A. Call To Order

Chair Susan Goodhue called the meeting to order at 7:00 p.m.

B. Roll Call

Present: Andrew Barnes (Vice Chair), Michael Doran, Susan Goodhue (Chair), John Onken, Henry Riggs, Katherine Strehl

Absent: Camille Kennedy

Staff: Theresa Avedian, Senior Civil Engineer; Ceci Conley, Contract Assistant Planner; Ori Paz, Assistant Planner; Kyle Perata, Acting Principal Planner; Matthew Pruter, Associate Planner; Corinna Sandmeier, Senior Planner

C. Reports and Announcements

Acting Principal Planner Kyle Perata reported that the City Council at its March 12 meeting would conduct a study session on homelessness in Menlo Park and a two-year review of the Downtown Specific Plan. He said a two-year review of the ConnectMenlo, General Plan Update was anticipated for the Council’s March 26 meeting. He said April 9 was the date scheduled for the Council to hear an appeal of the 2245 Avy Avenue Phillips Brooks School use permit project approved by the Planning Commission in December 2018.

D. Public Comment

None

E. Consent Calendar

E1. Approval of minutes from the February 25, 2019, Planning Commission meeting. (Attachment)

Commissioner Strehl said on page 8 the word “emphasized” should be replaced with “empathized.”

ACTION: Motion and second (Goodhue/John Onken) to approve the minutes with the following modification; passes 6-0-1 with Commissioner Camille Kennedy absent.

- Page 8, paragraph beginning with: Commissioner Strehl said she emphasized with neighbors…”, replace “emphasized” with “empathized.”
F. Public Hearing

F1. Use Permit/Erica Hsu/510 Olive Street:
Request for a use permit to demolish an existing single-family residence and construct a new two-story single-family residence on a substandard lot with respect to lot width in the R-1-S (Single Family Suburban Residential) zoning district. (Staff Report #19-015-PC)

Staff Comment: Contract Assistant Planner Ceci Conley said earlier that day she forwarded an email from a neighbor supporting the project generally but expressing some concerns. She said that the applicant was aware of the neighbor’s concerns.

Applicant Presentation: Tony Ngai, project architect, said his office was located in Burlingame. He said his client and property owner Erica Hsu was not able to attend tonight’s but her father Eric, with whom he worked closely with as well, was present. He said they were applying for a use permit to build a two-story home on a substandard lot, 75-feet in width where 80-foot was the required standard width. He said the lot area was slightly over 11,400 square feet. He said the property owner worked at Facebook, which was why she chose Menlo Park for her home. He said Ms. Hsu’s parents would live there also. He said the corner lot had many trees, most of which would remain except for six smaller trees to be removed that were located in the center of the lot. He said the second floor was substantially set back from the first floor and the property lines.

Mr. Ngai said the house was a contemporary design that would use traditional materials such as stone, wood siding and stucco. He said the roof was low sloped weathered copper colored metal. He said letters regarding the project were sent to the neighbors, and some requested drawings, which were provided. He said the only response was today from the adjacent neighbor who requested that the master bedroom window facing her property be smaller or that trees be planted to screen. He said they would work with the neighbor to resolve.

Commissioner Onken referred to two large windows at the corner of the building for the living room that were obscured at the top quarter of them as the ceiling was not as high as the tops of the windows. Mr. Ngai said the ceiling height was limited to 12 feet and the number of trees on the lot made it dark. He said in increasing the size of the windows on the exterior allowed for light penetration into the copper ceiling.

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

Commission Comment: Commissioner Henry Riggs confirmed with the architect that the bay windows were finished in stucco and the exterior balconies in wood. He asked about parking noting that there was a one-car garage and a parking space in the front area, and whether they had not done a two-car garage because of square footage limitation. Mr. Ngai said that was correct. Commissioner Riggs said the chimney seemed stunted. Mr. Ngai said he had thought the chimney seemed wide and he worked to create a balanced look with the stone veneer on the exterior walls. He said the lot was so wooded the house would be hardly visible at all from the street. Commissioner Riggs asked if he was open to increasing the height of the chimney. Mr. Ngai said he had no objection and did not think the property owner would either.
Commissioner Onken said he was concerned with safety of pedestrians and bicyclist in the area with cars entering and exiting the lot from the two driveways, angles needed to pull in and back out, and the location of the corner lot near a school and busy foot and bike traffic. He said the neighbors had commented about second-story bedroom windows facing their side yards. He said that typically was something the Commission was very concerned with too. He said the bedroom was in the middle of the volume, which meant it had to have windows that faced directly to neighbors. He asked if they had considered putting the bedroom in the front of the house and the bathroom in the middle so as not to have all that exposure at the side.

Mr. Ngai said he did not think the windows were overly large. He said being on the second floor they had a maximum sill height of 42-inches already. He said the windows were four-foot-wide and the top of them was set at eight feet. He said they wanted to place the bedrooms toward the back related to noise as Middle Avenue could be a pretty busy street. He said they could certainly work with the neighbor on any privacy issue they had. He said regarding the driveway their building was set further back than the front setback requirement so that a vehicle could do a three-point turn on the property so it could leave the property head first providing a better view of what was in the sidewalk. He said also for the corner sidewalk and handicapped ramp that portions of the subject property would be dedicated to it to make the sidewalk wider. He said that ramp would not come right next to the low walls but would be set to where the City’s Engineering Division deemed necessary. He said the driveway was pretty far away from the street corner.

Commissioner Onken said that the living room element on the corner was aggressive with the window that was larger than the ceiling height. He said he did not have an issue with the bay windows on Middle Avenue. He said he was concerned about the overall design.

Mr. Ngai said with the trees the lot was dark and the building would not get a lot of light. He said the trees were a visual barrier to the house as well. He said he designed that corner, so it compensated for the darkness and the number of trees.

Commissioner Onken said the window in question was 16 feet in height and faced southwest. He said he had concerns with the design.

Recognized by the Chair, Planner Conley referred to sheet A41. She said staff had not noted previously that the window was 14-feet and the ceiling was 12-feet and that would actually have to count toward floor area, which would affect the design. She said a possibility was if the Commission wanted to approve the project tonight to add a condition to revise that part of the design.

Commissioner Strehl said she was concerned that the five-bedroom home had only two parking spaces. She noted that Menlo Park did not allow overnight parking on the street and asked where guests would park. Mr. Ngai said there was open space in front of the house facing Olive Street for guest parking. He said on the Middle Avenue side, on the side of the garage, there was space for cars to park off the street. He said the two parking spaces of the garage and the covered parking space were to satisfy the City’s requirement for two parking spaces behind the setback lines.
Commissioner Strehl said the Commission also looked at a project within the character of the neighborhood. She said the proposed design to her was very large and bulky and did not fit within the neighborhood context.

Mr. Ngai said the house itself was only 3,900 square feet and the second story was very much set back. He said the first floor was the same footprint as the existing house on the lot.

Commissioner Riggs asked about the existing sidewalk on the corner and whether staff had asked Public Works how that came to be. Planner Conley said she took pictures of the sidewalk area and provided that and plans to Public Works for review. She said they made comments about widening the sidewalk, which it seemed the property owner was willing to do.

Commissioner Riggs said that was not shown on the plans and the conditions of approval were standard conditions. Mr. Ngai said there was a note regarding that, and his understanding was Public Works would provide the exact requirements needed for the sidewalk once the building permit was applied for. Commissioner Riggs said he thought a condition of approval for the use permit regarding the sidewalk was needed.

Commissioner Riggs referred to the neighbors at 520 Olive Street and asked if they had enough existing plantings around 20-feet high to screen for privacy between the windows. Mr. Ngai said his understanding was within the past few weeks the neighbor had what was described as fairly large trees delivered for planting.

Commissioner Riggs asked why the entry was angled and the posts staggered. Mr. Ngai said a close friend of the family was a Feng Shui master. He said in designing the house she had restrictions he needed to meet. He said she wanted the entire house to be tilted at eight degrees angle, which had not been possible. He said she agreed that if they could just turn the entry eight degrees that would be fine. He said he turned the entry eight degrees and added two pilaster columns to somewhat camouflage the angle.

Commissioner Onken moved to continue the project to require a landscape plan to show screening along the northwestern boundary, confirmation about the sidewalk corner reconfiguration, more detail regarding the driveway off of Middle Avenue to demonstrate ample area for vehicles to turnaround onsite and exit front first and redesign the monumentality of the corner façade and decrease the scale. Commissioner Strehl seconded the motion.

**ACTION:** Motion and second (Onken/Strehl) to continue the project for redesign with the following direction; passes 6-0-1 with Commissioner Camille Kennedy absent.

- Provide a landscape plan showing screening along the northwestern boundary
- Provide confirmation on the sidewalk corner reconfiguration (disabled access ramp)
- Provide detail on the adequacy of area for vehicles to turn around on site to exit the Middle Avenue driveway front first
- Redesign to address the massive scale of the house corner elevation

F2. Use Permit/Scott Curtiss/1531 Laurel Place:
Request for a use permit to remodel and add a new second story to an existing non-conforming residence in the R-1-S (Single Family Suburban Residential) zoning district. The proposed work
would exceed 50 percent of the existing replacement value in a 12-month period and requires approval of a use permit by the Planning Commission. Continued to the PC meeting of March 25, 2019.

F3. Use Permit, Variance, Sign Review and Architectural Control/Juan Guillen/1305 Willow Road: Request for a use permit, variance, sign review and architectural control for an addition to the rear, and construction of a new covered porch around the side and front, of a grocery store in an existing commercial building. The subject property is on a lot in the C-2-B (Neighborhood Mixed Use District, Restrictive) zoning district which has varying side and rear setbacks depending on whether the zoning district of the adjacent properties is residential. The City Council has begun the process to abandon a portion of Frontage Road, including the piece that separates 1305 Willow Road and 1345 Willow Road. Should the abandonment be approved, a portion of Frontage Road would be acquired by the owners of the subject property. The property would then abut a residential property and the setback at this side would change to 20 ft. A variance is being requested to allow the front porch to be built within the new 20 ft. right side setback. The proposal includes a request to modify the operating hours limited in this zoning district, from 8:00 a.m. – 8:00 p.m., to 5:00 a.m. – 9:00 p.m. inclusive of deliveries. The applicant is proposing outdoor seating for customers, and outdoor storage of items for sale within the building such as produce on carts, propane tanks, and water. The proposal also includes a request for sign review to allow red and yellow colors that would exceed the 25-percent limitation on bright colors in the sign design guidelines for a new wall and monument signs. Circulation for the site is proposed to utilize the portion of Frontage Road that the City Council has begun the process to abandon. Otherwise, circulation would utilize the Frontage Road right of way. The parking lot is proposed to be re-striped to meet the parking standards. (Staff Report #19-016-PC) Continued from the PC meeting of February 25, 2019

Staff Comment: Assistant Planner Ori Paz said the City Attorney recommended staff add a condition of approval that had been distributed to the Planning Commission. He said the condition, 8aiii required the applicant provide a letter formally accepting the C-2-B zoning and acknowledging the previous use permits would be void.

Applicant Presentation: Peter Baltay, project architect, principal architect with Topos Architects, Palo Alto, said Soleska Market was a small neighborhood food market serving the Newbridge Park and Belle Haven neighborhoods of Menlo Park for 20 years. He said Luis Guillen for the last 12 years had owned and directly managed the market. He said the market was known for selling seasonal and very fresh produce, meat at reasonable prices, and simple food for takeout such as burritos and tacos. He said he and his firm had been working with Mr. Guillen the past two years on the best way to upgrade and improve the building, parking lot and landscaping. He said they proposed to change the market circulation onsite allowing vehicular traffic to enter via Ivy Drive, pass through the site, and exit via the right of way at the back of the property. He said they would like to add landscaping primarily along Ivy Drive to reinforce the traffic pattern, improve the property appearance and reduce impervious surface.

Mr. Baltay said Soleska Market sold farm fresh produce and needed frequent deliveries to keep well stocked. He said produce needed to be delivered before the morning rush hour and would be received at the rear of the store in the newly expanded receiving and storage area. He said that produce was openly displayed outside the store during business hours but also needed protection from sun and weather. He said they had designed a wrap around porch for that protection with
visible display area and retractable awnings and movable carts to allow the produce to be neatly stored in off hours. He said the porch would have a pleasing façade that would soften the blockiness of the building. He asked the Commission to modify condition 8aii that required all bins with produce to be stored indoors at night. He said the bins were large, heavy, and wide. He said currently at Soleska Market and other markets in the area produce bins were left outdoors overnight. He said at the end of each business day they were proposing that the produce carts be placed neatly within the new front porch, that the retractable shades be stored as this would protect the new front door from damage due to rolling the large, heavy and wide carts inside and outside daily.

Mr. Baltay said the market offered food and agua fresca to go but provided seating for those who wanted to eat onsite. He said it was not a food destination place at all and most enjoyed their food at home or off the market premises. He said they were proposing new building signage and a monument sign on the corner. He said the yellow, orange and red were the same as the existing signage and were the well-established colors of the Soleska Market and their branding.

Mr. Baltay said a variance would be needed for the proposed front porch to extend the full width of the building. He said revised setback requirements due to changing property boundaries and modified rights of way created a unique situation. He said extending a porch to the edge of an existing masonry wall was not an imposition on neighbors. He requested that the Commission make the findings to approve the variance request and approve the project itself.

Commissioner Strehl asked if the produce would stay outside or be brought in. Mr. Baltay said they had kept the produce outside.

Commissioner Riggs said he did not think these large wood carts would be moved but that they would be emptied at night. He asked if there were other markets where carts were left outside and produce brought in at night.

Recognized by the Chair, Luis Guillen said he had been the market owner and manager for about 12 years. He said they and other markets within a 10-mile radius of his market set up fencing with locks in front of the bins that was then removed in the morning. He said anything delicate they tried to move inside and items able to withstand the elements they left outside. He said they had done this for the last four years.

Commissioner Riggs asked if they used chain link panels that zigzagged across the front. Mr. Guillen said the links had inserts that blocked the frontage and had a tidy and neat appearance.

Commissioner Michael Doran asked about the 5 a.m. delivery and if neighbors would be negatively impacted. Mr. Guillen said they worked with the vendors on best times for deliveries. He said usually they backed the trucks in with at the most 10-foot backup distance. He said while 5 a.m. was the start point it was closer to 6 a.m. when produce deliveries came in. He said larger deliveries were made later in the day. Commissioner Doran said currently their operations were 8 a.m. to 8 p.m. and they were requesting 5 a.m. to 9 p.m. He asked if the morning delivery could be later. Mr. Guillen said they could work with the vendors to modify that.

Chair Goodhue opened the public hearing.
Public Comment:

- Peter Adams said he resided in the Gateway Apartments and was very familiar with the much-respected family-owned grocery store. He said his concern was with drivers trying to turn onto Ivy Drive from Willow Road to the store. He said it made it very difficult especially during rush hour to get onto Ivy Drive from Willow Road with people trying to get into the tiny parking spaces for the store. He said he had seen trucks make deliveries beyond 9 p.m. that created a traffic issue.

Chair Goodhue closed the public hearing.

Commission Comment: Commissioner Onken said he thought the extended hours would help traffic in that deliveries forced to occur during peak hours of traffic on Willow Road now would be made earlier or later in the day. He said he was supportive of the proposed scheme to upgrade the building. He said regarding the fencing of the outside produce bins at night that he would be concerned with where the fencing was stored during the day, so it was not a visual nuisance.

Commissioner Riggs said he shared Commissioner Doran’s concern about the 5 a.m. operations start time. He said the residences from 1304 through 1324 Carlton Avenue would be directly affected by activities at the back of the store including potentially beeping trucks. He said he thought the start time should stay at 8:00 a.m. He said he supported the variance request. He said if the Commission approved the item, he would want a condition that the fence panels were installed neatly in the evening and stored neatly in the daytime. He recommended that the arched dormer with the entry logo have the signage mounted inside of it. He said it appeared to be mounted at the face of the arch whereas aesthetically it would be better to have it set back 18 or 24 inches, which would avoid making the archway look like it had a flushed face.

Mr. Baltay said the sign currently in the archway was set back six inches from the edge of the roof. He said they could push it back some but that 18 inches would reduce its visibility. He said they had initially designed the feature with a solid gable end there following other similar overhangs of the roof that were about 12 inches. He said that was why architecturally the proportion would make sense at 12 inches like the eaves. He said right now it was forward some as that was desired by the client desiring sign visibility but if it was acceptable to the Commission, they could push it back to 12 inches.

Commissioner Riggs moved to approve the use permit, sign review, architectural control and make the findings for the variance request with additional conditions that the entry arch signage be set back a minimum of 12 inches, that the operating hours be 8 a.m. to 9 p.m., and the fence panels neatly arranged upon closing and neatly stored during open hours with the produce carts left out at night.

Commissioner Strehl said she thought a 6 a.m. operations start was advisable to allow the trucks in earlier than the heaviest traffic congestion. She said Willow Market opened at 6 a.m. and had deliveries, and she was unaware of any complaints from residents about that. She said the applicant had met with neighbors and they had not received any complaints about the proposed hours. She said she would leave it to the store manager what produce to bring into the store and what would be left outside. She said she supported the motion except for the operating hours.
Commissioner Riggs said there was outreach done but he did not see in the report whether neighbors were asked to comment on the operation hours. Mr. Baltay said they had reached out to neighbors and the hours were part of that as well as of record. He said Mr. Guillen had indicated 6 a.m. was a reasonable time but 8 a.m. handicapped his operations. Commissioner Riggs said he would specify the 6 a.m. start time.

Commissioner Strehl seconded the motion.

**ACTION:** Motion and second (Riggs/Strehl) to approve the item with the following modifications; passes 6-0-1 with Commissioner Camille Kennedy absent.

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, “Existing Facilities”) of the current California Environmental Quality Act (CEQA) Guidelines.

2. Make the following findings as per Section 16.82.340 of the Zoning Ordinance pertaining to the granting of a variance to permit a 15-foot right side setback for the posts of the front porch:
   a. The unique attribute at this site is the change in the interior side setback, from zero to 20 feet when abutting a residential zoning district, that would result from a proposed right-of-way abandonment which if approved would convert the portion of Frontage Road separating the subject property from the multi-family residential development at 1345 Willow Road and shift the property lines. A portion of this ROW is proposed to be acquired by the property owners of the subject property, however the area will not provide the necessary 20 feet for a side setback where abutting a residential use and would therefore necessitate the variance.

   b. The requested variance for the encroachment of the post for the front porch would allow for the proposed overhang to extend the full width of the front façade. A covered entry is a typical feature of similar markets in the area. This portion of the porch would cover a proposed outdoor seating area that would provide an opportunity for customers to enjoy prepared foods on site. Similar markets in the area also have outdoor seating. Prior to the change in land use of the portion of Frontage Rd. the porch post would have been permitted in the proposed location which would have allowed the continuation of the porch as is typical of the desired architectural style.

   c. The side setback encroachment of the post would not be detrimental to the public health, safety, and welfare, or impair an adequate supply of light and air to the adjacent properties since the proposed location would maintain 15 feet of separation from the property line and the porch itself is open in nature.

   d. The requested variance for the modified side setback would not be applicable, generally, to other property in the same zoning district due to the fact that there are a limited number of properties zoned C-2-B that could abut residential properties should a right-of-way abandonment change the required setback. C-2-B properties that currently abut residentially-zoned properties would need to comply with the 20-foot setback.

   e. The property is not within any Specific Plan area. Hence, a finding regarding an unusual factor does not apply.
3. Approve the variance to permit a fifteen foot setback for the proposed front porch post.

4. 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.

5. 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.

   b. The development will not be detrimental to the harmonious and orderly growth of the city.

   c. The development will not impair the desirability of investment or occupation in the neighborhood.

   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 property is not within any Specific Plan area, and as such no finding regarding consistency is required to be made.

6. Make findings that the proposed colors on the monument and building mounted signage are appropriate and compatible with the businesses and signage in the general area.

7. Approve the architectural control, use permit and sign review subject to the following **standard** conditions:

   a. Development of the project shall be substantially in conformance with the plans prepared by Topos Architects, consisting of 19 plan sheets dated March 6, 2019, as well as the Project Description Letter dated March 5, 2019, and approved by the Planning Commission on March 11, 2019, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.

   b. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a draft “Stormwater Treatment Measures Operations and Maintenance (O&M) Agreement” with the City subject to review and approval by the Engineering Division. With the executed agreement, the property owner is responsible for the operation and maintenance of stormwater treatment measures for the project. The agreement shall run with the land and the agreement shall be recorded with the San Mateo County Recorder’s Office prior to building permit final inspection.

   c. 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 issuance of a building permit.
d. Simultaneous with the submittal of a complete building permit application, the Applicant shall comply with all requirements of the Building Division, Engineering Division, Transportation Division, and Utilities Division that are directly applicable to the project.

e. Simultaneous with the submittal of a complete building permit application, applicant shall coordinate with Menlo Park Municipal Water (MPMW) to confirm the existing water mains and service laterals meet the domestic and fire flow requirements of the project. If the existing water main and service laterals are not sufficient as determined by MPMW, applicant may, as part of the project, be required to construct and install new water mains and service laterals sufficient to meet such requirements.

f. Simultaneous with the submittal of a complete building permit application, applicant shall coordinate with West Bay Sanitary District to confirm the existing sanitary sewer mains and service laterals have sufficient capacity for the project. If the existing sanitary sewer mains and service laterals are not sufficient as determined by West Bay Sanitary District, applicant may, as part of the project, be required to construct and install new sanitary sewer mains and service laterals sufficient to meet such requirements.

g. Simultaneous with the submittal of a complete building permit application, the Applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies’ regulations that are directly applicable to the project.

h. Simultaneous with the submittal of a complete building permit application, the Applicant shall submit plans for: 1) construction safety fences around the periphery of the construction area, 2) dust control, 3) air pollution control, 4) erosion and sedimentation control, and 5) construction vehicle parking. The plans shall be subject to review and approval by the Building, Engineering, and Planning Divisions. The fences and erosion and sedimentation control measures shall be installed according to the approved plan prior to commencing construction.

i. Simultaneous with the submittal of a complete building permit application, the Applicant shall submit an Off-Site Improvements Plan for review and approval of the Engineering Division. The Off-Site Improvements Plan shall include all improvements within public right-of-way including but not limited to stormwater, concrete, asphalt, landscaping, striping, electrical, water and sanitary sewer.

j. Simultaneous with the submittal of a complete building permit application, the Applicant shall submit a plan for any new utility installations or upgrades for review and approval of the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.

k. Prior to building permit issuance, the Applicant shall pay all Public Works fees. Refer to City of Menlo Park Master Fee Schedule.

l. 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 Plan (SWPPP). BMP plan sheets are available electronically for inserting into Project plans.

m. 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.

8. Approve the architectural control, use permit and sign review subject to the following project-specific conditions:

a. Planning-specific conditions:

i. The market’s operations shall be limited to the hours of 5:60 a.m. – 9:00 p.m. inclusive of deliveries. Store hours for customers shall begin at 6:00 a.m.

ii. At the close of business each day, the applicant shall be required to move all neatly erect protective fencing around the produce carts and any other food items on display outside into the building. The carts may be returned to the porch area fencing shall be neatly stored the following morning at the beginning of the delivery hours. The carts and furnishings shall be allowed to remain outside overnight if the fencing is in place.

iii. Prior to building permit issuance, the Applicant shall submit a notarized letter accepting the C-2-B zoning and acknowledging that the previous use permit at this location is now void.

iv. Simultaneous with submittal of a complete building permit application, the Applicant shall submit revised plans showing the signage recessed a minimum of 12 inches on the gable arch above the entry, subject to review and approval by the Planning Division.

b. Building-specific conditions:

i. Prior to building permit issuance, the Applicant shall submit a letter signed by the property owner acknowledging the updated easement language regarding their responsibility to remove the monument sign and portion of the patio and railing within the easement area, should work need to be done in the easement area in conflict with the structures.

c. Transportation-specific conditions:

i. All deliveries must be accomplished on site.

ii. Prior to the close of business each day, the applicant shall cordon off the “conflict spaces” with cones and appropriate signage as identified in their project description letter and delivery logistics plan. The cones and signage must remain until the last large-truck delivery at 8:00 a.m. at which time they must remove the cones to allow patron access to the parking spaces.

iii. Prior to building permit issuance, the Applicant shall pay a Transportation Impact Fee (TIF) at a retail rate of $4.87 per square foot of added gross floor area (GFA) for a total estimated TIF of $3,452.83, subject to the Municipal Code Section
13.26. The fee rate is subject to change annually on July 1 and the final calculation will be based upon the rate at the time of fee payment. The TIF rate is adjusted each year based on the ENR Construction Cost Index percentage change for San Francisco.

d. Engineering-specific conditions:

i. During the design phase of the construction drawings, all potential utility conflicts shall be potholed with actual depths and recorded on the improvement plans, submitted for City review and approval.

ii. Simultaneous with the submittal of a complete building permit application, the applicant shall submit all applicable engineering plans for Engineering review and approval. The plans shall include, but are not limited to:

1. Existing Topography (NAVD 88')
2. Demolition Plan
3. Site Plan (including easement dedications)
4. Construction Parking Plan
5. Grading and Drainage Plan
6. Utility Plan
7. Erosion Control Plan / Tree Protection Plan
8. Planting and Irrigation Plan
9. Off-site Improvement Plan
10. Construction Details (including references to City Standards)

iii. Prior to building permit issuance, the proposed right-of-way abandonment and acquisition shall be accepted by the City Council or designee.

iv. Prior to building permit issuance, the Applicant shall submit plans for construction parking management, construction staging, material storage, and Traffic Control Plans to be reviewed and approved by the City. The plans must delineate construction phasing and anticipated method of traffic handling for each phase. The existing parking spaces at all adjoining properties and businesses must be maintained to pre-project conditions during the course of construction. The Applicant shall provide an equivalent number of temporary parking spaces to ensure that overflow parking does not hinder surrounding businesses and establishments.

v. Prior to building permit issuance, the Applicant shall provide an updated site plan indicating the proposed location of the back-flow preventer device, subject to review and approval of the Engineering Division.

vi. Prior to building permit issuance, the Applicant shall coordinate with the West Bay Sanitary Sewer District (650-321-0384) to meet any applicable requirements for the project.

vii. Prior to building permit issuance, the Applicant shall submit an approval letter from Recology authorizing the proposed trash enclosure, subject to review and approval by the Engineering Division.
viii. Prior to building permit issuance, the Applicant shall coordinate with the San Francisco Public Utilities Commission to review and approve work within their right-of-way on Ivy Drive to meet any applicable requirements for the project.

ix. Prior to construction, the Applicant shall file and obtain a VOC and Fuel Discharge Permit with the San Francisco Bay Regional Water Quality Control Board as necessary for groundwater discharge. All groundwater discharge to the City storm drain during construction shall be approved to the satisfaction of the Public Works Department prior to commencement of work. The City may request, at the behest of the Public Works Department, additional narratives, reports, or engineering plans to establish compliance with state and local regulations prior to approval. Similarly, any discharge to the City’s Sanitary Sewer system shall be approved to the satisfaction of West Bay Sanitary District, with proof of acceptance, prior to commencement of work.

x. Prior to final occupancy of the building, any frontage improvements which are damaged as a result of construction will be required to be replaced.

xi. Prior to final occupancy of the building, 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.

F4. Public Right-of-way and Public Utility Easement Vacation/MidPen Housing/Portion of Frontage Road along 1300 Block of Willow Road Planning Commission review for consistency with the General Plan related to the proposed vacation of public right-of-way and public utility easements adjacent to 1305 and 1345 Willow Road. A portion of the abandoned public right-of-way and public utility easements would go to the two adjacent property owners. (Staff Report #19-017-PC)

Continued from the PC meeting of February 25, 2019

Staff Comment: Senior Civil Engineer Theresa Avedian said there were no additions to the written staff report. She said tonight’s action was the second step in a three-step process. She said the first step was a Resolution of Intent to Abandon that was adopted by the City Council at its January 29 meeting. She said the Commission was now asked to review the proposed abandonment for consistency with the General Plan. She said if the Commission made that finding the Council would adopt a Resolution to Abandon.

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

ACTION: Motion and second (Onken/Riggs) to approve the item as recommended in the staff report; passes 6-0 with Commissioner Camille Kennedy absent.

- The Planning Commission determines that the proposed vacation of the public right-of-way (frontage road) and public utility easements adjacent to 1345 Willow Road conforms to the General Plan.

G. Study Session

G1. R-4-S Compliance Review/MidPen Housing/1317-1385 Willow Road: Request for an R-4-S (AHO) study session to review a new 140-unit, 100-percent Below Market
Rate (BMR) multifamily affordable housing development ranging from three to four stories in height, relative to the development regulations and design standards of the R-4-S (AHO) (High Density Residential, Special – Affordable Housing Overlay) zoning district. The Planning Commission’s review is advisory only and will be taken into consideration as part of the Community Development Director’s determination of whether the proposal is in compliance with the R-4-S (AHO) development regulations and design standards. The proposal includes application of the Affordable Housing Overlay, which provides a density bonus for providing on-site affordable housing units and allows modifications to development standards. The City Council has begun the process to abandon a portion of Frontage Road, including the piece that separates 1305 Willow Road and 1345 Willow Road. Should the abandonment be approved, portions of public right-of-way and public utility easements would be acquired by the owners of the subject property. In addition, the project involves modifications to the site parcels that would include a lot line adjustment and/or a lot merger, which would be administratively reviewed by the City’s Public Works Department. As part of the proposed development, 20 heritage trees are proposed for removal, which include Callery pear, Modesto ash, Raywood ash, and white alder trees, and the health of these trees ranges from slight decline to decline. (Staff Report #19-018-PC)

Staff Comment: Associate Planner Matthew Pruter said the Commission had received an email regarding the San Francisco Public Utilities Commission (SFPUC) comment letter. He said he had distributed some attachments for that email that supported it. He said this email was a comment from the SFPUC regarding a request from the SFPUC to ensure that the primary emergency vehicle access (EVA) was not located to cross over the PUC’s right of way located on Ivy Drive. He said with that the applicant had revised their plans from the plan seen today. He said the primary EVA was located entirely onsite going to Willow Road and a secondary EVA would go to Ivy Drive, which was what the letter pertained to and agreed with the SFPUC.

Applicant Presentation: Jan Lindenthal, Chief Real Estate Development Officer with MidPen Housing, introduced herself. Kristen Belt, Mithun, introduced herself and company as the project architects. A video presentation was made regarding the need for affordable housing in Menlo Park and MidPen’s work to provide.

Ms. Lindenthal introduced other members of the MidPen project team including Nevada Merriman, Director of Housing Development. She said tonight was a compliance review for a project zoned R-4-S. She made introductory remarks about MidPen. She said the Gateway Apartments were built in the 1960s and MidPen had owned and managed them since the mid-1980s. She said in 2017 they completed the redevelopment of Sequoia Belle Haven on the 1200 block of Willow Road. She said this proposal was the City’s first R-S-4 project with the affordable housing overlay (AHO). She said on the 1300 block there were currently 82 family apartments. She said under R-4-S zoning maximum allowable density was 182 units and a five-story building but they were proposing 140 affordable homes in a three- and four-story building. She said goals for this revitalization project based on input from their outreach included modernizing the existing community and improving the aesthetic and functionality; developing a project that complemented the surrounding neighborhood; increasing access to affordable housing opportunities for people who live or work in Belle Haven or displaced from Belle Haven because of rising rents; increasing the supply of affordable homes for others in Menlo Park; enhancing the safety and security of community residents and creating a pedestrian-friendly frontage along Willow Road. She said that their community outreach for this project had occurred over the past five years. She said they were completing the design and approvals and would begin construction in 2020 with a goal of occupancy in 2021.
Kristen Belt, Mithun, said throughout their community outreach process they had heard some comments repeatedly that informed their design. She said one was a strong desire that the building be brought forward toward Willow Road and away from the rear neighbors on Carlton Avenue. She said height was desired to be minimized as possible especially where it came close to the neighbors and to provide as much parking as possible. She said input on density was mixed. She said some were concerned with impacts of density and others wanted to maximize the number of affordable units. She said much conversation was had as how to make a local preference for Belle Haven residents to have priority for the units. She said MidPen was working on how best to accomplish that within the legal parameters. She said input moved the design from an undulating four-story building with 152 units and 250 parking spaces to a building as close to Willow Road as possible with three to four stories and some two-story with 140 units and 177 parking spaces. She said regarding architectural character that the design moved from a more playful and vibrant aesthetic to one with a more subtle color palette, warmer materials, and more residential character.

Ms. Lindenthal said with the Commission’s approval tonight that MidPen would move forward with City Council approval for the frontage road abandonment on March 26. She said they would be positioned to compete for state funding opportunities expected to be released in April that would allow them to meet their 2020 construction start date.

Chair Goodhue opened public comment.

Public Comment:

- Peter Adams, Gateway Apartments, Menlo Park, said public outreach meetings held by MidPen had been very well publicized, documented and well attended. He said he was glad to be a Menlo Park resident and provided positive detail on his experience living in MidPen housing.

Chair Goodhue closed public comment.

Commission Comment: Commissioner Onken asked whether resident selection preferences were codified. Planner Pruter said the BMR Guidelines set up general parameters but that consideration would be part of the NOFA item, the funding piece, that was scheduled with the City Council on March 26, 2019.

Commissioner Riggs said he thought it would be hard the furnish the living space for Unit 1C and suggested it be rethought. He said needed warmth and light for the exterior was provided by the materials. He confirmed with Ms. Belt that all the units were air conditioned. He recommended changing their video clip noting that he has never had air conditioning in his home in Menlo Park and that an affordable housing tenant complaining about no air conditioning might be taken the wrong way. He said he supported the project.

Commissioner Strehl said she did not have air conditioning in her home, but she would like to. She said single-family homes had the benefit of cross-ventilation whereas apartment units had less opportunity for cross-ventilation. Commissioner Riggs acknowledged that but suggested the level of insulation used in large modern buildings far exceed what was in their homes.
Commissioner Onken said it was a great project and he appreciated the amount of outreach that went into its design. He said he appreciated the community center on the corner. He said he would welcome some major differentiation along the façade on Willow Road.

G2. Study Session/Chase Rapp/1162 El Camino Real:
Request for a study session to review a proposed three story, nine unit residential development with an at grade parking garage with nine parking spaces in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. Three of the units would be designed as Below Market Rate (BMR) units, with one unit providing a BMR unit for this project and two units providing BMR units for the combined projects at 506 Santa Cruz Avenue, 556 Santa Cruz Avenue, and 1125 Merrill Street. No actions will take place at this meeting, but the study session will provide an opportunity for the Planning Commission and the public to become more familiar with the proposal and to provide feedback. (Staff Report #19-019-PC)

Staff Comment: Senior Planner Corinna Sandmeier said since the staff report was published, staff received three emails whose main concerns were about the proposed outdoor space and windows along the rear of the property. She said copies of the emails were distributed to the Commission at the dais and were available for the public at the table in the back of the room.

Applicant Presentation: Chase Rapp, developer, introduced his partner Brady Furst. He said the site for this residential project in the downtown that would provide affordable and BMR units was small, but he thought their project was strong.

Toby Long, project architect, said they had a materials board for the Commission to view. He said they were working with a relatively tight site with a lot area of just over 8300 square feet. He said the proposed project was nine units in a three-story structure with parking for nine vehicles. He said the building was pulled away from the rear property line with the intent of providing open space for the tenants as an amenity. He said they were using solar panels and light wells to bring more light into the center of the building. He said the garage entrance was pushed away from the street façade and the building lobby pulled forward. He said the building was intended to be prefabricated with a simple, classy design to fit well along the street edge. He said they would go from podium deck to apartment building in two days. He said ground floor was mainly parking with a main access stair and an elevator tucked behind it. He said there was also a lounge on the ground floor. He said the units on the second floor were a mix of studio, one- and two-bedroom units. He said each unit would have a balcony. He said the third floor had one- and two-bedroom units.

Commissioner Doran asked for more detail about prefabricated buildings. Mr. Long said conventional building materials were used. He said it was a wood frame structure with all the parts and pieces that would be used for building onsite. He said the buildings were finished to a live-in condition at the factory with all interior finishes done. He said most of the connections were made at the exterior and that they did all exterior construction onsite. He said the buildings were constructed under state law regulated by Housing Community Development in Sacramento and inspected by third party inspectors to insure compliance. He said trucks would bring the units into Menlo Park.

Commissioner Strehl asked about the BMR units. Mr. Rapp said there would be one studio, one one-bedroom, and one two-bedroom unit provided for BMR. He said that included the one BMR required for this project and the two BMRs required for another project they were approved for.
Commissioner Onken commented that for future hearings the Commission would need to see a site plan showing the surrounding area.

Chair Goodhue opened the public comment period.

Public Comment:

- Mira Mazur said she was concerned with losing a historic building and a business that made Menlo Park unique and a great place to live. She said the building housing Feldman’s Books was over 100 years old. She said losing the building and Feldman’s Books would be devastating for the City. She said she understood the need for housing but adding nine units did little to solve the housing problem and would greatly damage the way of life in Menlo Park.

- Joseph Sinnott said he and his wife had lived in Menlo Square since 2005. He said that building was three stories with 25 condominiums and about nine of the units faced the proposed project. He said they were concerned with privacy as Menlo Square had fairly large units on its west side and the project had fairly large windows and doors on its east side. He said the proposed outdoor space for the project with a raised deck, fireplace and barbecue concerned them as they thought it would create noise and privacy concerns. He said they thought it would be much better as just a garden with ground cover and bushes, and maybe a few benches.

- Aidan Stone, Menlo Park, said he opposed the demolition of Feldman’s Books and the Youth Mental Health Center to construct a prefabricated, monotoned, stucco modular series of stacked containers as proposed. He said this was textbook gentrification at the expense of the City’s roots. He said the proposed structure was out of character for the City and cut current residents off from the peace and cultural and mental health opportunities currently offered by the storefront renters. He said the existing structure was unique and sophisticated, and that the current bookstore featured a magnificent garden in the back with fountains and an avocado tree that was open to the public seven hours a day. He said the proposed building’s glass, metal, limestone and stucco could exist anywhere and had no local meaning or charm. He said the avocado tree in the rear was over 100 years old and produced fruit and should be considered for retention in the design and as part of the environmental review.

- Martin Todd Allen said he was a regular patron at Feldman’s Books. He said spending his Saturday afternoons at the bookstore he witnessed people coming in quietly that were able to talk to the owner about whatever book they were looking for or books they wanted to exchange. He said that experience was hard to replace and was something that Amazon could not provide. He said he thought his life would be diminished if Feldman’s was gone, and he hoped the City would do everything it could to keep it.

- Lily Rose Feldman said Feldman’s Books was housed in a beautiful building, and she had been going there since a child. She said it was important to her and the many people she had seen there, noting the community story sharing and poetry readings. She said it was a space where people had met and fallen in love. She said it offended her sensibilities and she thought that of the community as a whole to have it replaced by something that literally was not going to be built there. She said the building was constructed in 1905 and constituted a historical part of the
City. She asked the Commission to deeply consider the loss of this structure. She said the avocado tree should be considered as part of the environment review.

- Donald Albers said he greatly regretted that the news about this proposal was not made public sooner as he thought the chambers would have been filled with people gently protesting the possible disenfranchisement of a spectacular bookstore. He said Feldman’s Bookstore was like the Powell in Portland or the Strand in New York City. He said as this was a study session, he hoped there was time for people to come to the City and Commission to express their feeling for this iconic store. He suggested scaling the units back to five units and providing Feldman’s with space to continue. He said as next steps he would encourage that more effort was made to ensure that the broader community was invited to have some degree of participation in this project study.

- Ari Milligan said he had been involved in Feldman’s Bookstore for some time and was inspired by the various speakers and hearing the proposal to speak. He said he could not see the logical reason of replacing a bookstore with a nine-unit apartment complex. He said housing was expensive in Menlo Park and even with the housing crisis this proposed project would not benefit many people. He said the project would add to traffic along El Camino Real and there was no real community in the downtown except for shopping and stores. He said it was a waste to replace an iconic business with a project that did not really meet any target audiences and seemed to cause more trouble than it did good.

Chair Goodhue closed the public comment period.

Commission Comment: Commissioner Onken said the property was identified as a historic resource but no action was taken to list it. He asked staff to identify where it stood historically. Planner Sandmeier said this was discussed in the Specific Plan EIR and the buildings were covered by a 1990 survey by the San Mateo County Historical Association. She said historic resource analysis was done for this property that was submitted by the applicant, and then peer reviewed. She said if Menlo Park had a local register of historic resources and specific criteria for listing resources then these buildings might be eligible for that register. She said the City however did not have that register and so no criteria for listing places in a local historic register. Replying further to Commissioner Onken, Planner Sandmeier said the Specific Plan EIR included an inventory of significant places in the downtown.

Commissioner Onken asked regarding uses whether within City policy there was anything other than the discretion of Council to say that a use was something they could actually protect in any sort of codified way. Planner Sandmeier said she was not aware of any policies protecting specific uses.

Chair Goodhue asked about the lease with Feldman’s Bookstore. Mr. Rapp said they were on a month to month lease and paying $4200 monthly. He said when they bought the building two years ago, they had wanted to raise the rent considerably, but the tenant could not afford it. He said the tenant was not paying their expenses from a tax proportion standpoint.

Commissioner Onken said prefabrication was important to the developer but not to the Commission. He said the design had to get past the prefabricated look. He said as proposed it was a big, prefab overtly boxy building. He asked whether the project had to be so regimented and
symmetrical. He asked if the base had to be the same thing as everything above it. He said the design needed to have more life. He said regarding the concerns about the rear of the building that there should be 40-foot distance between habitable spaces and glazing. He said that had to be addressed. He said plant screening was a possibility potentially at the expense of the recreational area. He said they needed to improve their design so it would be the best building on the block.

Commissioner Riggs said he was a proponent of redevelopment and vitalization of El Camino Real. He asked if there would be space for Feldman’s in the new building. He said regarding architectural control he found Mr. Stone’s comments about architecture well-spoken. He noted the building was blocky and did not add anything architecturally to the City and the downtown. He said with what it would replace the building was possibly even a step backwards. He said the two forward protruding modules were faced in stone except one of them had nothing underneath it, and it was architectural heresy to have a stone building floating in the air. He said there were other up to date materials they might use instead such as metal siding or cementitious panels. He said the latter might work with the cement board panels proposed to the neighbor’s side as those were otherwise incongruous with this building and adjacent buildings. He referred to page 5 and the suggestion that additional modulation could be helpful. He said he did not think it was that easy as they had already provided fairly dramatic modulation. He said it might be advisable to have less modulation to make it less obvious there were five equal modules making up this building. He said regarding privacy the Commission always commented on single-family development or otherwise when windows faced other windows. He said as this was a three-story building it would be a challenge to get landscaping that tall, but it was a possibility. He said a writer noted that the firepit in the rear would be eight or nine feet from Menlo Square windows. He said that was challenging for those residents to have this open space so close to their building. He noted that they might want to rethink the fire pit in an area located on the north side of the building. He said in winter the area might get two hours of light and in the summer five hours of light but all in the morning up to 11 a.m. at best. He said he would like to see a successful modular building as he thought it was the future of construction. He said that he was not sure this project as proposed could bear the restraints of modular building.

Commissioner Onken said the design attempted to be open and kind of exciting on the front façade with balconies. He said on El Camino Real that might be a problem given that in the future it would be rusty Webers, bicycles, and dead plants, the kind of things that ended up on residential balconies, and over which they would have no control. He said he could not think of anything else along El Camino Real that would have that amount of private balcony space. He said they might consider reducing the balconies and entering the space back into the living space.

H. Informational Items

H1. Future Planning Commission Meeting Schedule

- Regular Meeting: March 25, 2019

Planner Perata said that the March 25 agenda would have several single-family residential projects including the one continued from tonight’s meeting and a change in use at 993 Menlo Avenue.

Chair Goodhue said she would not be at the March 25 meeting.
I. Adjournment

Chair Goodhue adjourned the meeting at 10:09 p.m.

Staff Liaison: Kyle Perata, Acting Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on March 25, 2019
Gateway Family Housing
Planning for Revitalization

- R-4-S Zoning Compliance determination
- Right-of-way and public utility easement General Plan consistency review

MidPen Housing Corporation

Real Estate Development
MidPen has a proven track record with over 2,500 apartments in design, and 478 units under construction.

Property and Asset Management
We are committed to being good neighbors, and we manage 7,207 homes serving over 18,800 residents at 103 properties, including Gateway and Sequoia Belle Haven.

Resident Services
MidPen invests over $7M annually providing services to families, seniors, and those facing unique challenges. In our effort to provide services, MidPen Resident Services has partnerships with 300 service providers.

City Collaboration

MidPen is a Committed Stakeholder and Partner to the City

Gateway Redevelopment

- Built in 1960, owned and managed by MidPen since 1987
- Currently 62 family apartments
- R-4-S zoning permits 30 units/acre and 40ft in height. With density bonus, up to 60ft in height.
- Maximum possible 182 units and 5 stories

Background: 1300 block

- Property is 100% affordable. Current residents are at or below 60% AMI
- Buildings are functionally obsolete.
- Site plan does not provide adequate security for residents and does not meet the needs of current/future families
Gateway Revitalization Goals

- Modernize existing housing community, improving aesthetics and functionality
- Design that compliments the neighborhood and creates spaces that support robust resident services programs
- Increase access to affordable housing for Belle Haven residents
- Increase the supply of high-quality, permanently affordable housing
- Enhance safety for community residents
- Create pedestrian-friendly Willow Road

Outreach Summary

- Presented at Belle Haven Neighborhood Association meetings
- Conducted one-on-one meetings with community members
- Hosted 3 community meetings
- Hosted tours of the project site for Housing Commission members, City Council members and City staff
- Conducted door-to-door outreach with Carlton neighbors
- Met with Carlton neighbors on five separate occasions
- Hosted 4 resident meetings

R-4-S Design Compliance

Concept Design
What we heard:

- **SITE PLANNING:**
  Pull building towards Willow Rd., away from rear neighbors
- **HEIGHT:**
  Minimize height, especially where it comes close to neighbors
- **PARKING:**
  Provide as much parking as possible
- **DENSITY:**
  Some concerned about adding density, others want to maximize number of affordable units due to affordability crisis
- **LOCAL PREFERENCE:**
  Strong interest in creating a preference for Belle Haven residents

- All 4 story building
- 158 Apartments
- 200 parking spaces

- 2, 3, & 4 story building
- 140 Apartments
- 177 parking spaces
Gateway Family Housing
Site is a transition zone between large-scale commercial and single-family fabric of Belle Haven

View from public sidewalk along Willow Rd.

Site Plan

LOUNGE
LOUNGE
LOBBY
LOUNGE
COMMUNITY ROOM
Frontage Road Abandonment:
ROW & PUE General Plan consistency

Frontage Road Abandonment

Sequoia Belle Haven
- Phase I of MidPen’s Housing Redevelopment along Willow Rd.
- 90 permanently affordable homes for Seniors

Next Steps
- March 26:
  City Council Approval of Frontage Road Abandonment
- April:
  State Funding opportunities released*
- Spring 2020:
  Permits in hand for Construction Start

* All Discretionary Approvals in-hand is a threshold requirement for funding applications

Thank You!
We look forward to continuing our work with your community