



REGULAR MEETING MINUTES

Date: 4/9/2018
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

A. Call To Order

Chair Drew Combs called the meeting to order at 7:00 p.m.

B. Roll Call

Present: Andrew Barnes, Drew Combs (Chair), Susan Goodhue, Larry Kahle (Vice Chair), John Onken, Henry Riggs, Katherine Strehl

Staff: David Hogan, Contract Planner, Kaitie Meador, Associate Planner, Michele T. Morris, Assistant Planner, Ori Paz, Assistant Planner, Kyle Perata, Senior Planner, Matt Pruter, Associate Planner, Thomas Rogers, Principal Planner

C. Reports and Announcements

Principal Planner Rogers said the applicant for the 1049 Almanor Avenue project and his neighbor had concerns with the number of heritage trees to be removed as recommended by the City Arborist. He said the Planning Commission approved the project on March 12, 2018. He said since then, the applicant and neighbor met with the City Arborist, and one of the three heritage trees to be removed would be retained. He said with that neighbor would not appeal the project approval.

Principal Planner Rogers said the Housing Commission would meet this week and make recommendations regarding the Below Market Rate Housing (BMR) agreements for the Guild Theater project, the Santa Cruz Avenue and Merrill Street project that the Planning Commission had seen as a study session, and the 409 Glenwood Avenue project, which was an eight-unit residential project that would come to the Planning Commission for approval. He said an R-MU District public amenities discussion and a potential update to the BMR nexus fees associated with commercial development might come to the Planning Commission for consideration. He said the City Council at its March 17 meeting would consider the requirement for a regular review of the Downtown Specific Plan as that had gotten slightly off schedule due to staff transitions. He said the Council would provide direction and that would come to the Commission for consideration.

Commissioner Henry Riggs asked if staff could provide their recommended changes to the El Camino Real Downtown Specific Plan to the Commission prior to publication of the staff report for the City Council. Principal Planner Rogers said the Council had previously received recommendations on the Specific Plan review from the Planning Commission in 2015, and had provided a set of recommendations that had been given to staff to work on. He said the staff person working on those had since left City employment. He said staff would bring those recommendations to the Council as a start point on March 17 to see if the Council was still

interested in pursuing them, and whether any other items should be included.

Commissioner Katherine Strehl said the Planning Commission should have an opportunity to weigh in on the BMR requirement for the R-MU District. Principal Planner Rogers said he would pass that message along. He said the Housing Commission staff reports were available for anyone interested.

D. Public Comment

- Pamela Jones, Menlo Park, said she lived about three doors away from 777 Hamilton Avenue. She noted multiple projects occurring in the M-2 area. She said she did not know what the area would look like as there was no one place to view the culmination of the projects and what impacts those might have visually. She requested 3-D models be required for projects in the M-2 area to show exactly where projects were located and what they would look like in comparison to other buildings in the area. She said having a more realistic idea of traffic impact from those M-2 projects was also desirable noting impacts to Willow Road, University Avenue and Bayfront Expressway from development in the M-2.

Replying to Chair Combs, Principal Planner Rogers said he would provide Ms. Jones' comments to Principal Planner Deanna Chow, lead staff on the zoning districts formerly known as the M-2, for Ms. Chow to reply to Ms. Jones. Chair Combs asked for the Commission to also receive Ms. Chow's response.

E. Consent Calendar

- E1. Approval of minutes from the March 26, 2018, Planning Commission meeting. ([Attachment](#))

Chair Combs noted that Commissioner Henry Riggs had emailed modifications to the March 26, 2018 minutes.

- Page 5, 3rd full paragraph, 3rd line: Replace "He said that similar to was the standard noting the City Council had considered a suggestion to change the language to compatible with but had not." with "He said that "similar to" was the standard noting the City Council had considered a suggestion to change the language to "compatible with" but had not."
- Page 13, Middle paragraph, under "Commission Comment" 1st line: Replace "Commissioner Riggs said that the project was a charming, sensitive, and well-designed from multiple views project." with "Commissioner Riggs said that the project was charming, sensitive, and well-designed from multiple views."
- Page 26, last full paragraph, 1st line: Replace building base with "building base" be in quotes

- E2. Architectural Control/Merrie Asimow/1275 Trinity Drive:
Request for architectural control review for exterior modifications of a townhome, including the enclosure of an open patio area, on a lot in the R-E-S (X) (Residential Estate Suburban, Restrictive) zoning district. ([Staff Report #18-031-PC](#))

ACTION: Motion and second (Strehl/ Goodhue) to approve the consent calendar with modifications to the minutes of March 26, 2018, passes 7-0.

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.
2. 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.
3. Approve the architectural control subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans provided by JC Construction, consisting of six plan sheets, dated received April 3, 2018, and approved by the Planning Commission on April 9, 2018 except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
 - b. Prior to building permit issuance, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, Recology, and utility companies' regulations that are directly applicable to the project.
 - c. 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.
 - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
 - e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
 - f. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.

Chair Combs noted the full agenda and asked applicants to limit their presentations to five minutes. He said Commission Goodhue would recuse herself from Item F1.

F. Public Hearing

- F1. Use Permit/Darby Brennan/824 Woodland Avenue:
Request for a use permit to demolish an existing single-story single-family residence and construct a new two-story single-family residence on a substandard lot with respect to lot width and lot area in the R-1-U (Single Family Urban Residential) zoning district. One heritage size privet tree is proposed for removal as part of this project. ([Staff Report #18-032-PC](#))

Staff Comment: Assistant Planner Michele Morris said the applicant had distributed some additional information to the Commission and public.

Applicant Presentation: Krista Rosa introduced her husband Darby Brennan. She said they bought their home in December of 2009. She said originally they considered the property as their starter home but they fell in love with their neighbors, the area and the school systems. She said with two children they needed more living space.

Toby Long, project architect, said part of the proposed home would be built offsite. He said the proposed design was very livable.

Commissioner Larry Kahle asked the architect to talk about the stained wood screens and privacy. Mr. Long said he had used cedar slat screens to both filter light and control views. He said they were using the screens for a large bedroom window facing the street to control privacy. He said they mounted the window systems to the outside window frame with exposed bolts to remove for window maintenance. Commissioner Kahle noted that some were full screens and others partial. Mr. Long said they pulled some screens down to allow for light but all screened at least from head level down providing for privacy. Commissioner Kahle said his concern as noted in the staff report was privacy to the homes on either side. He said the proposed screens did not seem to be on the windows that would have the biggest privacy impacts. Mr. Long said the property had a lot of vegetation along the property lines and they did not see an issue with privacy but they were open to suggestions. Commissioner Kahle said generally views toward the front and back would be fine but views to the sides should be better screened. Mr. Long noted that some of the side windows needed to be egress and in other projects they had used opaque glass in those windows to address privacy concerns. Commissioner Kahle said he would like to see consistency with the window sizes and sill heights, noting that with the latter there were only three different heights but they seemed to go up and down. He said the sill on the front right window as it turned the corner was a lot lower. Mr. Long said there were three window types noting larger square ones at the front façade and stairwell. He said they were using the thinner windows on the corners as a delicate touch to open up the edges. He said the six 30-inch by 35-inch windows on the sides would also serve as egress. He said they could look at window sills for consistency if that was something the Commission found was important. Commissioner Kahle noted the new home would be at the front property line or about eight feet forward from where the existing home was. He said that this seemed more impactful to the street than the neighboring two homes. Mr. Long said the lot and building envelope were small. He said it was hard to see where the property line was as the road curved there. He said he thought it would have visual depth from the street and the project would follow the parking pattern that was there currently. Commissioner Kahle asked about the siding on

the garage. Mr. Long said it was sealed stained cedar.

Commissioner Strehl said she thought the black garage door was very prominent and dense. Mr. Long said it was as a contrast to the wood to bring in the painted elements and accent material.

Chair Combs opened the public hearing.

Public Comment:

- Brent Gordon introduced his wife Leigh Ann and said they lived across the street from the subject property and supported the project. He said their area has had a lot of redevelopment and they liked the diversity in the new homes. He said they had reviewed the proposed plans and thought they were great.

Chair Combs closed the public hearing.

Commission Comment: Commissioner John Onken said he thought the project was well conceived. He said the design was great and added to the eclectic nature of the neighborhood. He said he agreed with Commissioner Kahle that the two large bedroom windows on the north side as they were so close to the property line created a privacy issue. He said as a condition he would want those windows to either have privacy glass, more cedar slat screening, or a smaller window size.

Commissioner Kahle said it was a great design. He said he would move approval of the project with the conditions in the staff report and two additional conditions. He said the first was for the applicant to review the windows in terms of consistency of size, sill heights and privacy to include the location of the stained screens. He said the second was to locate the house four feet back from the street than where it was currently proposed.

Commissioner Riggs said he had reservations about the requested additional setback. He said the left face of the project lined up with the neighboring house and it was only the garage that stepped forward. He said he shared Commissioner Strehl's concern about the black garage door, noting he did not think he had ever seen a black metal garage door in Menlo Park.

Commissioner Andrew Barnes said the applicant had taken an inherently boxy architecture and had done a great job. He said the design was a reasonable height at 23-feet, the materials were nice, and the project had a well-thought out landscape plan that would both screen and soften the project. He asked if the garage door was black or bronze. Mr. Long said the garage door was not black and the darker color was hot roll steel with a natural patina. Commissioner Barnes said he thought that would add interest and he was fine with the garage door as proposed. He said he was fine with the setback of the proposed project with the garage up against the property line. He said other than the identified window issues the project was approvable.

Commissioner Onken said he could not support moving the location of the proposed house. He said the color of the garage door was not a planning matter but a matter of taste.

Chair Combs said most of the Commissioners found the design to be nicely done but he did not particularly like it. He said however that he would not require any other conditions for the project. He said the location of the house was fine. He noted that the street curved around so homes did

not need to be aligned perfectly straight. He said he had no foundation for questioning the color of the garage door. He said his concerns with privacy for this project were less than others and he thought the windows and sizes were fine.

Commissioner Strehl said she did not think the house location should be changed. She noted the garage was set back 20 feet from the front property line, which was the required setback.

Commissioner Riggs asked about the fascia. Mr. Long said it was a flat fascia. Commissioner Riggs said the scale of the garage door lacked some finesse. He asked about the finished material noting raw metal was not a finish. He said for the record that the rendering did not reflect the materials as it was described in words by the architect. Mr. Long said they had worked with a number of companies to get a finish-less door to which they were able to apply wood and metal panels. He said this was a 22 to 26 gauge piece of metal that was hot rolled and had some texture. He said they had been able to apply a black stain noting several blackening products that were hand applied giving it a more organic look than just painting or powder coating it.

Chair Combs said the motion made was to approve as recommended with conditions to review windows for consistency of size, sill height and privacy and move the house back four feet.

Commissioner Riggs moved approval of the project with consideration of landscape screening particularly on the right side as the right side neighbor did not have a setback in which to plant screening. He said that was for review and approval by staff.

Commissioner Kahle noted there were two motions on the table with no seconds for either. He said he would modify his motion to require the house to be located two additional feet back from the front property line to reduce the mass of the garage that was fairly prominent. He said he would want a review of windows for consistency of size, sill height and privacy through staff and conformance review.

Commissioner Barnes said Commissioners did not seem to support moving the location of the house. He said if Commissioner Kahle would drop that condition he would second the motion. Commissioner Kahle said he would drop that condition. Commissioner Barnes said he would second the motion as modified.

Commissioner Strehl said she was going to second Commissioner Riggs' motion and asked if the motions were different. Chair Combs said Commissioner Riggs' motion was to approve with consideration of landscape screening particularly on the right side and had no conditions about the windows. He said Commissioner Kahle's motion was to approve with a condition to review windows for consistency of size, sill height and privacy.

Principal Planner Rogers asked if the revision of the windows requested was only through staff review and approved through the building permit process or whether it was to go through the memo conformance process that would involve an email to the Planning Commission. Commissioner Kahle said through staff review and approval.

Commissioner Riggs asked if staff's review of the windows included the option for landscape screening if it would solve the window issue. Commissioner Kahle said he would accept that addition to his motion. Chair Combs said to clarify that meant the applicants might either change the windows or provide some type of landscape screening to address privacy. Commissioner

Kahle said that it also could be some combination of revision of window size and sill height and landscape screening. Commissioner Barnes as the maker of the second said he would also accept the change to the motion.

Commissioner Onken said the landscape plan showed decorative grass proposed for the perimeter fence. He said to provide landscape screening onsite would require skinny and tall plants. Commissioner Riggs said there were plantings he had used successfully. He said the motion was to revise windows and/or add landscape screening.

Chair Combs said his preferred option was the one that imposed the least amount of limits on the applicant in regards to mandates for landscaping or changing windows. He said his concern was the motion as stated was not clear as to what was the desired outcome was. He said it might be adding trees, it might be raising sill heights, it might be opaque glass and was not a definite set of instructions, which made him uncomfortable.

ACTION: Motion and second (Kahle/Barnes) to approve the use permit as recommended in the staff report with the following modifications; passes 6-0-1 with Commissioner Goodhue recused.

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. Development of the project shall be substantially in conformance with the plans prepared by CH X TLD, Toby Long Design, consisting of 24 plan sheets, dated received April 3, 2018 and approved by the Planning Commission on April 9, 2018 except as modified by the conditions contained herein, subject to review and approval by the Planning Division.
 - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.

- e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
- f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
- g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the recommendations in the arborist report by Insideout Design, Inc. dated November 20, 2017.

4. Approve the use permit subject to the following **project-specific** condition:

- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised arborist report and revised plans regarding trees numbered 90, 91 and 92 addressing the following, subject to the review and approval of the Planning Division:
 - i. Revise the site and landscape plans to state the species (a 24-inch scarlet oak) of the replacement planting, and the location of the replacement planting for tree #90. This condition shall not be applicable if the replacement requirement is waived by the City Arborist.
 - ii. Revise the arborist report and plans to state that trees #91 and #92 will each be replaced with 24-inch box valley oak trees.
- b. ***Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans addressing the following: revise the windows to improve consistency of size, window sill heights, and privacy concerns, and/or modify the plans to include landscape screening on the right side of the subject property. The revised plans shall be subject to the review and approval of the Planning Division. The windows and/or landscape screening shall be reviewed on-site and approved by Planning Division staff prior to building permit final inspection.***

F2. Use Permit/Omar Haque/1380 Corinne Lane:
Request for a use permit to demolish an existing one-story single-family residence and construct a new two-story single-family residence with an attached two-car garage on a substandard lot with respect to lot area in the R-E-S (Residential Estate Suburban) zoning district. ([Staff Report #18-033-PC](#))

Chair Combs said Commissioner Goodhue had returned to the dais.

Staff Comment: Associate Planner Matt Pruter said staff had no additions to the written staff report.

Applicant Presentation: Steve Borlik, Young and Borlik Architects, Los Altos, project architects, said this project needed a use permit as the lot size lacked two square feet to conform. He said

they were developing a new home for the current owners of the property to live in. He said it was a traditionally inspired new house with support letters from neighbors. He said as far as they knew the project was not contentious.

Commissioner Kahle said he was friends with Mr. Borlik and used to work for his company. He said that he did not need to recuse himself from consideration of this project. He asked about the soapstone siding material and if the applicant had used that before. Mr. Borlik said he had seen that in the staff report but they had not yet selected a final stone material. He said they were more particular about the texture and the division of the stone and technically he did not think that would be soapstone. Commissioner Kahle asked why a sheet about a flow pump was included in the drawings. Mr. Borlik said there was an existing pool equipment enclosure that did not meet current zoning standards, and needed removal. He said in working with staff they were not able to prove the decibel rating of the existing pool equipment so they chose to provide a new piece of pool equipment with a DB rating that could be substantiated. Commissioner Kahle asked about the two different roof pitches and two different roof materials. Mr. Borlik said the house had a very playful nature that the owners brought into the design. He said some unusable attic space was being counted as square footage and to minimize the attic space they decided to go for a lower pitch metal roofing system and tie that into the rear of the house.

Commissioner Goodhue asked if they had ever done another project with a standing seam metal roof and an asphalt roof. Mr. Borlik said that they have. He said the metal roof was often combined with the wood shingles and composition asphalt as a highlight.

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

Commission Comment: Commissioner Riggs said the project was very attractive, well thought out in terms of detail and respectful of its location and the surrounding neighborhood. He moved to approve as recommended in the staff report. Commissioner Kahle seconded the motion commenting that he had some concern with the mixing of roof materials and having six different roof pitches. He said the massing of the house was very nice and the approach to parking from the side with no visibility of the garage door was nice. He said the playful touches such as the tapered walls on the second floor were also very nice.

Commissioner Onken said he had concerns with vertical composition shingle and thought the applicant could reconsider that. Recognized by the Chair, Mr. Borlik said the roof material was the composition shingle and the walls were wood material. He said the rendering was correct and the plan was incorrect.

ACTION: Motion and second (Riggs/Kahle) to approve the project as recommended in the staff report to include typographical corrections; passes 7-0.

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed

use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.

3. Approve the use permit subject to the following **standard** conditions:

- a. Development of the project shall be substantially in conformance with the plans prepared by Young and Borlik Architects, consisting of 20 plan sheets, dated received March 28, 2018, and approved by the Planning Commission on April 9, 2018, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
- b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
- c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
- d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
- e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
- f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
- g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Advanced Tree Care, dated received March 9, 2018

4. **Approve the use permit subject to the following project-specific condition:**

- a. **Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised project plans that indicate all vertical surface shingles to be wood and not composition asphalt. The revised project plans shall be subject to review and approval of the Planning Division.**

F3. Use Permit/Neil Laderman/233 Arden Road:

Request for a use permit to demolish a single-story, single-family residence and detached garage and construct a new two-story residence and an attached single-car garage on a substandard lot

with regard to lot area in the R-1-S (FG) (Single-Family Suburban Residential, Felton Gables) zoning district. ([Staff Report #18-034-PC](#))

Staff Comment: Associate Planner Kaitie Meador said there were no additions to the staff report.

Questions of Staff: Commissioner Kahle confirmed with Ms. Meador that the 34 degree daylight plane was a Felton Gables zoning overlay requirement.

Applicant Presentation: Nicholas Thomas said he was the project manager for Arcanum, the architects for the project. He said he was representing Neil and Jo Laderman, the property owners. He said he had an additional rendering he would like the Commission to see. He said their goal was a Northern Californian style cottage home with a bit of a contemporary twist. He said the house was designed around a central courtyard with large doors opening the courtyard into the house and larger doors on the outside to the rear of the home. He said they turned the garage 90 degrees away from the street frontage. He said the second story massing was pushed toward the rear of the property. He said they did two neighborhood outreach meetings and received much positive support. He said there was some privacy concern with the rear neighbors so they revised the design to decrease the glazing by 10%, decreased window size on the sides of the property and made sure they did not align visually with neighbors' windows. He said they intended to use dark natural materials that would blend in with the surrounding trees and the neighborhood.

Commissioner Riggs said the rendering Mr. Thomas distributed seemed to show exterior wood with a very light stain. Mr. Thomas said there would be two types of stain and both would be semi-transparent to allow the natural grain of the wood to show. He said by dark he did not mean black. He said they would be wood colored but not a bright stain. He said the first floor would be a little darker. Commissioner Riggs said portions of the first floor were not wood material. Mr. Thomas said they were showing horizontal wood screen on the first floor and vertical tongue and groove on the second floor. Commissioner Riggs confirmed with the applicant that the corner of the first floor was wood.

Commissioner Kahle asked if there were other contemporary style homes in the neighborhood. Mr. Thomas said there were not. He said his company had been the architects for the home next to this site so when the subject property owners approached them for their project, his firm wanted to do a project that added to the neighborhood and also respected the neighbors by not doing a style that mimicked their work on the left side neighbor's house. Commissioner Kahle said the house on the right's staircase was located behind the chimney which seemed directly opposite from where the project's proposed staircase was. Mr. Thomas said he was not sure about the neighbor's layout as the vegetation and landscape screening between the two homes was so dense. Commissioner Kahle said the combination of vertical and horizontal siding materials might look busy from the street. Mr. Thomas said they were trying to create a house that did not appear bulky and were using two different orientations of materials to break up the massing to blend in and push back from the street. He said by using different colors and materials they were not making one huge colorful mass.

Chair Combs said he understood they did not want this project to mimic the project they had done next door but he felt like the two homes were very different, and the proposed project was different from other homes in Felton Gables. He asked for an explanation of what drove the design that was so different from any of the other homes. Mr. Thomas said most of the houses in the neighborhood were the same with large gabled masses. He said they wanted to do something that harkened

back to the 1930s and 1940s when there were Northern Californian homes that were very beautiful and worked well with bringing the outside inside the house. He said it was something fresh that would bring new life to the neighborhood.

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

Commission Comment: Commissioner Onken said contrary to the name Felton Gables that he did not think every home needed a gable. He said that it was a well-conceived house and very concise without being obnoxiously large. He said he liked the mix of materials and shapes.

Commissioner Barnes said the project conformed to the regulations of its zoning district. He said it was an innovative use of the indoors and outdoors. He said he liked the way cars were parked and what they had done with the glazing worked. He moved to approve as recommended in the staff report.

Commissioner Goodhue seconded the motion. She said she agreed with Commissioner Onken's comments. She said the project was well done and it was nice to mix up the style of the particular neighborhood. She said the project was very restrained noting that it was on a nearly 10,000 square foot lot. She said she did not think all the houses in the neighborhood needed to look the same and she hoped this project would inspire other styles.

Commissioner Strehl said the project was approvable although it was not her choice of style. She said she agreed with others that not every house had to look the same. Chair Combs said he agreed with her comments.

Commissioner Riggs said he appreciated the design and said the rendering helped. He said it was good modern architecture but he did not think it fit well in Felton Gables. He said Felton Gables was one of the few neighborhoods in Menlo Park that has maintained a distinct architectural style. He said being innovative did not necessarily support a neighborhood and its style. He said the idea that if it was traditionally formed architecture that would make all the buildings the same was quite a stretch. He said he respected the quality of the design but felt it was in the wrong neighborhood.

Commissioner Kahle said he had similar concerns as Commissioner Riggs about how this project would fit within the neighborhood. He said he liked the house to the left very much and wished this design had been closer to that design. He said the rendering was very nice and he was very conflicted as to whether to support or not. He said from the drawings the proposed design did not seem to fit with the neighborhood as well as it could. He said he was concerned with some of the contrast and orientation of the siding. He said he appreciated locating the garage to the side.

Chair Combs said he appreciated Commissioner Riggs' concern. He said he did not see what foundation he would base an objection to the project on as if this had been a standard lot in the Felton Gable zoning overlay it would have been approved.

Commissioner Strehl said that no one from Felton Gables was present to object and the applicant had done neighborhood outreach. She said since neighbors were not objecting she did not see what basis the Commission had to deny the application.

ACTION: Motion and second (Barnes/Goodhue) to approve the project as recommended in the staff report; passes 5-2 with Commissioners Barnes, Combs, Goodhue, Onken and Strehl supporting and Commissioners Kahle and Riggs opposing the project.

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. Development of the project shall be substantially in conformance with the plans prepared by Arcanum consisting of 13 plan sheets, dated received April 2, 2018, and approved by the Planning Commission on April 9, 2018, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
 - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies’ regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
 - e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
 - f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
 - g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Don Araki, dated received January 3, 2018.
4. Approve the use permit subject to the following **project-specific** condition:
 - a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that there is a clear backup distance of 24 feet for the garage.

The 24-foot clear backup distance shall be paved or limited to landscaping less than two feet in height. The plans shall be subject to review and approval of the Transportation Division

G. Regular Business

- G1. Architectural Control/Chris Kummerer/1326 Hoover Street:
Request for architectural control for exterior modifications and landscape improvements to an existing 10-unit multi-family building on a standard lot in the R-3 (Apartment) zoning district. The applicant has requested heritage tree removal permits for five Canary Island pine trees in good health and poor condition. ([Staff Report #18-035-PC](#))

Staff Comment: Assistant Planner Ori Paz said that three of the five heritage tree removal requests had been denied by the City Arborist. He said removal of trees #19 and #21 had been approved.

Applicant Presentation: Chris Kummerer, CKA Architects, Menlo Park, said the goal for the renovation was to update the existing 1970s building by removing the Mansard roof on all four sides and modernize the building. He said they would unify the façade using new smooth stucco on all sides of the building. He said a new cornice would be put at the top wrapping around the building and windows would be replaced “like-for-like” for the entire building. He said the site was surrounded by trees noting there were 21 pine trees making the side of the building difficult to see from the street. He said the building was somewhat T-shaped and a portion of that T obscured the sides.

Commissioner Onken said he recalled this project or a site nearby had come before the Commission with some tree issues. Principal Planner Rogers said not for this project site and he could not immediately think of another project nearby that had had tree issues.

Commissioner Kahle said the staff report stated that the sides and rear of the building were not getting the same upgrades as the front of the building. Mr. Kummerer said that was not correct. He said they were trying to wrap the upgrade elements all around the building. He said some of the T-11 siding would remain at the rear on the lower floor but only at that location. He said the new stucco he mentioned was on the upper floor in the rear. Commissioner Kahle said the horizontal banding on the front would appear monolithic if it was all the same color and finish. He asked if there was consideration of what the banding could be otherwise. Mr. Kummerer said that was a good thought and they had not discussed changing the color on the banding. He said the clients were going for a classic look that did not have too much contrast. He said they did vary the color of the stucco at the base to make it look heavier. Commissioner Kahle suggested altering the banding with either color or a smoother finish, or something to make it stand out. Mr. Kummerer said that was a good suggestion and they could look at that.

Chair Combs opened public comment and closed it as there were no speakers.

Commission Comment: Commissioner Onken said the improvements to the building were much needed and approvable. He said he would recommend to the applicant that the front façade was very monolithic. He said although some banding and texture were being added he suggested they consider coloring the large vertical panels slightly differently. He said the insets to either side of the main bay in the middle could be a slightly different color and the building would read as five townhomes as opposed to one large mass.

Commissioner Riggs said he liked the architecture and thought it went well with Hoover Street. He said the building had a classic symmetry and he was supportive of the project. He said some of the finishes on the building might contain asbestos and that would cause problems with doing smooth finish.

Recognized by the Chair, Mr. Kummerer said the building was built in 1973. He said they were removing the comp shingle that wrapped the Mansard, which had a plywood substrate and framing behind it. He said hopefully there was no asbestos there. He said the lower floor was T1-11 and also hopefully devoid of asbestos. Commissioner Riggs asked if there was any stucco on the base level or if it was raw concrete. Mr. Kummerer said there was no stucco. He said it was rock that as it wrapped became concrete block.

Commissioner Riggs moved to approve architectural control. Commissioner Kahle seconded the motion noting the Commission had provided the applicant with three different options on how to think about the façade.

Assistant Planner Paz said for the applicant to explore the three options presented the motion would need to include some explicit flexibility for staff to review either at just staff level or with a memo of conformance provided to the Commission.

Commissioner Riggs said the project was approvable as presented. He said the suggestions for finish options were not something he thought the Commission would turn down but he was not going to include those in his motion.

Principal Planner Rogers said approval of the plans meant that the project had to match the plans as presented. He said if the applicant wanted to change the project as it had informally been discussed that would not be permitted under the recommended conditions of approval. He said if the Commission wanted to allow the flexibility the Commission would need to condition that the applicant might change the plans and in what way.

Commissioner Riggs said he would like any change in the paint reviewed through the conformance memo process. Commissioner Kahle said paint was one of the options and his was to do something different with the horizontal banding. He said he thought it could be handled at the staff level. Commissioner Riggs said he did not want to include any options in the approval. He asked staff if the applicant during construction decided they wanted to put metal trim as a horizontal band or change the paint scheme whether they come back through staff for a substantial conformance review. Principal Planner Rogers said the change evaluation process review was somewhat onerous requiring review of the minutes and how things were discussed in the staff report with the default being the project looked like the plans or they needed to come back with a request for architectural control revision. He said if they wanted to give the applicant opportunity to explore some different treatment it was preferable now within the action being taken by the Commission.

Commissioner Riggs said he understood Commissioner Kahle's desire to have some change in finish with the horizontal band such as a smoother finish or semi-gloss paint. He said the horizontal trim elements on the building could vary from the rendering in that they could be additionally smooth or have a different sheen within this approval. Commissioner Kahle suggested also using paint options. Commissioner Riggs said he wanted to keep the project as one color except for the C channel and roof. Commissioner Kahle said the metal band was suggested by the applicant. He

said he agreed with Commissioner Onken that the façade looked fairly monolithic as proposed and withdrew his second of Commissioner Riggs' motion. Commissioner Riggs said he was trying to accommodate another view but he would prefer to approve as recommended in the staff report. Commissioner Strehl seconded the motion.

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

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.
2. 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.
3. Approve the architectural control subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans provided by CKA Architects, consisting of ten plan sheets, dated received April 4, 2018, and approved by the Planning Commission on April 9, 2018 except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
 - b. Prior to building permit issuance, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, Recology, and utility companies' regulations that are directly applicable to the project.
 - c. 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.
 - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.

- e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
- f. 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, on February 24, 2018

G2. Review of Determination of Substantial Conformance/Ben Schaefer/1010-1026 Alma Street: Review of staff determination that changes to the Public Plaza West design, including modifications to the coffee kiosk, are in substantial conformance with previous approvals. Review requested by Commissioner Kahle. ([Attachment](#))

Staff Comment: Contract Planner David Hogan said there were no changes to the memo of Determination of Substantial Conformance.

Applicant Presentation: Janice Yuen, Sares-Regis, development manager on behalf of the property owner and future occupants, said they would like to respond to questions raised by Commissioner Kahle. She said they were proposing redesign work around the West Courtyard as the result of the fallen heritage oak tree. She said as mentioned in the memo that the Commission had provided feedback on the redesign of the courtyard in September 2016 and the proposed redesign incorporated much of that feedback and stayed with the original approved design. She said the redesign had some restraints related to the fallen tree. She said requirements for additional trees, bio-retention and shading were added. She said they had met with over a dozen coffee operators in the Bay area and were having difficulty securing a lease due to the operating hours. She said the weekday operating hours made sense as that would serve commuters. She said the hours required on the weekend were difficult for operators to comply with due to the lack of pedestrian traffic in the area. She said the operators also had trouble with the configuration and orientation of the kiosk. She said they were requesting a longer continuous counter space to accommodate countertop equipment and two enclosed floor to ceiling height walls for refrigerated appliances and storage. She said this was feedback from two potential operators. She said the revised plans incorporated that feedback as well as feedback from staff. She said they were pleased to present a much better design that was more open and inviting to the public. She said the project was currently under construction and they were looking forward to delivering a beautiful building in the coming months. She said they would be ready to start on the courtyard very shortly.

Chris Haegglund, BAR Architects, showed the approved entitled plans from 2015 that had a square kiosk, a large heritage oak tree, and a plaza of 2720 square feet including the kiosk and green space. He said another scheme was presented to the Planning Commission in 2016 in which the pavilion was changed to a more rectilinear design, the oak tree was there, and the fencing was partially a metal fence screen and partially a stone wall. He provided slides showing the now proposed public plaza, the new kiosk, and a new large oak tree as well as some additional midsize trees that were being planted. He said they thought this new design was an improvement over the old design in terms of the usability and the amounts of open space and seating area. He said a pergola was being added to the west face of the building.

Gary Strang, GLS Landscape Architects, showed a slide of the originally entitled plans explaining that the dotted line was the canopy of the existing oak tree, which had been the main feature in the courtyard. He said eight understory trees were shown as part of that design. He said as the courtyard would have been 70% shaded by that oak tree, when it fell they found they needed to provide shade in the courtyard as it had both a west and south exposure. He said they would plant a large oak tree to replace the other but in a slightly different location, and add six maple trees. He said the coffee pavilion was more linear than the previous square design and was set more to the west side of the courtyard, making the courtyard more efficient with more usable outdoor space. He said 1400 square feet of the 2720 square feet of pavilion would be hardscape usable and was about 50 more square feet than what had been in the previous design. He said a transformer in the courtyard was moved to the north parking area and the trash enclosure reconfigured to make the north part of the courtyard more efficient. He showed a sample of the paving noting the color was called Agave and was a greenish gray paver. He said with the loss of the oak tree they were concerned with the reflectivity of the white pavers originally proposed and shown in the rendering. He said granite cobbles at the base of the maple trees were flexible and accessible. He said gravel was at the base of the oak tree that was being planted. He said a question that came from the Commission was about the stormwater management area. He said the huge canopy of the oak tree that fell would have satisfied their entire stormwater management but now they had to treat the water in the courtyard. He said in the new scheme they had the same area of planting but changed the use to stormwater management rather the previously proposed buckeye trees. He said those eight trees were now distributed throughout the courtyard to provide much needed shade.

Mr. Haeggglund showed a view of the proposed pergola added to the west side of the building. He said it was metal painted the same color as the pergolas and windows on the building, a warm bronze color. He said they thought it was important on the west facing side of the building to give a little shade in the courtyard as well. He said it was the same design and color as the pergola on the second floor but would not have vine plantings. He showed a view of the pavilion from Alma Street as revised. He said it had a metal roof that folded down to form the wall on the west side and then opened more to the east and the south. He said the inside of the wall with the metal face was wood cladding, the pavilion base was cement plaster, it would have a quartz sandstone countertop and a metal aluminum storefront system, and a metal roof. He said the roof and storefront system were a dark warm color similar to the building but a little darker. He said the wood siding would probably be cedar. He said as Ms. Yuen mentioned that some of the design of the pavilion was based on discussions they had with prospective tenants. He showed four elevations of the building.

Commissioner Strehl asked if the bathroom outside the coffee kiosk was intended for the public. Ms. Yuen said it was for the staff of the coffee kiosk.

Commissioner Riggs said the wing wall on the plan view stopped short of the parallel landscape pocket, which was short of the sidewalk. He said on all of the renderings the wall extended all the way to the sidewalk. Mr. Haeggglund said that those did not align. He said right now the landscaping started at the back of the sidewalk and the wall was shown back a few feet. He said they could align but they didn't think they had to. Commissioner Riggs said he would not want the wall to come all the way to the sidewalk as it invited collision and created a great place to hide and do a jump and grab. He said the difference in the two was about 10 feet although there was an adjacent planter now identified as stormwater management and another eight feet of landscaping, perhaps on the adjacent property that defined the sidewalk in a different orientation. He said there would either be pedestrian traffic 10 feet away from the wall or right on the edge of the wall. Mr. Haeggglund said what Commissioner Riggs was seeing was the existing condition, the existing

sidewalk which was narrower and the landscaping pulled closer to the street. He said for their portion of the site, which he showed on the slide, the sidewalk had been widened and street frontage improvements made. Commissioner Riggs thanked the applicant for the explanation. Commissioner Riggs confirmed with Mr. Haegglund that on the plan the folded plane wall was about two to three feet short of the new sidewalk orientation. Commissioner Riggs said on several renderings the wall aligned with the sidewalk. Mr. Haegglund said he would go with the plan and would not want the wall to be too long. He apologized that the renderings did not reflect that.

Commissioner Kahle said the only question he had that had not been answered was whether the bio-retention planting could be relocated to the private courtyard to get more space in the public plaza. Mr. Strang said they had screening for the parking lot from another property. He said if something happened to that other parcel and they lost the landscape buffer there, they would need to plant something. He said if they moved the bio-retention planting to the north it would take up a lot of the usable space in that private courtyard, and where it was they thought was equivalent to what they had planned there previously. Commissioner Kahle asked about the light green area to the left. Mr. Strang said that was oleander on the adjacent property. Mr. Strang said if that parking lot became another use they would lose a buffer between that property and the coffee kiosk. Commissioner Kahle said they would have a big wall as a buffer. Mr. Strang said the buffer would be for both property owners. He said that they should let the property owners address that.

Commissioner Kahle asked staff if there was any flexibility to address the operating hours. Principal Planner Rogers said he looked up the conditions of approval when they were talking and at a minimum the hours of operation were from 7 a.m. to 7 p.m. on weekdays and from 8 a.m. to 1 p.m. on weekends. He said a request to change those hours would require the applicant to return to the City for approval. He said that potential change was not part of the 4/9 meeting notice and thus could not be done this evening.

Commissioner Barnes said the project predated his service as a Commissioner. He asked if the coffee kiosk was a public amenity suggested by the applicant or requested by the City. Principal Planner Rogers said he recalled it was at the applicant's request and was not a staff suggestion, or something that had been presented independently by the Planning Commission.

Recognized by the Chair, Ms. Yuen said community benefit was required as part of the project, and the City was looking for a retail option on the site. She said the coffee kiosk came out of discussions with staff and the Planning Commission.

Commissioner Barnes asked if they had looked into whether the location had the foot traffic to be sustainable. Ms. Yuen said due to the lack of foot traffic they had hoped not to do any retail there as most of the retail was on the other side of the train tracks. She said under the Specific Plan the thought seemed to be to add retail on this side and their project was the first. She said also the project was replacing an existing restaurant. She said they knew the coffee kiosk would need to be subsidized by the owner with a lower rent amount than what would be supported on the other side of the tracks. Commissioner Barnes asked what would happen and how the community would benefit should the tenant not be able to have a feasible business and closed. Ms. Yuen said they hoped to work something out that was feasible but the feedback they were getting from potential operators was the weekend hours would have a negative impact. She said the project itself would be owner-occupied, and the property owner would be responsible for maintenance and cleaning in the public plaza.

Commissioner Barnes asked staff what would occur if a coffee kiosk was not sustainable. Principal Planner Rogers said the conditions of approval require that a recordation of covenants reflecting the conditions of the coffee kiosk occur before issuance of a building permit. He said the building permit has been issued so a recordation must have occurred. He said the applicants had received additional square footage for providing this public amenity. He said an event like that would be a matter for the City Attorney. Commissioner Barnes said that there must be some Plan B within the recordation. Principal Planner Rogers said he did not have the document and was not involved in the public benefit discussions for this project so he was not comfortable speculating. He said to Commissioner Barnes' overall point that public amenities were a challenge noting news items about developers in Palo Alto whose grocery store as a public amenity was not sustainable and the developers were being fined. He said going forward the Planning Commission would want to look critically at all public benefit proposals that were based primarily on an operational aspect. He said they could research this particular one more and get back to the Commission as he thought that the strictest of conditions had been built into the public amenity.

Chair Combs asked about the tenant owner of the property. Ms. Yuen said she was representing the developer. She said the owner was Hillspire, currently at 1010 El Camino Real, Menlo Park. Brid Arthur, Hillspire, said they were a family office as well as a series of nonprofits set up to make charitable contributions and run charitable projects. She said they have three offices in the Bay Area. She said their family office was in Menlo Park, and they have an office each in Palo Alto and San Francisco. She said the idea was to combine all the offices into one where all their functions could be under one roof. She said they particularly liked being based in Menlo Park and near the train station. She said on their nonprofit side they did environmental work, work on oceans and human rights. She said they worked for a high net family coming out of the Bay area and Google.

Chair Combs said that the coffee kiosk was sustainable by the owners' subsidies and if they had not yet found an owner for that business, they would need to continue looking and negotiating.

Commissioner Riggs said this was a bonus level project and the proposed plaza was the public benefit. He said the public plaza was part of the Planning Commission's approval and had a huge oak tree as a draw to the space. He said he could see people any day of the week wanting to come and sit under that oak tree near both a train station and the downtown. He said the benefit of that oak tree no longer existed. He said the plaza as proposed now had no core or central draw. He said it was just a space with some new landscaping and a coffee pavilion. He said regarding substantial conformance and this change to the public plaza he questioned whether this was the public benefit they had anticipated when they recommended approval to the City Council.

Commissioner Strehl said other than the oak tree the plaza and pavilion were basically what the Commission had originally approved. She said she did not think they could find the project in nonconformance because the oak tree was gone. She said the coffee pavilion was a bit larger for operational purposes and the plaza was the same square footage. She said she would find the proposed revisions to be substantially in conformance with the approved project.

Principal Planner Rogers said the plaza was definitely a key public benefit with the operation of a coffee kiosk. He said there was also an approximately \$180,000 payment that the applicant had made. He said regarding the functionality of the plaza with the loss of the oak tree that from the design perspective and the planting of the large boxed oak tree it was reaching to become a space with a similar look and feel. He said regarding the procedure for this item, the baseline was staff found the proposed revisions to be in conformance with the approved project with an opportunity

for Commissioners to request the item be agendized. He said one Commissioner made that request. He said if the Commission wanted to find the proposed revisions not in conformance there would need to be a motion and second, and four votes finding the project not in conformance. He said that staff's finding would hold otherwise.

Commissioner Strehl said she found the proposed revisions in conformance.

Chair Combs opened public comment and closed it as there were no speakers.

Commission Comment: Commissioner Goodhue said she agreed with Commissioner Strehl that what was proposed was in substantial conformance as found by staff. She said she appreciated Commissioner Kahle requesting it be agendized. She commented on how many different coffee shops were sustainable in the Bay area.

Commissioner Onken said he knew Mr. Strang and Mr. Haegglund quite well but did not need to recuse himself. He said the loss of the oak tree was tragic but he thought the proposed revisions improved the plan. He said there was less space at the back of the kiosk than originally proposed as that might have invited rough sleeping and that he liked the kiosk much better now. He said he supported substantial conformance.

Commissioner Barnes said he found the proposed revisions to be in substantial conformance, and noted overall the plaza was nice. He said he found it difficult to consider this as a public benefit and without research it was speculative as to whether retail would be sustainable in this location.

Commissioner Riggs said he found the proposed revisions in substantial conformance.

Chair Combs said he also found the proposed revisions to be in substantial conformance.

Chair Combs said that Commissioner Goodhue and he would need to recuse themselves from the Study Session item H1, and Commissioner Kahle would chair the rest of the meeting.

H. Study Session

- H1. Use Permit, Architectural Control, Heritage Tree Removal Permits, and Environmental Review/Tarlton Properties, LLC/1305 O'Brien Drive (1350 Adams Court):
Study session on a request for use permit, architectural control, and environmental review to construct a new approximately 260,400 square foot, five-story research and development (R&D) building with a portion of the parking partially below grade and a multi-story parking garage integrated into the building located in the LS-B (Life Science, Bonus) zoning district. The project site currently contains an existing approximately 188,100 square foot R&D and warehousing building (addressed 1305 O'Brien Drive) and the total proposed gross floor area at the site with the proposed project would be approximately 448,500 square feet with a total proposed floor area ratio (FAR) of 92 percent for the project site. The proposal includes a request for an increase in height and FAR under the bonus level development allowance in exchange for community amenities. ([Staff Report #18-036-PC](#))

Staff Comment: Senior Planner Kyle Perata referred the Commission to page 2 of the staff report, under "Analysis," the last paragraph on the page, and said the Maximum FAR identified should be

corrected from 100% for bonus level to 125% plus 10% for commercial uses. He said base development FAR was 55% plus 10% for commercial.

Applicant Presentation: John Tarlton, Tarlton Properties, said 1350 Adams Court represented a significant milestone in the creation of a sustainable life science center of excellence. He said the zoning district was a sustainable and growing revenue generator for the City, a generator of new and innovative companies, and generator of a broad and strong socio-economic base of jobs. He said the district provided an opportunity for public benefit for the surrounding neighborhood. He said a much broader community would benefit from more Menlo Park Labs' innovations that lowered the costs of health care and lengthened and improved patients' lives.

Mr. Tarlton said Commissioners Strehl and Riggs had previously expressed concern about the traffic and the lack of a comprehensive plan to address traffic. He said he felt similarly but noted even with the proposed addition of this building that the Life-Science (L-S) District would be at significantly less than a .45 FAR across the entire district. He said that was 10% lower than the previous cap. He said he was hopeful that they could in parallel move forward approving the early new buildings in the L-S District while working on a comprehensive traffic mitigation plan as opposed to holding back on buildings he had wanted to build for a long time and that would provide many benefits to the City.

Ron Krietemeyer, COO, Tarlton Properties, said over the last six years Tarlton Properties has been working diligently to improve the area known as the L-S District. He said the first new building in the L-S was constructed by Tarlton Properties at 1035 O'Brien Drive in 2013. He said they also redeveloped a number of buildings such as 1305 O'Brien Drive. He said Pacific Bio-Sciences now occupied that building. He said they were converting the building at 1430 O'Brien Drive into two separate buildings that would have L-S R&D and an amenity center including a fitness center, pool, and restaurant that would help support the L-S District.

Mr. Krietemeyer said he was a tenant in the L-S District for 10 years with a number of startup companies before he began working for Tarlton Properties. He said he was quite familiar with the transportation in the area and the issues in getting to and from, and around, the area. He said all of the buildings had bicycle storage and a bike share program with six locations around the L-S District. He said this proposed project would also have a bike share location. He said the building would have showers as did their other buildings. He said they have added car share programs. He said this project would have 30 vehicle charging stations. He said they currently have 120 charging stations in their business park. He said their goal was to have 200 by the end of 2019. He said they have a shuttle service that was created in 2011. He said 50 companies participate many of whom were their tenants. He said they have 567 registered riders currently which was about 40% of their tenants in the L-S District. He said 50% of those were regular riders or at least once or twice a week. He said the shuttle service had stops in Union City, the Palo Alto Caltrain Station, the Millbrae Bart Station and at two locations in San Francisco. He said the City was working on a Traffic Management Association and they would want to coordinate their program with those coming out of that Association.

Commissioner Strehl asked who managed the shuttle program. Mr. Krietemeyer said they worked with a partner and the program was managed through his office. He said they surveyed the riders annually for feedback to improve the schedule and coordinate with the operators to make that happen. Commissioner Strehl said he mentioned 58 bicycle storage units and asked if that was for this building. Mr. Krietemeyer said the 58 were for this building. Commissioner Strehl asked how

many employees were anticipated for this building. Mr. Krietemeyer said he was currently doing a density study of people in the L-S District buildings, and on the whole there were somewhere between 2 and 2.15 people per 1,000 square feet. He said that number was dependent on whether the tenant was a medical device company, bio-pharma company, or diagnostics company as they all had differences in employee density and use. Commissioner Strehl said currently they had 319 parking spaces and with the new parking garage and other parking that would increase to 966 total parking spaces. She confirmed those spaces were for the project site. Mr. Krietemeyer said some of the parking would be for Pacific Bio-Sciences as that company would lose some parking from this proposed development. He said Pacific Bio-Sciences was currently entitled for 373 parking spaces. He said he thought that number would decrease to 255 spaces due to the proposed project so that company's parking space balance would be accommodated in the parking garage.

Commissioner Barnes asked what percentage of the employees in the Tarlton Business Park comes to work by something other than single-occupant vehicle. Mr. Krietemeyer said he thought it was about 20% and they were working hard to improve the percentage. Commissioner Barnes asked what efforts they were making to improve the percentages. Mr. Krietemeyer said in essence theirs was a TMA of 50 disparate companies, all of which strove to encourage employee participation. He said those were not their employees so they could not mandate employee participation. He said the previous shuttle operator had not done a good job keeping on schedule which impacted ridership about two years ago. Commissioner Barnes asked if Mr. Krietemeyer knew how SRI managed its tenants' TDM. Mr. Krietemeyer said he was not familiar with them. Commissioner Barnes suggested there was benefit to learning about SRI's strategies. Commissioner Barnes asked about the 2 to 2.15 estimate of employees per 1,000 square feet for parking and asked why they had not used 1.5 per 1,000. Mr. Krietemeyer said that people still drove and parking ratio for a site was one of the markers the market looked and was a driver for rent levels.

Vice Chair Kahle asked if riders were charged for the shuttle service. Mr. Krietemeyer said that it was free.

Commissioner Strehl clarified with Mr. Krietemeyer that the shuttle did not run midday. She asked if they had an emergency ride home program. Mr. Krietemeyer said that was a program sponsored by companies and a number of their larger company tenants had that program. He said they also have the car shares.

Susan Eschweiler, DES Architects, said that Menlo Business Park was evolving into Menlo Park Labs and it was a very exciting time as Mr. Tarlton had said. She provided visual images describing the new branding for Menlo Park Labs. She said the project site was bounded by O'Brien Drive to the south, Adams Drive to the east, and Adams Court to the north. She said to the west property line was the Facebook Willows Village campus. She said the site was 11.2 acres and noted the mature trees on the west property line that they would like to keep. She said the western property line also had a 42-inch storm drain that then connected to a 48-inch storm drain in an easement that ran the full length of the property.

Ms. Eschweiler said the main entry to the building was directly off Adams Court. She said the service zone would be buffered by the Pacific Bio-Sciences building. She said that building and the project building would have a service area that was somewhat connected in the northwest corner. She said on the Adams Court, Adams Drive and the west side towards the Facebook property and its future potential paseo was a green belt in which they would be keeping as many of the mature

trees as possible. She said they would augment two for one for any heritage trees that needed to be removed. She said podium parking was located underground by being partially submerged and partially raised. She said they would bring the grade up for the first floor of the building to three feet above the base flood elevation. She said they were using some of that space to create the podium layer parking which would be covered with greenery. She said the garage on the left had three levels of parking above ground and was tucked under the project module on the left. She said they would the perimeter was the publicly accessible space with benches off the walkway. She said they would also add sidewalks and bicycle lanes along Adams Court and Adams Drive to connect to the fitness center mentioned earlier. She said the public space around the perimeter would have the sidewalks and entry plazas coming to the entry lobby, and special seating areas along the way.

Ms. Eschweiler said one parking ramp would come off the bulb at Adams Court, and would then turn and go under the building to the podium parking. She said the other ramp to the upper level parking would come directly off Adams Court. She said the service area would be accessed off Adams Drive. She described the sidewalks and the bicycle lane.

Ms. Eschweiler said they would be building 260,000 square feet, and that they have an existing 188,000 square foot building. She said they had worked on an average building height to be 50.8 noting the almost 91-foot tall building measured from natural grade. She said the building would be very high quality construction of white and gray glass fiber reinforced concrete. She said the R&D portion was a steel structure and garage portion was a concrete structure. She said the materials would be very complementary to the concrete tilt-up building occupied by Pacific Bio-Sciences in color but would have more texture. She said they would use clear anodized aluminum mullions, blue tint glass, and double glazed light. She said they were working to identify bird protection glazing as they proceeded. She said they enhanced the amount of glazing on the north side and accented in the corners with gray portals, where full height glass would provide views of the Bar from the conference rooms. She said the building was oriented east to west so they would have good north light. She said on the south side they would have less glass and a deeper section for the sun shades. She said the east stairway would be an accent feature and enclosed in metal panels and vision glass. She noted the second floor deck was anticipated to be a cafeteria.

She said regarding green building that as the project was going for L-S bonus zoning that they were going for 4.0 LEED Gold. She said they would purchase 100% of their electricity from Peninsula Clean Energy and if they needed to purchase carbon offsets they would. She said they were still working through all the details but were considering collecting rainwater to use for landscaping and irrigation. She said they would use sustainably sourced materials, and would work with the general contractor to divert waste from the landfill.

Vice Chair Kahle said that he had worked for Ms. Eschweiler in the past but did not need to recuse himself. He opened the public comment period.

Public Comment:

- Ben Gong, Vice President of Finance for Pacific Bio-Sciences, said he was in charge of facilities for his company as well as finance. He said he had been very participant in the design discussions with the Tarlton Group for the 1305 building, which now housed his company. He said they have 350 to 400 people who come to work every day in that building. He said he hoped the Commission when they were considering different features of the site considers the safety of Pacific Bio-Sciences employees and in particular for the circulation routes for the

trucks. He said their employees come across the west side of the parking lot often not just to access their cars but also to access a chemical bunker and trash enclosures. He said the driveway was somewhat narrow between the parking spaces. He said looking at the design for the circulation flow of the trucks he was happy to hear that the trucks were meant to exit out to Adams Court. He said he would not want the trucks to not exit that way and to come through Pacific Bio-Sciences main parking lot as that would potentially be a safety hazard for their employees walking in that parking area.

Vice Chair Kahle closed the public comment period.

Commission Comment: Commissioner Onken said some years ago he would have had to recuse himself because of work on a parcel nearby this site but there had been no activity for over two years on that so he was clear. He asked if the applicants knew who their tenants would be. Mr. Tarlton said they did not yet know who the tenant would be. He said they have several tenants needing additional space but it was too early in the process for a tenant to commit to the space. Commissioner Onken noted the fitness center amenity and asked if there was intra-campus activity and tenants that regularly circulated within the park. Mr. Tarlton said intra campus activity including people moving from a building to the café or exterior amenities space such as the basketball, volleyball and tennis courts. He said there were also tenants doing business with other tenants and tenants occupying multiple buildings.

Commissioner Onken noted mechanical equipment screening and asked staff if the 12 to 16-foot tall fume hood chimneys had to be screened. Senior Planner Perata said those needed to be screened. He said they worked with applicants building a new building to size the roof screening accordingly or when roof screening was being added.

Commissioner Onken noted the secure bike parking was great. He said most of the mature trees along Adams Drive were Monterey pines and wondered about the health of those. Mr. Krietemeyer said they lost a couple from the drought but noted the trees were a mixture of Canary Island and Aleppo pines and were generally healthy. Commissioner Onken said he did not think the mass of the building would be fully seen and that the trees were very helpful in screening. He said it seemed like a straight forward project and he would like to see it move ahead.

Commissioner Barnes asked if the project would be subject to trip caps. Senior Planner Perata asked if that was in terms of conditions of approval or analysis in the environmental impact report (EIR). Commissioner Barnes said in terms of a trip cap associated with the property. Senior Planner Perata said they were in the early stages of the project and had not done the EIR yet. He said trip caps tended to be driven by an EIR along with a development agreement.

Commissioner Barnes said he liked the building's architecture and the garage was well-integrated. He said a number of questions were posed in the staff report regarding open space and paseos. He asked if there was any way to graphically demonstrate the crux of the questions being asked.

Ms. Eschweiler showed a site plan with the proposed paseos and open space. She said they would have a path that led to the paseo expected to be developed on the Facebook property. She said they would improve the paving of the service drive to make it easier for people to get in and out of the garage from the public pedestrian and bicycle way.

Commissioner Barnes asked who would use the publicly accessible open space. Ms. Eschweiler showed the private open space on the site plan, which was for the tenants. She said that was along the south side for Pacific Bio-Sciences. She showed the private open space area for the proposed project that was secured. She said what they saw as the publicly accessible open space was in the perimeter. She said it was accessible from the street, accessible with sidewalks and seating areas; it would have mature landscaping and street lights. She said that could be for anyone in the business park and community to use.

Replying to Commissioner Barnes, Senior Planner Perata said regarding the questions posed about publicly accessible open space that staff was not sure the proposal met publicly accessible open space as it was envisioned in the L-S District as part of ConnectMenlo. He said under the ordinance it had to be something people would utilize and it could be an active or passive use. He said ultimately it had to have some type of site furnishings to draw people in. He said it could not just be landscaping, stormwater treatment areas, or things within the public right-of-way such as sidewalks and frontage improvements required of projects. He said staff was asking the Commission to consider whether what was proposed met the zoning ordinance or if they needed to work further with the applicant to refine the open space program. He said staff generally found the open space adjacent to the paseo appropriate. Commissioner Barnes asked if publicly accessible open space under the zoning was intended to be more of a destination or intended to be on the way to somewhere. Senior Planner Perata said it could be both, a pass through use or a draw of people to the site.

Commissioner Riggs said for a large building the structure was handsome. He said the parking levels seemed to have a glass façade to harmonize with the office floors. Ms. Eschweiler said the openings would have aluminum framing and perforated metal panels. She said they received feedback that the ground level parking needed to have some transparency and those might have glass to meet the letter of the zoning. She said the upper levels of the parking garage were meant to be open without mechanical ventilation and would work through the exact ratio of how many holes and what size in the perforated panels to make sure those worked. Commissioner Riggs asked if the mechanical screening would be the perforated metal. Ms. Eschweiler said they were envisioning a flat solid metal panel. Commissioner Riggs said roof screens at certain times of the day could become very prominent. He said he could support a lower height for the screen if the applicant could devise that. He asked about the reason for the enhanced service drive. Ms. Eschweiler said their thought was to connect the building to the paseo with that paving and then with the landscaping.

Commissioner Riggs said he was having trouble finding the green space around the perimeter as publicly accessible open space. He said it might be more inviting if trees lined both sides of it. He questioned the use of the proposed seating by the public. He said the traffic issue for the M-2 seemed to always be delegated as another's responsibility such as the Metropolitan Transit Commission. He said that any building built was new space and that new space did not have the infrastructure to get people to work. He said he understood the challenge with multiple tenants and managing traffic demand but the infrastructure was lacking. He questioned how to meet the needs of the residents whose streets were already impacted with heavy traffic at different times of the day and for such large projects to continue to be approved.

Commissioner Strehl said she agreed with Commissioner Riggs' comment about traffic impacts and any new building. She said with new employees that was just another vehicle on the road and compounded the problem residents and the City were struggling with. She asked staff if through an

EIR whether the Commission could consider placing trip caps on a development like the proposal. Senior Planner Perata said it was a possibility. He said this was multi-tenant project and had one building that was entitled with no trip caps, a site that had access through both building areas, and multiple entry points. He said it might be very difficult to apply compliance measures. Commissioner Strehl said she would want to consider caps for projects coming forward in this area.

She said it was hard for her to see that the publicly accessible open space was a public amenity. She said she was trying to visualize how the podium and garage parking would work. She asked if a person could not find parking in the podium whether they would have to exit and enter the upper level of the garage. She asked about how service trucks would exit. Ms. Eschweiler said for parking that a person would have to exit and either go out to the street and enter the upper level garage or go through the service area. She described the circulation of service trucks.

Vice Chair Kahle asked about the large concrete pad. Ms. Eschweiler said the building at 1305 O'Brien Drive that was now the Pacific Bio-Sciences headquarters was originally built for Boise Cascade as a large warehouse and distribution center. She said the property was then bought by Office Depot / Office Max. She said after they departed, Tarlton Properties bought the property and in the course of designing the Pacific Bio-Sciences project the full extent of the prior warehouse was not needed. She said they were able to remove a couple of bays so the building was shortened. She said for the interim they left the concrete pad that had been the ground floor for the warehouse. She said that would be removed as part of this project. Replying to Vice Chair Kahle, she said they were not subdividing the lot. Vice Chair Kahle asked if they were comfortable with the amount of parking. Ms. Eschweiler said they had a few parking spaces sprinkled in noting that they would need to work out where the mechanical was for the underground parking garage. Vice Chair Kahle said he did not see solar panels on the LEED items. Ms. Eschweiler said they were not currently considering having those as they needed the roof space for the mechanical systems for the laboratories.

Vice Chair Kahle said he liked the way the garage was integrated. He said the building appeared very massive in the 2-D elevation but the rendering really helped to show how the mass was broken up. He said the vertical band near each of the corners seemed to need to continue higher up to the parapet as it looked applied and was not integral. He said looking at an angle the glass seemed to stop and be less substantial. He said it would be helpful for the band to continue across the top. He said the building was attractive and would be a nice addition to Menlo Park. He said he was not sure how the connection to the Willow Village would work as it was on the backside of a parking garage. He said he would like that better defined as they moved ahead to help understand the paseo. He said he agreed with fellow Commissioners about the publicly accessible open space. He said he did not see the seating areas being used very much or as a place for gathering. He said what would really help was if rather than spreading the space around the perimeter to bring it to the paseo side of the building and make the paseo a much more usable area. He suggested the specially paved service drive might be developed better to be part of the publicly accessible open space and paseo. He said he agreed with the concerns about traffic impacts.

Commissioner Onken said the paved area was a fire lane and he thought using it was a good solution. He said regarding publicly accessible open space that he agreed what was shown were verges around the perimeter of the building and would be there whether the City mandated those or not. He said they needed to ask what would they want there and what functional publicly accessible open space would look like in this area. He said he could not see what else could be

integrated so he was content with what was proposed. He said if through the process the architect and applicant found other publicly accessible open space functionality that would be welcome. He said traffic was essentially something the City would need to make a call on and make some sort of action.

Commissioner Barnes said he thought this project was appropriate for bonus level development. He said it was the right parcel and the right size project. He said this was what the ConnectMenlo process envisioned. He said moving forward the applicant needed to provide better answers as to how their tenants were getting to work, their commute rates, and the tools for handling traffic impacts. He said they had mentioned they had a number of projects in the works. He said they needed to see what Menlo Park Labs would look like when it was finished, and who the tenants were. Commissioner Barnes asked staff if the project was required to have 30% energy generation onsite. Senior Planner Perata said the project had to meet 100% renewable and did not have to necessarily be onsite.

H. Informational Items

H1. City Council Work Plan Transmittal and Capital Improvement Program (CIP) process update ([Attachment](#))

H2. Future Planning Commission Meeting Schedule

- Regular Meeting: April 23, 2018

Principal Planner Rogers said that Principal Planner Chow would be the liaison for the April 23 meeting and that agenda would have the Guild Theater project.

- Regular Meeting: May 7, 2018
- Regular Meeting: May 14, 2018

I. Adjournment

Vice Chair Kahle adjourned the meeting at 11:24 p.m.

Staff Liaison: Thomas Rogers, Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on May 7, 2018