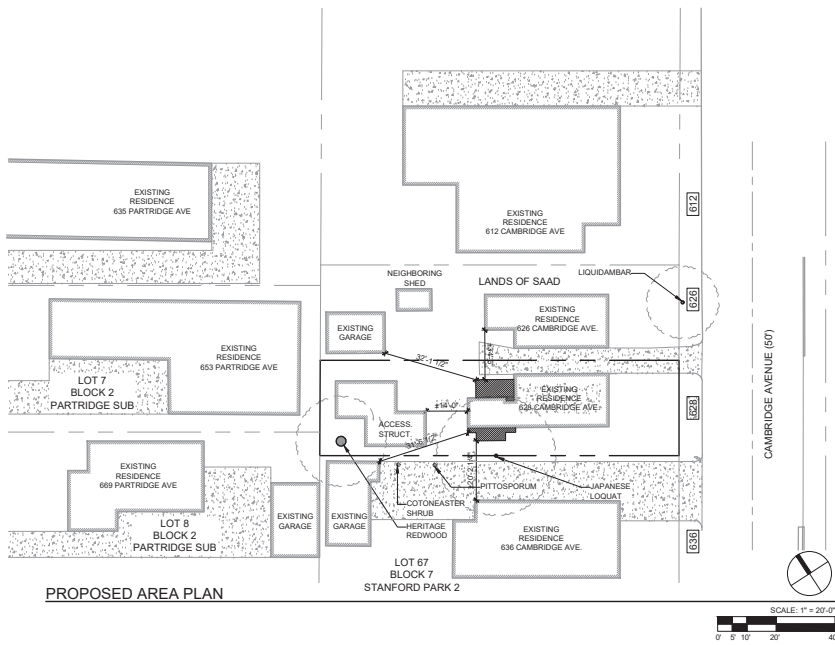
RUSSELL + COOKE RESIDENCE REMODEL
628 CAMBRIDGE AVENUE MENLO PARK, CA APN: 071-413-230

EXISTING SITE PLAN, PROPOSED SITE PLAN

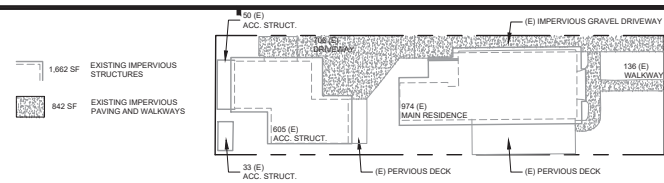
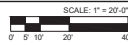
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Date: 12/1/2017
Rev: 1
By: AW
Description: PLANNING USE REVIEW

Sheet: **A.101**

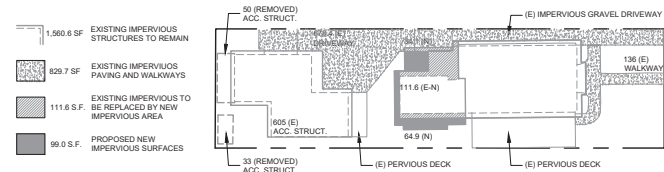
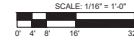
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Drawn By: 3/30/21
Date: 10/20/14
Project No.:
Scale: AS SHOWN



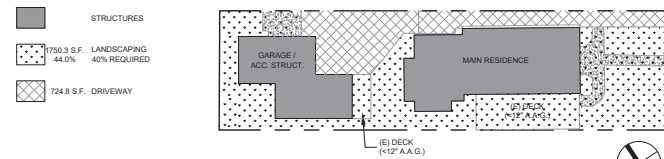
PROPOSED AREA PLAN



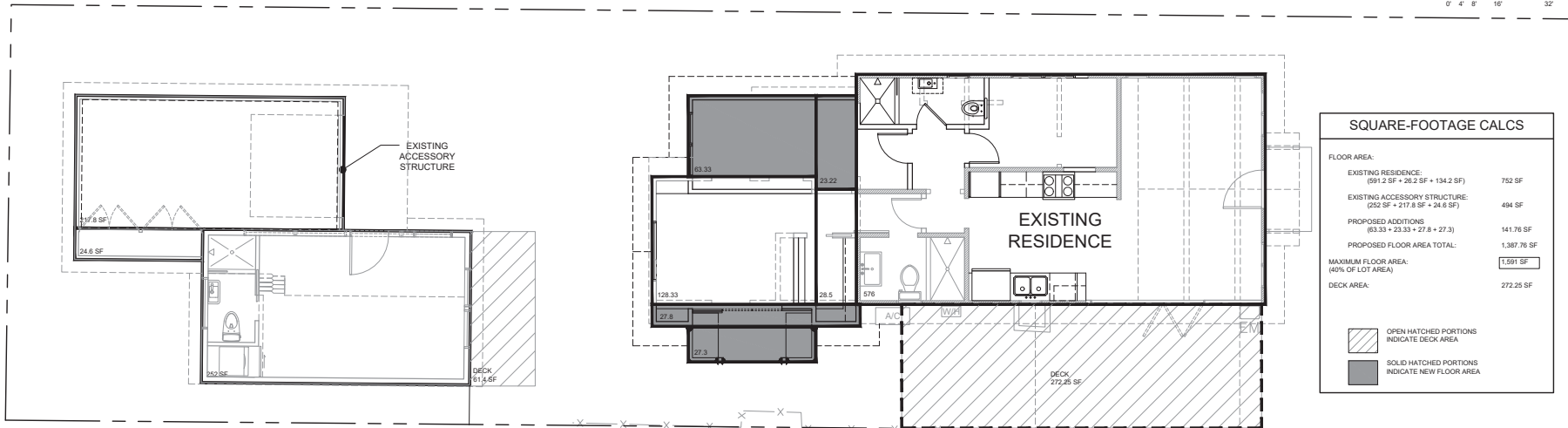
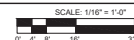
EXISTING IMPERVIOUS SURFACE DIAGRAM



PROPOSED IMPERVIOUS SURFACE DIAGRAM



LANDSCAPE DIAGRAM



SQUARE FOOTAGE CALCULATION PLAN



SQUARE-FOOTAGE CALCS	
FLOOR AREA:	
EXISTING RESIDENCE:	752 SF
(891.2 SF + 26.2 SF + 134.2 SF)	
EXISTING ACCESSORY STRUCTURE:	494 SF
(252 SF + 217.8 SF + 34.6 SF)	
PROPOSED ADDITIONS:	141.76 SF
(83.33 + 23.33 + 27.8 + 27.3)	
PROPOSED FLOOR AREA TOTAL:	1,387.76 SF
MAXIMUM FLOOR AREA:	1,591 SF
(40% OF LOT AREA)	
DECK AREA:	272.25 SF

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CITY OF MENLO PARK - USE PERMIT SUBMITTAL

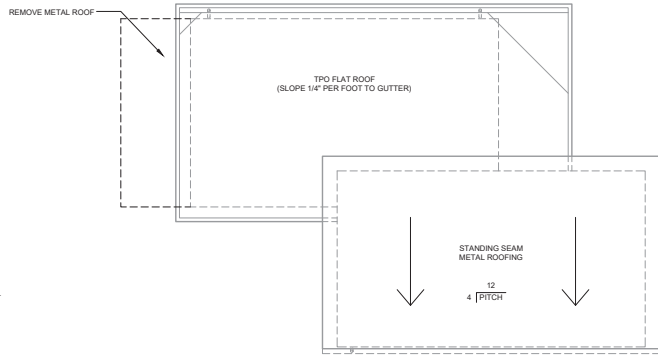
RUSSELL + COOKE RESIDENCE REMODEL
628 CAMBRIDGE AVENUE MENLO PARK, CA APN: 071-413-230

PROPOSED AREA PLAN, IMPERVIOUS SURFACE DIAGRAMS,
LANDSCAPE AREA DIAGRAM

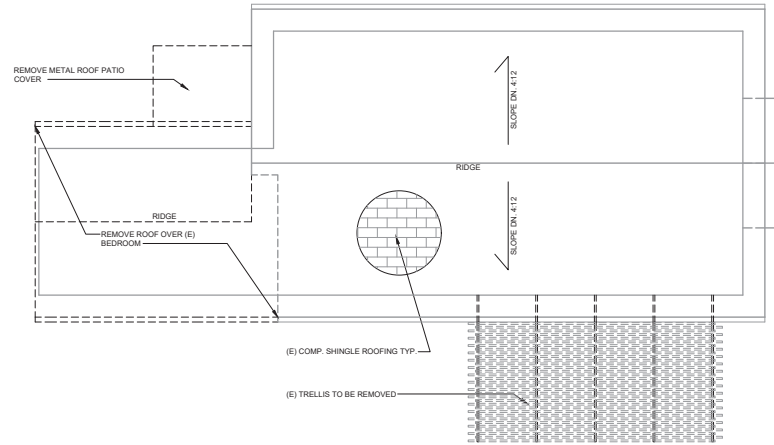
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Designer	SM, AW	Date	Project No.	Scale
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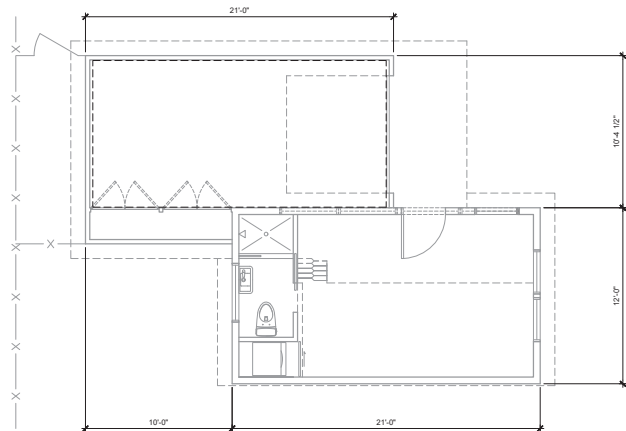
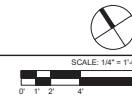
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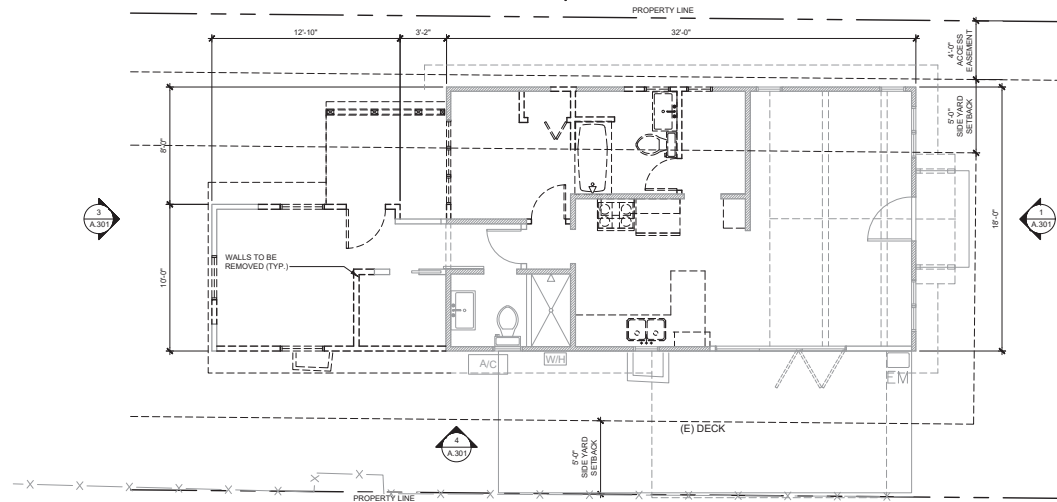
EXISTING ACCESSORY STRUCTURE ROOF PLAN



EXISTING AND DEMOLITION RESIDENCE ROOF PLAN



EXISTING ACCESSORY STRUCTURE FLOOR PLAN



EXISTING AND DEMOLITION RESIDENCE FLOOR PLAN



CITY OF MENLO PARK - USE PERMIT SUBMITTAL

Project: **RUSSELL + COOKE RESIDENCE REMODEL**
628 CAMBRIDGE AVENUE MENLO PARK, CA APN: 071-413-230

Type: **EXISTING AND DEMOLITION FLOOR AND ROOF PLAN**

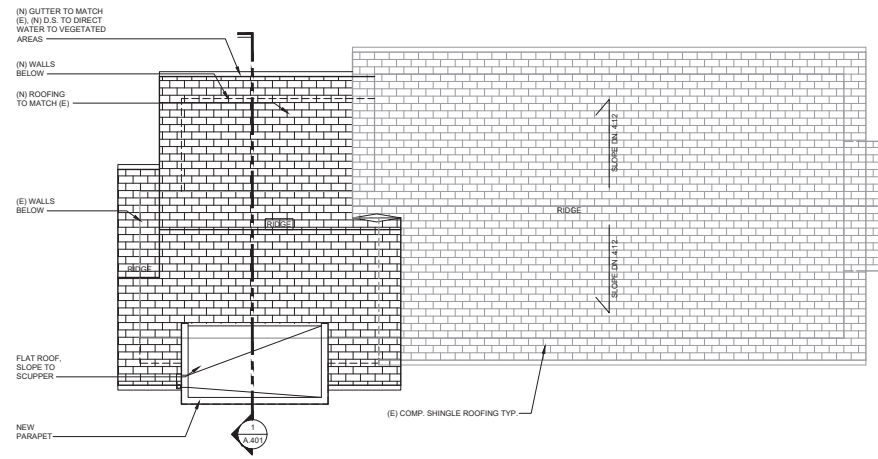
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1	AW	PLANNING USE REVIEW	12/13/21

Designer:	SM, AW
Drawn By:	3/20/21
Date:	10/20/14
Project No.:	
Scale:	AS SHOWN

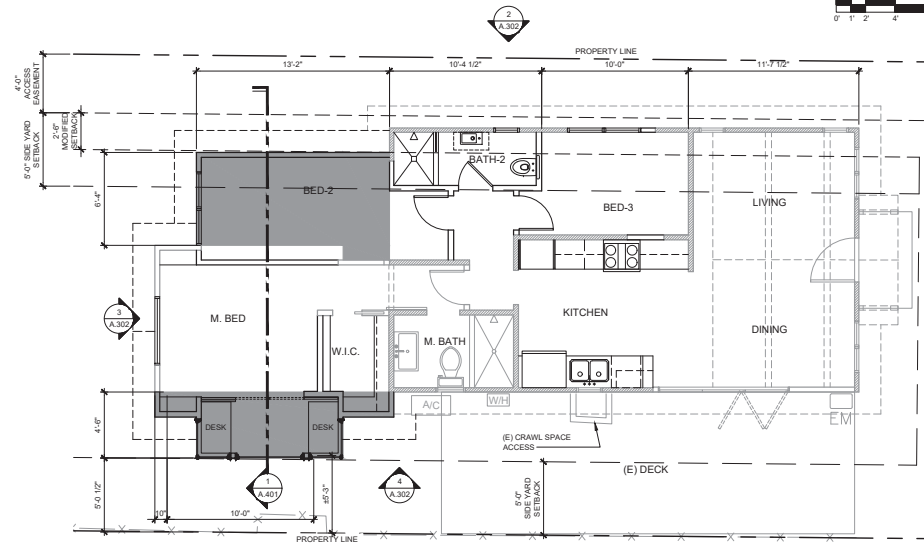
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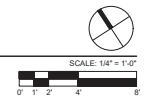
FLOOR PLAN LEGEND	
	(N) WALLS
	KEY NOTE (SEE LIST BELOW)
	DOOR CALL-OUT, SEE SCHEDULE ON SHT A.002
	WINDOW CALL-OUT, SEE SCHEDULE ON SHT A.002
	PLUMBING / APPLIANCE CALL-OUT, SEE SHT A.203
	DETAIL NUMBER
	SHEET WHERE OCCURS
	VIEW DIRECTION
	SECTION NUMBER
	SHEET WHERE OCCURS
	HATCHED AREA INDICATES NEW BUILDING AREA



PROPOSED ROOF PLAN



PROPOSED FLOOR PLAN



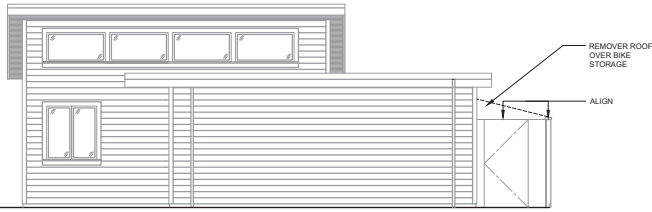
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CITY OF MENLO PARK - USE PERMIT SUBMITTAL
 Project: **RUSSELL + COOKE RESIDENCE REMODEL**
 628 CAMBRIDGE AVENUE MENLO PARK, CA APN: 071-413-230
 Title: **PROPOSED FLOOR AND ROOF PLAN AND SQUARE FOOTAGE CALCULATION**

Rev.	By	Description	Date
1	AW	PLANNING USE REVIEW	12/13/21

Designer: SM, AW
 Drawn By: 3/20/21
 Date: 3/20/21
 Project No.: 102014
 Scale: AS SHOWN

Sheet: **A.202**



ACCESSORY STRUCTURE NORTH ELEVATION

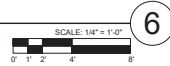
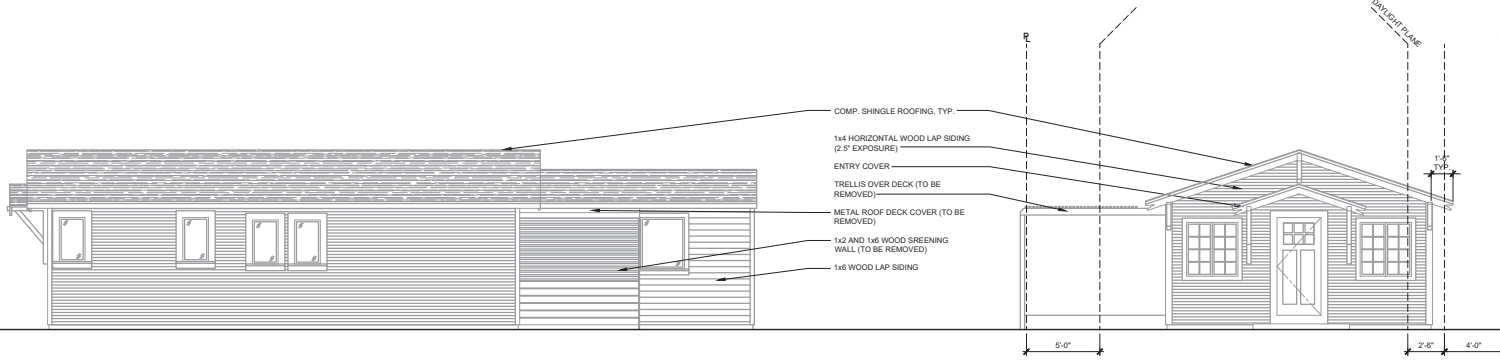
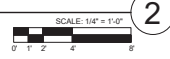


PHOTO OF EXISTING AND NEIGHBORING LOTS

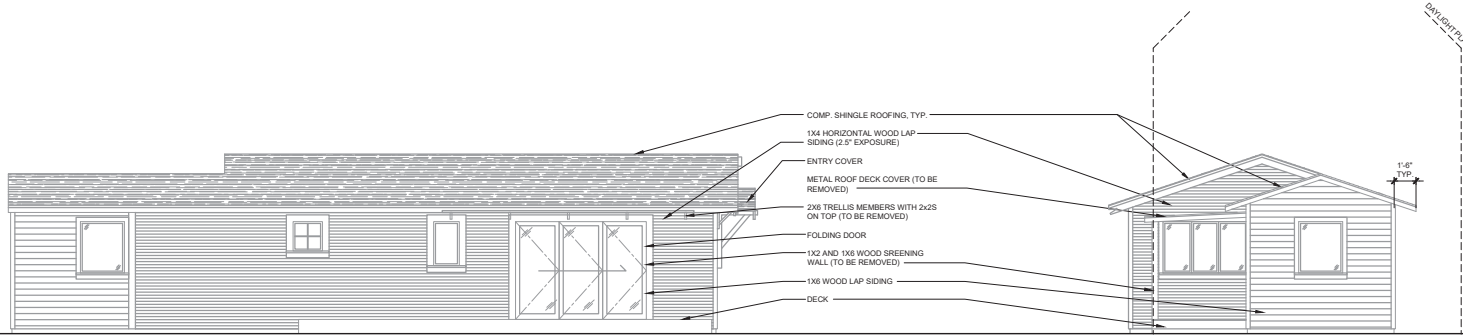
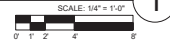
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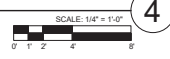
EXISTING NORTH - EAST (SIDE) ELEVATION



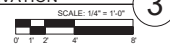
EXISTING SOUTH - EAST (FRONT) ELEVATION



EXISTING SOUTH - WEST (SIDE) ELEVATION



EXISTING SOUTH - WEST (REAR) ELEVATION



CITY OF MENLO PARK - USE PERMIT SUBMITTAL

Project: RUSSELL + COOKE RESIDENCE REMODEL
628 CAMBRIDGE AVENUE MENLO PARK, CA APN: 071-413-230

Type: EXISTING EXTERIOR ELEVATIONS

Rev	By	Description	Date
1	AW	PLANNING USE REVIEW	12/13/21

Designer:	SM, AW	Scale:	AS SHOWN
Drawn By:	3/20/21	Project No.:	102014
Date:	3/20/21		

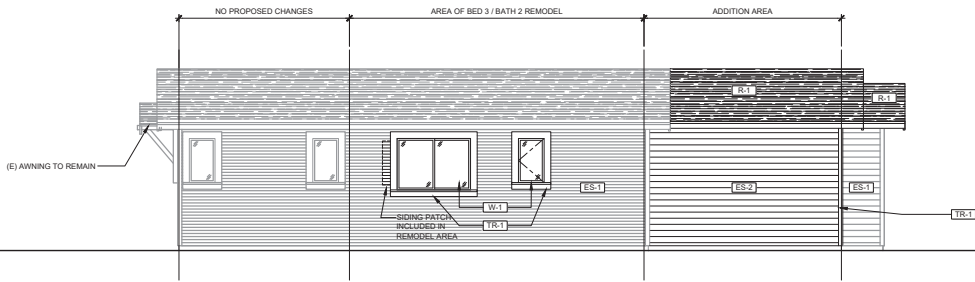
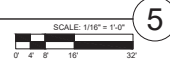
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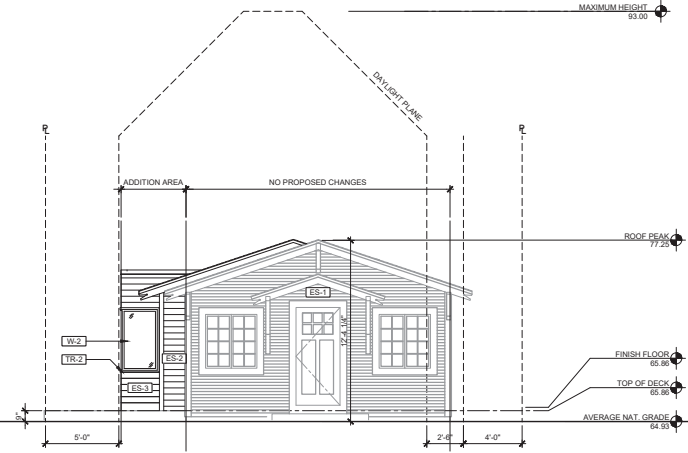
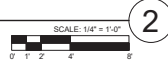
EXTERIOR FINISH SPECIFICATIONS		
EXISTING WOOD LAP SIDING	ES-1	MFG/N/A TYPE WOOD LAP SIDING COLOR PAINTED DARK GREY SIZE VARIES (1X4 OR 1X6)
WOOD LAP SIDING 2	ES-2	MFG/T.B.D. TYPE WOOD LAP SIDING COLOR PAINTED DARK GREY TO MATCH ES-1 SIZE 1X6 5" REVEAL TO MATCH EXISTING LAP SIDING
WOOD LAP SIDING 3	ES-3	MFG/T.B.D. TYPE 1X6 TONGUE AND GROOVE COLOR CLEAR CEDAR SIZE 1X6 5" REVEAL TO MATCH EXISTING LAP SIDING
TRIM 1	TR-1	MFG/T.B.D. TYPE 2X COLOR PAINTED TO MATCH ES-2 AT CORNERS, PAINT WHITE AT WINDOWS
TRIM 2	TR-2	MFG/T.B.D. TYPE 2X COLOR STAINED TO MATCH ES-3 SIZE 2X
ROOFING 1	R-1	MFG/T.B.D. TYPE GLASS COMPOSITION SHINGLE ROOFING COLOR MATCH EXISTING ROOF SIZE MATCH EXISTING
ROOFING 2	R-2	MFG/T.B.D. TYPE FULLY ADHESED FLEECE BACKED T.P.O. ROOFING COLOR WHITE SIZE N/A
WINDOWS 1	W-1	MFG/T.B.D. TYPE VINYL TO MATCH EXISTING COLOR WHITE SIZE VARIES
WINDOWS 2	W-2	MFG/T.B.D. TYPE THERMALLY BROKEN ALUMINUM COLOR BLACK SIZE VARIES



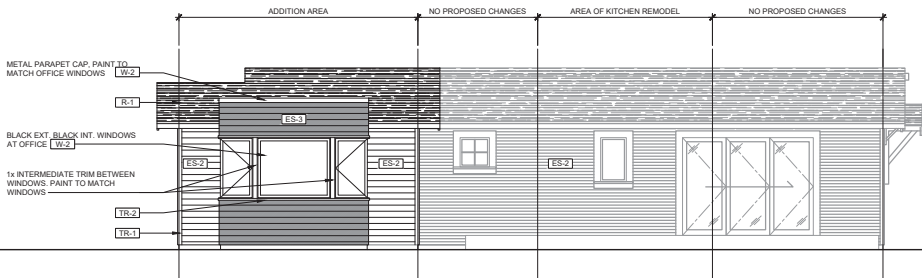
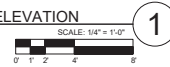
'STREETSCAPE' ELEVATION



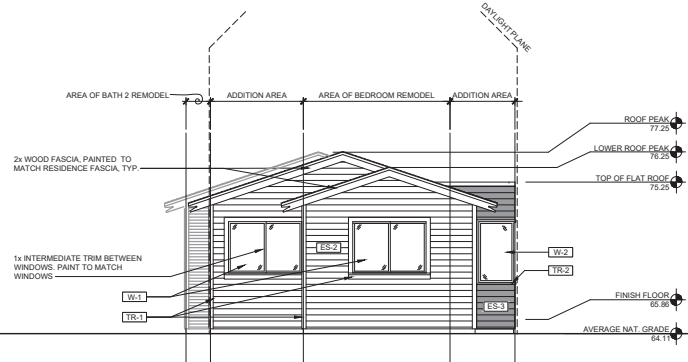
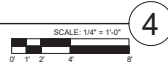
PROPOSED NORTH - EAST (SIDE) ELEVATION



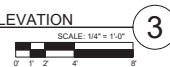
PROPOSED SOUTH - EAST (FRONT) ELEVATION



PROPOSED SOUTH - WEST (SIDE) ELEVATION



PROPOSED SOUTH - WEST (REAR) ELEVATION



CITY OF MENLO PARK - USE PERMIT SUBMITTAL

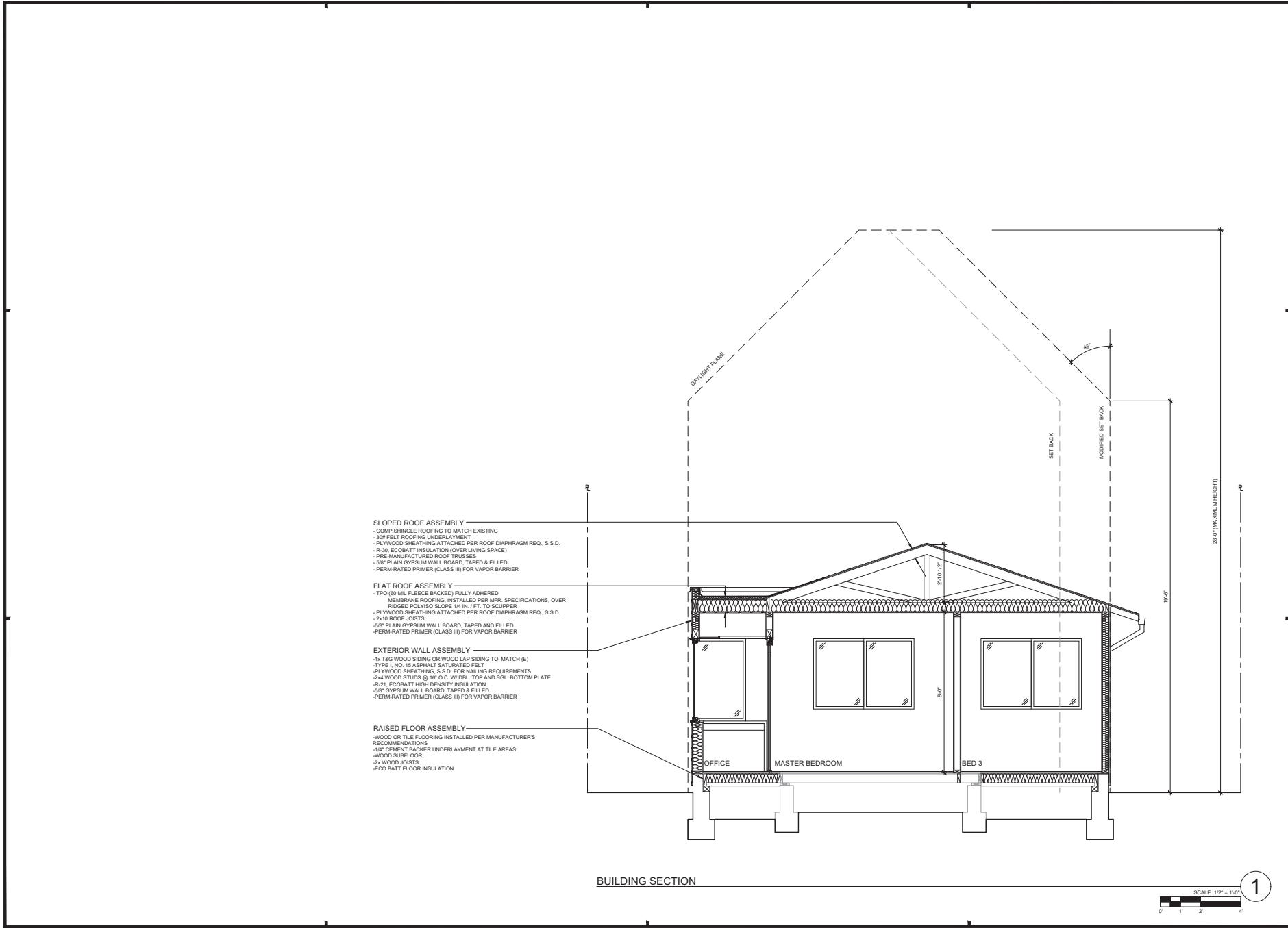
Project: RUSSELL + COOKE RESIDENCE REMODEL
628 CAMBRIDGE AVENUE MENLO PARK, CA APN: 071-413-230

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Rev	By	Description	Date
1	AW	PLANNING USE REVIEW	12/11/21

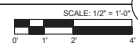
Designer	Drawn By	Date	Project No.	Scale
SM, AW		3/30/21	102314	AS SHOWN

Sheet: A.302



- SLOPED ROOF ASSEMBLY**
- DAMP SHINGLE ROOFING TO MATCH EXISTING
 - 30# FELT ROOFING UNDERLAYMENT
 - PLYWOOD SHEATHING ATTACHED PER ROOF DIAPHRAGM REQ., S.S.D.
 - R-30 ECOBATT INSULATION (OVERLIVING SPACE)
 - PRE-MANUFACTURED ROOF TRUSSES
 - 5/8" PLAIN GYPSUM WALL BOARD, TAPED & FILLED
 - PERM-RATED PRIMER (CLASS III) FOR VAPOR BARRIER
- FLAT ROOF ASSEMBLY**
- TPO (B) ML FLEECE BACKED FULLY ADHERED
 - MEMBRANE ROOFING, INSTALLED PER MFR. SPECIFICATIONS, OVER
 - RIGID POLYISO SLURRY 1/4 IN. / FT. TO SCUPPER
 - PLYWOOD SHEATHING ATTACHED PER ROOF DIAPHRAGM REQ., S.S.D.
 - 2x10 ROOF JOISTS
 - 5/8" PLAIN GYPSUM WALL BOARD, TAPED AND FILLED
 - PERM-RATED PRIMER (CLASS III) FOR VAPOR BARRIER
- EXTERIOR WALL ASSEMBLY**
- 1x T&G WOOD SIDING OR WOOD LAP SIDING TO MATCH (E)
 - TYPE I, NO. 15 ASPHALT SATURATED FELT
 - PLYWOOD SHEATHING, S.S.D. FOR NAILING REQUIREMENTS
 - 2x4 WOOD STUDS @ 16" O.C. W/ DBL. TOP AND SGL. BOTTOM PLATE
 - R-21 ECOBATT HIGH DENSITY INSULATION
 - 5/8" GYPSUM WALL BOARD, TAPED & FILLED
 - PERM-RATED PRIMER (CLASS III) FOR VAPOR BARRIER
- RAISED FLOOR ASSEMBLY**
- WOOD OR TILE FLOORING INSTALLED PER MANUFACTURER'S RECOMMENDATIONS
 - 1/4" CEMENT BACKER UNDERLAYMENT AT TILE AREAS
 - WOOD SUBFLOOR
 - 2x WOOD JOISTS
 - ECO BATT FLOOR INSULATION

BUILDING SECTION



1

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CITY OF MENLO PARK - USE PERMIT SUBMITTAL

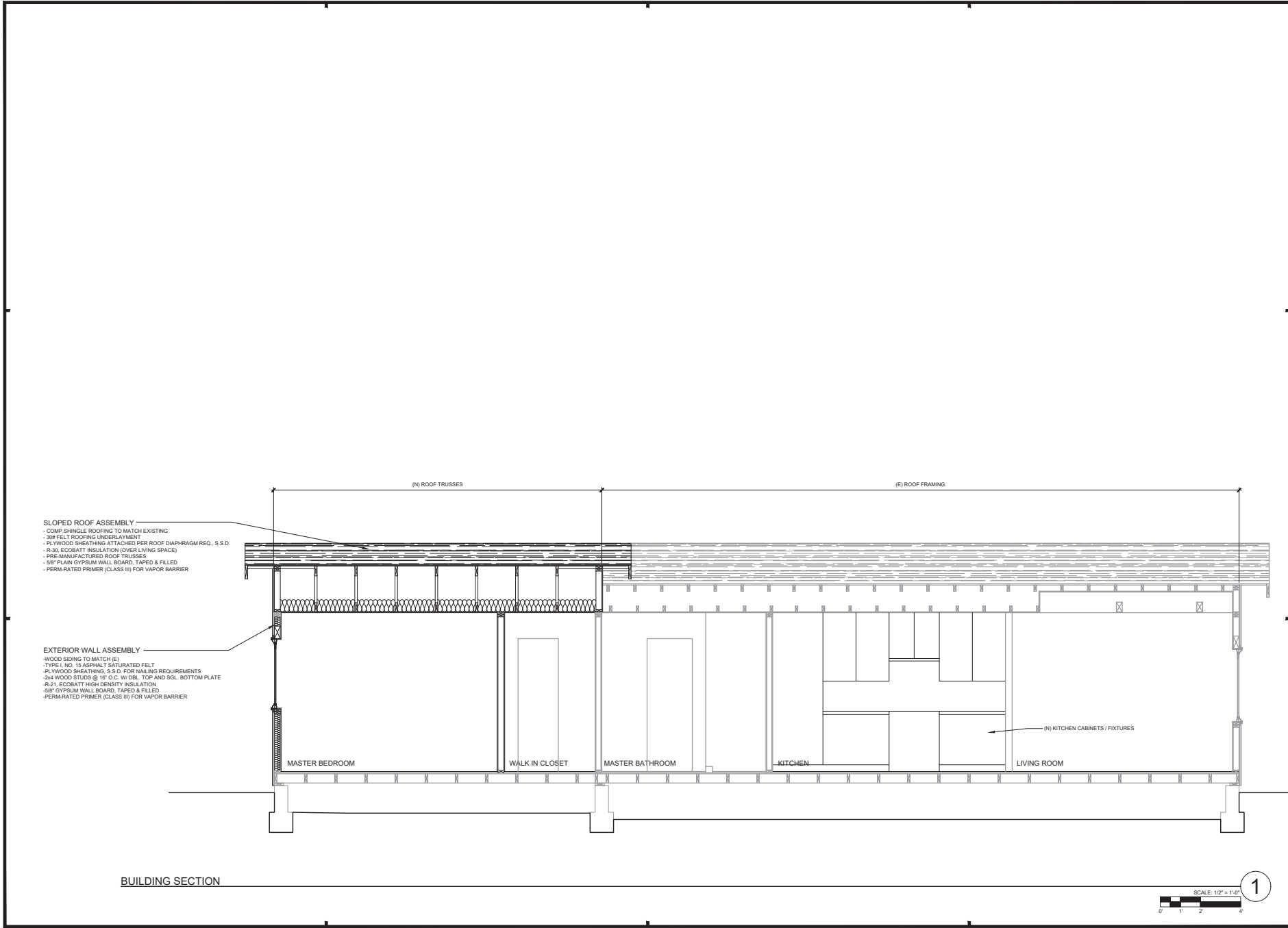
Project: **RUSSELL + COOKE RESIDENCE REMODEL**
 628 CAMBRIDGE AVENUE MENLO PARK, CA APN: 071-413-230

Type: **PROPOSED BUILDING SECTIONS**

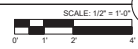
Rev	By	Description	Date
1	AW	PLANNING USE REVIEW	12/13/21

Designer:	SM, AW
Drawn By:	3/20/21
Date:	3/20/21
Project No.:	102014
Scale:	AS SHOWN

Sheet: **A.401**



BUILDING SECTION



1

CITY OF MENLO PARK - USE PERMIT SUBMITTAL

Project: **RUSSELL + COOKE RESIDENCE REMODEL**
 628 CAMBRIDGE AVENUE MENLO PARK, CA APN: 071-413-230

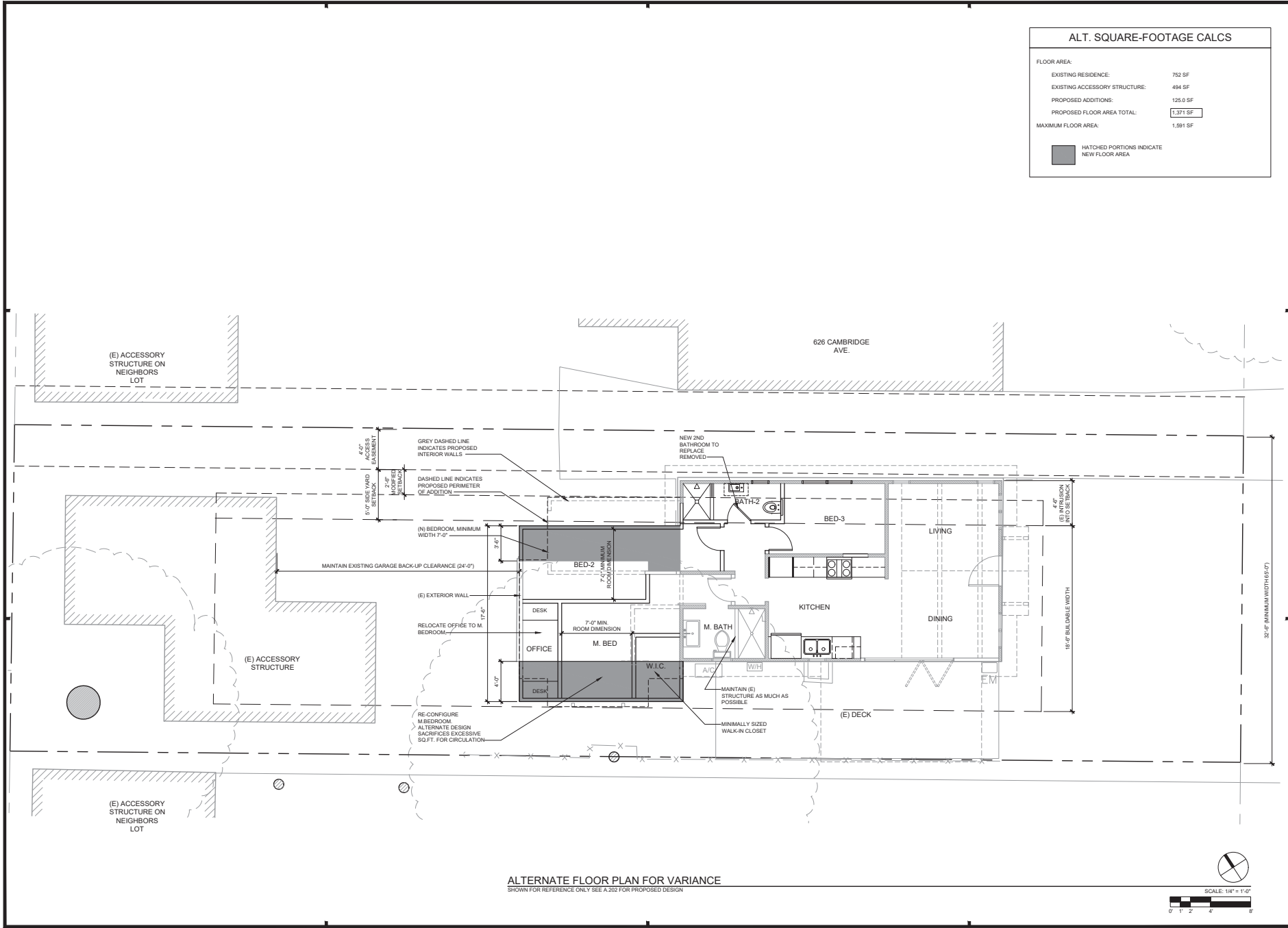
Type: **PROPOSED BUILDING SECTIONS**

Rev	By	Description	Date
1	AW	PLANNING USE REVIEW	12/11/21

Designer:	SM, AW	Scale:	AS SHOWN
Drawn By:	3/20/21	Project No.:	102014
Date:			

Sheet: **A.402**

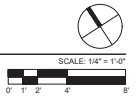
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ALT. SQUARE-FOOTAGE CALCS	
FLOOR AREA:	
EXISTING RESIDENCE:	752 SF
EXISTING ACCESSORY STRUCTURE:	494 SF
PROPOSED ADDITIONS:	125.0 SF
PROPOSED FLOOR AREA TOTAL:	1,371 SF
MAXIMUM FLOOR AREA:	1,561 SF

HATCHED PORTIONS INDICATE NEW FLOOR AREA

ALTERNATE FLOOR PLAN FOR VARIANCE
 SHOWN FOR REFERENCE ONLY SEE A.602 FOR PROPOSED DESIGN



CITY OF MENLO PARK - USE PERMIT SUBMITTAL
 Project: RUSSELL + COOKE RESIDENCE REMODEL
 628 CAMBRIDGE AVENUE MENLO PARK, CA APN: 071-413-230
 Title: NONCONFORMING STRUCTURES VALUATION
 ELEVATION DIAGRAMS

Rev	By	Description	Date
1	AW	PLANNING USE REVIEW	12/11/21

Designer:	SM, AW
Drawn By:	3/20/21
Date:	10/20/14
Project No.:	AS SHOWN
Scale:	

Sheet: **A.602**
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Project Description and Variance Findings

Russell + Cooke addition / remodel
628 Cambridge Avenue, Menlo Park
APN 071-413-230

This proposal is submitted in application for design review and variance approval for the remodel and addition to an existing 752 sq.ft. single-story single-family home at 628 Cambridge Avenue. The property, a 3977 square foot (substandard) lot, is zoned in in the R-2 Low Density Apartment District. The goal of this project is to give the home owners an extra bedroom so their 2 children no longer have to share as they grow older, and to maintain the existing use and character of the house. the project includes 2 separate additions located towards the rear of the house. The first is a 55.8 sq.ft addition to the master bedroom to serve as an office to replace the current office that is to be re-worked into a bedroom. The second addition of 86.6 square feet comprises an additional small bedroom. Further work within the existing envelope consists of the remodel of the kitchen and bath, in order to minimize the amount of circulation.

The form, details and materials of the new additions are modern versions of those of the existing house and bring harmony with the more modern accessory structure. The additions incorporate both a pitched roof to match the main residence and flat roof forms to match the garage. Materials for the new work include:

Roofing

[R-1] Class A composition shingle roofing in a dark grey color to match the existing house

[R-2] White T.P.O. roofing membrane at flat roofed portions

Siding

[ES-2] 1x6 Horizontal lap siding painted dark grey to match the existing siding

[ES-3] 1x6 Horizontal T&G cedar siding Stained to match the accessory structure eaves

Trim

[TR-1] 2x wood trim painted to match the existing trim at corners and windows

[TR-2] 2x2 wood trim stained to match the Cedar T&G

2x Wood fascias painted white to match the existing fascias.

GSM parapet cap painted black to match dark colored windows [W-2]

Windows and Doors

[W-1] White Vinyl windows to match the existing windows, Typical in [ES-2]

[W-2] Black aluminum windows, typical in [ES-3]

The home owners were able to sit down and share the revised plans and 3D rendering with their next-door neighbors Tom and Mayra Cramer at 636 Cambridge Ave. and the neighbors they share a driveway with Nabil Saad and Reem Yunis at 626 Cambridge Ave. Both sets of neighbors are supportive of the project. Having known the Russel + Cooke's and their children for a few years now the neighbors understood their need for more space, and didn't see any issue with the plans. Nabil and Reem had some concern about how the new bedroom would affect their access to the shared driveway. To address this Andy drove a stake into the ground at the corner of the new addition to show how it would be a negligible change

This lot is substandard in width and shares a driveway with the adjacent neighbor, which leads to a very narrow buildable envelope. As such, a variance is requested to reduce the 5'-0" side yard setback as measured from the access easement 50% to a 2'-6" setback in accordance with Menlo Park Zoning code 16.82.340. This reduction in the side yard setback will allow for the creation of a small bedroom on the rear portion of the house while preserving the original structure as much as possible. The proposed addition will be placed in the foot print of an existing deck and will step back from the perimeter wall, to minimize encroachment to the existing driveway access.

(1) 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 hardship posed by this particular property is that it is roughly 1/2 the size of the minimum lot width dictated by code and has a shared driveway with an access easement. This issue compounds with the fact that the house was built in the side yard setback along the access easement. Combined, this doesn't allow for the creation of an additional bedroom without substantial structural changes to the existing home.

(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;

This variance is required for the continued enjoyment of the home as they need an additional bedroom for their 2 kids. In keeping with the home owners' wishes to maintain the character of the structure and current program the only viable solution is to add the bedroom to the side of the existing master bedroom. See sheet A.203 for an alternate floor plan showing a scheme that would comply with the zoning code, this scheme results in small awkward rooms that would be difficult to live with and an excessive amount space devoted to circulation.

(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;

Granting the variance will not materially affect the neighborhood in any way, the proposed variance will occur in the rear portion of the lot in an area that is currently occupied by a small deck. The most affected neighbor is the at 626 Cambridge and shares the driveway. This should not be a detriment to 626 as the existing home extends beyond the requested variance up to the access easement. This proposed addition will stop short of the existing exterior wall.

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

Generally, the conditions that lead to this request for a variance don't exist on other lots in the neighborhood. Firstly, because most lots in the vicinity have private driveways and no need for an easement, or have their required off-street parking located in the front of the property. Secondly, because the drastically substandard width of the lot doesn't occur in other properties in the area, see the attached vicinity map printed from the Menlo park GIS website for a visual reference.

(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. (ord. 979 § 12 (part), 2012: ord. 879 § 3 (part), 1996).

The condition that this variance is based on is the subdivision of the lot and granting of the access easement in 1944. Attached is a copy of the subdivision record in which no mention of planning processes were made. Based on the location of both structures it can be assumed the intent was that the access easement was to serve as the side yard setback, rather than be the point it is measured from.

Additional Comments Received after Staff Report Publication

3/6/22

TO:

Menlo Park Planning Commission

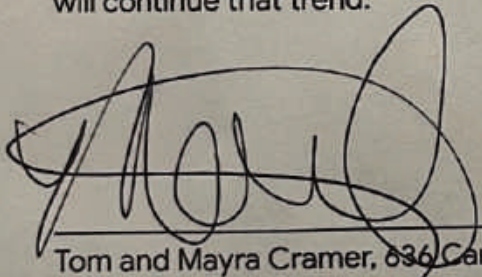
FROM:

Mayra and Tom Cramer, 636 Cambridge
Reem Yunis and Nabil Saad, 626 Cambridge

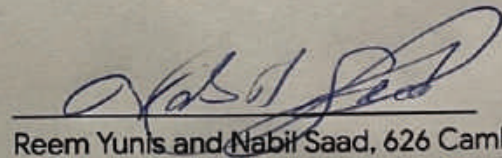
Menlo Park Planning Commissioners,

We are writing to support the proposed renovations to 628 Cambridge Ave. Our homes are the two contiguous properties of either side of 628 and, of all the neighboring properties, ours would be the two most impacted by any changes to 628.

Andy and Erin moved into 628 with their kids in 2015 and have worked hard and invested a great deal to improve the property in a manner that's consistent with the original design of the house. We've reviewed the proposed plans with them and are confident that these renovations will continue that trend.



Tom and Mayra Cramer, 636 Cambridge



Reem Yunis and Nabil Saad, 626 Cambridge

3/6/22

TO:

Menlo Park Planning Commission

FROM:

Residents of Cambridge Ave

Menlo Park Planning Commissioners,

We are writing to support the proposed renovations to 628 Cambridge Ave. We are neighbors of Andy, Erin, and their kids and live within 500ft of their home.

Andy and Erin moved into 628 with their kids in 2015 and have worked hard and invested a great deal to improve the property in a manner that's consistent with the original design of the house. We've reviewed the proposed plans with them and are confident that these renovations will continue that trend.

Name: Carolyn Gulledge

Address: 627 Cambridge Ave.

Name: Teresa Minato

Address: 637 Cambridge Ave.

Name: IRYNA BILOKIN

Address: 715 CAMBRIDGE AVE

Name: Kevin Marcomey

Address: 680 Cambridge Ave

Name: SAM SCHWOODER

Address: 760 CAMBRIDGE

Name: BARBARA COTTRELL

Address: 724 CAMBRIDGE AVE

Name: Laura & Catalin

Address: 755 Cambridge Ave, MP

Name: Stephanie Rowen

Address: 114 Cornell Rd

Name: Jillian White

Address: 1830 Cambridge Ave,
MP 94025

Name: Gili Guri-Mill

Address: 800B Cambridge Ave
MP 94025