



## REGULAR MEETING MINUTES

**Date:** 03/08/2021  
**Time:** 7:00 p.m.  
**GoToWebinar.com – ID #856-107-091**

### A. Call To Order

Chair Henry Riggs called the meeting to order at 7:02 p.m.

### B. Roll Call

Present: Chris DeCardy, Michael Doran (Vice Chair), Larry Kahle, Michele Tate (left meeting at 9 p.m.), Henry Riggs (Chair)

Absent: Andrew Barnes, Camille Kennedy

Staff: Fahteen Khan, Assistant Planner; Kaitie Meador, Senior Planner; Michael Noce, Management Analyst II; Ori Paz, Associate Planner; Corinna Sandmeier, Senior Planner; Leo Tapia, Planning Technician; Chris Turner, Assistant Planner

### C. Reports and Announcements

Senior Planner Corinna Sandmeier reported that the City Council at its March 9, 2021 meeting would continue its discussion on Council priorities and adoption of a workplan.

### D. Public Comment

None

### E. Consent Calendar

- E1. Approval of minutes and transcript from the January 25, 2021, Planning Commission meeting. ([Attachment](#))

Commissioner Chris DeCardy said on page 6 of the minutes, in the second paragraph, line 13 that the word “note” should be corrected to “not.”

Chair Riggs said he had emailed five paragraphs to staff late this evening with some suggested changes to the transcript. Planner Sandmeier said that they would check with the court reporter noting that if someone misspoke the error would remain as the transcript was verbatim.

**ACTION:** Motion and second (Michael Doran/Larry Kahle) to approve the minutes and transcript from the January 25, 2021 Planning Commission meeting with the following modification; passes 5-0-2 with Commissioners Andrew Barnes and Camille Kennedy absent.

- Page 6, 2<sup>nd</sup> paragraph, line 13: “note” should be “not.”

Changes to the transcript would be confirmed by staff with the court reporter.

## **F. Public Hearing**

### **F1. Use Permit/Viraj Bais/224 Hedge Road:**

Request for a use permit to demolish an existing one-story, single-family residence and construct a new two-story, single-family residence on a substandard lot with regard to minimum lot width and area in the R-1-U (Single Family Urban Residential) zoning district. ([Staff Report #21-009-PC](#))  
*Continued from the Planning Commission meeting of February 22, 2021.*

Staff Comment: Associate Planner Ori Paz said he had no updates to the written report.

Questions of Staff: Commissioner Kahle asked for more information about staff's request in its report that the Commission consider the material treatment at the side and rear. Planner Paz said that the front façade had a number of material treatments that extended for only a portion of the side.

Commissioner Kahle said that vertical wood elements around the windows on the front elevation were not reflected on the floor area diagram, noting the project was near its maximum floor area. Planner Paz said he could look at that as they discussed the item.

Applicant Presentation: Mr. Greg Zierman, project designer, said that the existing residence would be deconstructed with a minimum 65% of the building materials reused, recycle or donated. He said the proposal was for a two-story home with 2,367 square feet of true living area with a two-car garage and an uncovered patio in the rear. He said the proposed design took into consideration the detailed arborist report on trees both onsite and on the adjoining properties. He said the proposed two-story home in a modern style would use smooth stucco, stone veneer, and wood window trim. He said the second floor was set back from all the exterior first level walls to reduce its bulk and mass. He said all of the bedroom windows were located to protect privacy of the residents and adjoining side neighbors.

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

Commission Comment: Commissioner Kahle said the project was described by the applicants as a modern prairie style design. He said that style had many horizontal lines and deep eaves but the proposal had many vertical elements, not so deep eaves and the roof was not straight forward but had hips and valleys.

Mr. Viraj Bais, property owner, said he was not an architect but they chose a design that would blend in with the neighborhood and would be aesthetically pleasing.

Commissioner Kahle asked about the materials on the side versus the front. Mr. Zierman said the accent material was the adhered stone wainscoting. He said other than the entry columns and the side of the garage mimicking a column that the rest of the stone was very horizontal and a wainscoting in nature. He said to extend it beyond the fence and gate on the right side did not seem feasible.

Commissioner Kahle asked if the applicant would be willing to use a deeper eave to fit more with the modern prairie style. Mr. Zierman said originally they had a deeper eave that was 18 or 20-inch deep. He said staff pointed out that the upper left side would penetrate the daylight plane if they did that. He said he would prefer a deeper eave. He said another possibility was a deeper overhang on the first floor and not on the upper floor.

Commissioner Kahle said he thought the eaves should be consistent throughout. He commented that all the overhangs were modified because of the one near bedroom #2 that was close to the setback line.

Chair Riggs said it might help if the modern prairie style was not used as a descriptor. He said the elevations showed a standing seam metal roof on both floors but in the project description the upper roof was composite shingles. Mr. Zierman said that must have been a typo from a previous project description and both roofs would be standing seam metal. Chair Riggs said the right side elevation showed the stone being terminated at the width of a column rather than at the fence, which was another five foot back in distance from the face of the garage. He said that the garage was a distinct architectural element. He asked if it would be consistent with the design to wrap the applied stone veneer wainscoting around the garage and then terminate around the corner by the utility doors. Mr. Zierman said they had had a wainscot at one point on the side of the garage but in reviewing several times with Planning staff they all had determined it looked somewhat lopsided to the porch columns. He said they changed it to mimic the porch columns so the stone went up to the underside of the eave. He said he was in favor of Chair Riggs' suggestion. He said after it mimicked the porch column in size and depth it would then drop down to the same wainscoting height that ran along the garage wall to the front porch and the same wainscoting height that ran along the entire living room and dining room side of the house.

Chair Riggs said regarding deeper eaves that one architectural element could have a different eave projection and referred to bedroom #2. He said it was not in plane with other walls. Mr. Zierman said he was open to that. Replying to Chair Riggs, Commissioner Kahle said his thought was to maybe drop the whole roof section on bedroom #2 one foot so it did not have the problem. He said one way or another getting deeper eaves would benefit the house a lot and he was in favor of that being explored. Chair Riggs asked if that should be a condition or an advisory to staff and the applicant. Commissioner Kahle suggested a condition of approval.

Commissioner DeCardy said this project met all regulations except it was on a substandard lot. He said the proposal would fit proportionately on the substandard lot. He said staff was recommending approval on the project as submitted which led him to believe that similar projects with similar designs would be approved on standard lots. He said he did not support adding conditions to this project approval. He said if conditions were added he would want to know the applicants wanted to do what would be conditioned.

Commissioner Doran said he agreed with Commissioner DeCardy on this project. He said he thought they were getting too concerned with a reference to modern prairie style architecture. He said the proposal was a handsome house that fit on the lot and would be an improvement to the neighborhood. He said he wanted to leave to the discretion of the architect and property owner whether they wanted to change the eaves.

Chair Riggs moved to approve the project with a condition that the stone be continued around the garage on the right side with the Commissioner's suggestion that the house would look better with

extended eaves, and if that were submitted and met the daylight plane requirement that would be considered approval under this hearing. Commissioner Doran seconded the motion.

Planner Paz asked how far the stone wainscoting around the right should be extended. Chair Riggs said it would extend from the implied column currently shown approximately 20 feet down the side of the garage and then approximately five feet into the utility closet to end on an inside corner.

Commissioner DeCardy asked for applicant confirmation of the proposed condition. Mr. Zierman said as the designer he approved of that change to the plan.

Planner Sandmeier said regarding the eave extension that on the right side next to the garage it looked like that eave was possibly at the maximum encroachment. She said the suggestion would be for any eave extensions within the maximum encroachment limits.

**ACTION:** Motion and second (Riggs/Doran) to approve the item with the following modifications; passes 5-0-2 with Commissioners Barnes and Kennedy absent.

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
  - a. The applicant shall be required to apply for a building permit within one year from the date of approval (by March 08, 2022) for the use permit to remain in effect.
  - b. Development of the project shall be substantially in conformance with the plans prepared by Unique Home Designs consisting of 15 plan sheets, dated received February 19, 2021 and approved by the Planning Commission on March 08, 2021, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
  - c. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
  - d. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
  - e. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations

of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.

- f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
  - g. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
  - h. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by David Hamilton, dated revised February 19, 2021.
4. Approve the use permit subject to the following **project-specific** conditions:
- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a plan set that includes a sheet containing the pages of the final arborist report and an updated site plan and utility plan with notes specifying the tree protections outlined in the arborist report, subject to review and approval by the Planning Division and City Arborist.
  - b. Simultaneous with the submittal of a complete building permit application the applicant shall provide updated elevation drawings reflecting a continuation of the stone wainscoting around the right side of the residence, terminating at the inside corner near the entrance to the utility closet, subject to review and approval by the Planning Division.**
  - c. Simultaneous with the submittal of a complete building permit application, the applicant shall have the flexibility to submit a revised eave design extending the eaves out by up to two feet wherever they would not exceed the maximum allowable encroachment into the setbacks nor intrude into the daylight plane, subject to review and approval by the Planning Division.**

F2. Use Permit/Bryant Lin & Christine Chan/201 McKendry Drive:  
Request for a use permit to demolish an existing one-story, single-family residence and detached garage, and construct a new two-story residence with attached garage on a substandard lot with regard to minimum lot width, depth and area in the R-1-U (Single Family Urban Residential) zoning district. ([Staff Report #21-010-PC](#))

Staff Comment: Senior Planner Kaitie Meador said staff had no additions to the written report.

Questions of Staff: Commissioner DeCardy referred to Attachment C1 and the calculation of lot coverage. Planner Sandmeier said the information was to show how much lot coverage was allowed on the lot and how much lot coverage the project proposed.

Applicant Presentation: Ms. Katie Kostiuk, project architect, introduced the property owners Bryant

Lin and Christine Chan. Ms. Kostiuk said the existing home, a bungalow, was built in 1947. She said the proposed new structure would be Craftsman style as that seemed very fitting for the neighborhood. She said the lot was in a flood zone. She said they heard today from the neighbor at 171 McKendry, who had privacy concerns regarding the first floor. She said the property owners had offered planting additional screening on that side of the house.

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

Commission Comment: Commissioner Kahle said overall the project was great and the height worked well particularly since it was in a flood zone. He said he noticed a heavy rake board and fascia board but the treatment around the windows was very thin. He asked if that was a design decision. Ms. Kostiuk said it was. She said they had looked at a three-and-a-half-inch trim versus five-and-a-half-inch trim for the windows. She said the five-and-a-half-inch trim began to feel very heavy and chunky. Commissioner Kahle asked about the width of the rake boards noting those seemed chunky to him. Ms. Kostiuk said they felt compositionally it was the best fit and in combination with the trim boards above the windows. Commissioner Kahle said he thought they were a little thick compared to the Craftsman style in general. He said on the sides there was a lot of exposed beam work in the gable ends. He said at the front it was really only at the ridge and not at the lower end of the eaves. He asked if they would consider adding beam work there to match that on the sides. Ms. Kostiuk said originally she had more beam trim or rafter tail at the front elevation where the garage was. She said because one end of that gable was captured by the entry roof it did not feel appropriate to do that. Commissioner Kahle suggested the garage was so large that they could do a middle one as well halfway up the rake. Ms. Kostiuk confirmed he was suggesting that it would be capturing the floor line of the gable above and she would be open to doing that. She confirmed with the property owners they were open to that as well.

Commissioner Kahle said typically on a Craftsman mutton bars were seen in the windows but there did not seem to be any dividing lights at all. Ms. Kostiuk said they were trying for a clean line approach as opposed to a classic Craftsman style. She said a lot of the windows on the side were transom. She said they explored having divided lights on the upper halves of the windows as well as on upper and bottom of the double hung windows but with the combination of Craftsman and double hung for egress in the bedrooms that it did not feel cohesive or that the proportion of the divided lights made sense.

Commissioner Kahle noted the James Hardy siding and asked if there were corner boards and if those would be painted to match or if it was the thicker siding that did not need corner boards. Ms. Kostiuk said it was the thicker siding.

Chair Riggs noted that Commissioner Kahle's comments were good. He said the trim width around the windows was an intentional choice but noted there was no sill dividing the vertical trim from the apron, which would be a supportive option to this Craftsman style. He said that was only a recommendation. He said the architect indicated support for rafter tails in addition to the ridge beam extension. He said regarding dividing lights and the windows that it was a choice for simplicity. He said the choice to avoid corner boards was a nice one. He asked if there was an inclination to reduce the 12-inch rakes or fascia boards. Ms. Kostiuk said she was open to bringing those down. She said proportionately she thought it captured the gable with the same proportions of the trim that was dividing the shingles from the horizontal siding. She said it was something she would like to visually explore and asked if it could be a recommendation rather than a condition.

Chair Riggs moved to approve the project with modifications to show rafter tails at an approximate interval of eight feet plus or minus four feet to have a logical landing place. He said a couple of the Commissioners recommended that they reduce the depth of the rake boards and consider a sill and apron. Commissioner Kahle seconded the motion. He said regarding the placement of the rafter tails that eight feet seemed far. He said he thought four feet at the most would be good. He said he agreed the width of the rake boards should be smaller as a suggestion. He said he liked the suggestion for adding the sill and apron for the windows. He said he had failed to mention that he appreciated the efforts for privacy towards the sides for the neighbors.

Commissioner DeCardy confirmed that the property owner accepted the actions proposed.

Ms. Kostiuk asked for clarification about the beams and rafter tails and if that was specifically at the garage or at some of the smaller gables. She said there were two other gables on the second floor that were a little bit smaller in their proportions and asked if they were looking for the beams and rafter tails to be at those locations too. Commissioner Kahle said everywhere.

Planner Meador confirmed that the location of rafter tails would be approximately at four feet.

**ACTION:** Motion and second (Riggs/Kahle) to approve the item with the following modifications; passes 5-0-2 with Commissioners Barnes and Kennedy absent.

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
  - a. The applicant shall be required to apply for a building permit within one year from the date of approval (by March 8, 2022) for the use permit to remain in effect.
  - b. Development of the project shall be substantially in conformance with the plans prepared by Fat Pen Studios consisting of 10 plan sheets, dated received March 2, 2021 and approved by the Planning Commission on March 8, 2021, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
  - c. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
  - d. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.

- e. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
  - f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
  - g. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
  - h. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Aesculus Arboricultural Consulting, dated revised March 2, 2021.
4. Approve the use permit subject to the following **project-specific** condition:
- a. Prior to submittal of a complete building permit application, the applicant shall submit an updated arborist report that includes all trees with a diameter of six inches and greater.

F3. Use Permit/Mahshid Saadat/575 Olive Street:  
Request for a use permit to demolish an existing one-story, single-family residence and construct a new two-story residence with a basement on a substandard lot with regard to minimum lot width in the R-1-S (Single Family Suburban Residential) zoning district. ([Staff Report #21-011-PC](#))

Staff Comment: Assistant Planner Fahteen Khan said staff had no additions to the staff report.

Questions of Staff: Commissioner DeCardy referred to the arborist report and its note on the poor form of heritage oak tree #10. He asked if the process for its removal had been done or whether a neighbor could still raise concern to have that tree preserved. Planner Khan said an application for a Heritage Tree Removal permit had been made for that tree. She said the City Arborist had reviewed the project arborist report and approved removal of the tree. She said the 15-day appeal period for that had passed.

Applicant Presentation: Mahshid Saadat, property owner, said the existing home was sort of an Eichler style and built in 1952. She said the proposed house was a two-story, modern farmhouse style building. She said there was additional setback on the sides. She said they had done neighborhood outreach either through email, mail or actual encounters with neighbors when they were out walking. She said they were proposing batten board on the front and part of the sides that then strategically changed to stucco toward the back which was south with sun exposure. She said tree #10 was a Live oak and its body was shaped like an "S" and very unstable. She said it would not thrive in its location. She said they could modify the location of the new tree they were proposing to plant to meet the City Arborist's requirements. She said the windows were aluminum clad with

dividing lights. She said most windows were casement with a few awning-type windows.

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

Commission Comment: Commissioner Kahle asked why there were two different roof materials and two different roof pitches. He said the lower floor was a three and twelve and the upper floor was a four and twelve. Ms. Saadat said the material choice was based on houses in their neighborhood that they liked and copied. She said the metal roof material for the lower floor was because a lot of metal was used in the lower area, especially the part that could be seen. She said she thought the different pitches was to make sure the slopes and the symmetrical aspect of the design matched.

Commissioner Kahle said he noticed a neighbor had concerns with the driveway and privacy. He said he did not see the merits of those concerns. He said regarding the design he had issue with the siding changing to stucco. He said he understood about solar exposure at the back and while it was not his preference he thought the change was well done and not really visible from the front. He said the garage was quite prominent but that was mitigated somewhat by the large entry porch. He said his main issue was the different roof materials as he thought that was a mistake. He said he also would ideally like the roof pitches to be the same.

Chair Riggs said the overall proportions were good and nice materials were being used on the front. He asked if they might want mullions on the windows as it seemed to imply that there were mullions with a single line in the front windows. He said a single vertical and single horizontal line were consistent with the farmhouse style. He asked the applicant to indicate the window mullion type. Farnaz Khadiv, project architect, said they were simulated divided lights.

Chair Riggs said he agreed with Commissioner Kahle that the project would be more handsome if they used a standing seam metal roof on the upper floor as well as on the lower floor. He said he strongly recommended upgrading the second floor roof to standing seam metal roof and to make a note in the hearing that that would be considered approved. He said the project architect did an extensive submittal that certainly answered all questions and made it easy for the Commissioners to review all of the project elements.

Commissioner DeCardy moved to approve as submitted. Commissioner Doran seconded the motion.

Planner Khan asked if the Commission could weigh in on the window trim, entry door and garage door materials.

Replying to Chair Riggs, Commissioner DeCardy said as the maker of the motion that he would leave the choices to the applicant. Chair Riggs noted they had a very positive garage door image on the application, sheet MB1.0 as well as the entry door. He asked if Planner Khan had pointed out that significant deviations from those images would require at least review by the Commission members. Planner Khan said she had not but it would be good to have confirmation of what material the applicants would choose. Chair Riggs asked if the applicant would decide at this point whether they would go with metal or wood for the two major doors. Ms. Saadat said whether metal or wood that it would not depart from the particular look that they showed. She said some metal doors did not appear metal but were solid which was what they wanted to show. She said some garage doors were made of fiber glass that imitated wood and were filled with some insulating materials. She said they had not picked the actual manufacturer of the garage door but had looked at different types. She said the look would be the same but depending on the manufacturer would be metal or wood.

Chair Riggs said that he was fine with that but polled other Commissioners if they thought a choice had to be made at this time. No Commissioner indicated a preference.

**ACTION:** Motion and second (DeCardy/Doran) to approve the item as recommended in the staff report; passes 5-0-2 with Commissioners Barnes and Kennedy absent.

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
  - a. The applicant shall be required to apply for a building permit within one year from the date of approval (by March 8, 2022) for the use permit to remain in effect.
  - b. Development of the project shall be substantially in conformance with the plans prepared by Khadiv-Design, consisting of 20 plan sheets, dated received February 9, 2021, and approved by the Planning Commission on March 8, 2021, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
  - c. Prior to building permit issuance, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
  - d. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
  - e. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering, and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
  - f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
  - g. All applicable public right-of-way improvements, including frontage improvements and the dedication of easements and public right-of-way, shall be completed to the satisfaction of the Engineering Division prior to building permit final inspection.



- h. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition, or building permits.
  - i. Post-construction runoff into the storm drain shall not exceed pre-construction runoff levels. The applicant's design professional shall evaluate the Project's impact to the City's storm drainage system and shall substantiate their conclusions with drainage calculations to the satisfaction of the City Engineer prior to building permit issuance.
  - j. Simultaneous with the submittal of a complete building permit application, the applicant shall provide documentation indicating the amount of irrigated landscaping. If the project proposes more than 500 square feet of irrigated landscaping, it is subject to the City's Water Efficient Landscaping Ordinance (Municipal Code Chapter 12.44). Submittal of a detailed landscape plan would be required concurrently with the submittal of a complete building permit application.
  - k. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Kielty Arborist Services LLC, dated May 6, 2020.
  - l. If construction is not complete by the start of the wet season (October 1 through April 30), the Applicant shall implement a winterization program to minimize the potential for erosion and sedimentation.
  - m. Prior to building permit issuance, the applicant shall pay all applicable City fees. Refer to City of Menlo Park Master Fee Schedule.
4. Approve the architectural control subject to the following **project-specific** conditions:
- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans that include the following note "Elevator shall be installed in order for FAL stairwell/elevator exemption to apply; otherwise, residence shall be modified to not exceed the permitted FAL."
  - b. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised plan set with the following revisions included on all relevant sheets, including the site plan, subject to review and approval of the Public Works Department and the City Arborist:
    - i. Frontage improvements which include a new valley gutter along the entire property frontage, pursuant to the latest City Standards.
    - ii. A new parking strip with the same configuration as the neighboring property (565 Olive Street) along the entire property frontage.
  - c. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised plan set with the following materials labeled on the elevation drawings, subject to review and approval of the Planning Division:

- i. Standing seam metal roofing over the first floor and composite asphalt shingle roofing over the second floor.
      - ii. Wood frames for all windows with either aluminum or vinyl, charcoal-colored cladding.
      - iii. A painted wood or steel front door.
      - iv. A metal or wood sectional garage door with tempered glass windows along the top.
    - d. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans with the following revisions, subject to review and approval of the Planning Division and the City Arborist:
      - i. A new sheet with a tree protection fencing plan and preservation guidelines.
      - ii. Revisions to Sheet A-1.1 to ensure tree protection fencing reflects fence dimensions noted in the arborist report. (Fencing shall be enlarged to encompass tree driplines.)
      - iii. A new location for the proposed heritage replacement tree that will not impact tree #11, the existing fence, or neighboring structures, subject to review and approval of the City Arborist and the Planning Division.
    - e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised arborist report indicating grading guidelines near heritage trees, including a discussion on the grading where the retaining wall will be removed.
- F4. Development Agreement Annual Review/ Stanford University/500 El Camino Real (Middle Plaza at 500 El Camino Real Project): Annual review of the property owner's good faith compliance with the terms of the Development Agreement. ([Staff Report #21-012-PC](#))

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

Applicant Presentation: John Donahoe, Stanford University, introduced Nick Durham with Stanford University's Department of Project Management. He said they did not have anything to add to the staff report. He said they were at the construction phase now and elements required in the Development Agreement prior to construction had been met. He said other elements of the Development Agreement would be triggered upon occupancy of the project itself.

Chair Riggs opened the public hearing.

Public Comment:

- Ranjeet Pancholy said he and his wife owned 115 El Camino Real across from the project. He said they were delighted to see the progress on the project and were looking forward to its completion. He said their site was also in the reconstruction process too and would be coming

before the Commission in the near future. He said these were wonderful improvements to the old auto lane that used to be there.

- Kim Novello said she lived near Burgess Park. She said she was concerned with the new heights that were being approved, She asked any nature that the developer could create or maintain at the site for the benefit of the community would be greatly appreciated.

Chair Riggs closed the public hearing.

Commission Comment: Commissioner DeCardy noted the Development Agreement was that Stanford would pay half of an underpass. He asked where the rest of the funding would come from and its status.

Planner Sandmeier said that the City's Public Works Department were working towards getting the funding secured. She said she did not have details but as outlined in the staff report they were working towards a timeline. Commissioner DeCardy asked if she knew where funding was being sought. Planner Sandmeier said she did not but indicated she could follow up.

Mr. Donahoe said he had been asked by the Public Works Department to write several letters on behalf of Stanford in support of funding. He said staff was pursuing a variety of funding sources and that work had been ongoing over the last year.

Chair Riggs said he believed some bond funding had been secured in 2019 with the completion of a design. He said it was clear from the staff report that good faith had been demonstrated.

**ACTION:** Motion and second (Doran/Kahle) to make the finding as recommended in the staff report; passes 5-0 with Commissioners Barnes and Kennedy absent.

1. Make a finding that Stanford University is in compliance with the provisions of the approved Development Agreement for the period of February 2020 through February 2021.

## **G. Regular Business**

- G1. Housing Element Annual Report/City of Menlo Park:  
Opportunity to consider and provide comments and/or a recommendation to the City Council on the 2020 Annual Report on the status and implementation of the City's Housing Element (2015-2023).  
([Staff Report #21-013-PC](#))

Staff Comment: Management Analyst II Michael Noce, Housing Division, and Assistant Planner Chris Turner made a PowerPoint presentation on the Housing Element Annual Report.

Chair Riggs opened for public comment.

Public Comment:

- Lauren Bigelow, Housing Commission, said Menlo Park was producing a large amount of housing units that would be affordable to above moderate income earners and very low and low income earners. She said that production of housing for moderate income earners was low and that was a problem across the region. She said in terms of policies and processes the City had

significantly improved its homelessness prevention and outreach outcomes. She said the most effective way to deal with homelessness was to prevent it. She noted the importance of dedicating land near transit to projects that had a majority of affordable housing and could draw on tax credit financing.

- Kim Novello, Menlo Park, asked how the numbers were determined for the number of very low, low, moderate and above moderate income units. She asked if there was discussion on the state or local level on the impact of building the high numbers of residential units. She noted that building was recommended near transit but she thought it was better to focus on having people work in the towns they lived in. She said with more housing and more people that more open space and nature was needed for everyone's mental health.

Chair Riggs closed public comment.

Commission Comment: Chair Riggs said that Ms. Bigelow commented that a top issue for homelessness was evictions. He asked if it was correct that currently there were county and local laws essentially blocking eviction due to inability to pay rent because of the pandemic. Mr. Noce said there were current laws regarding tenant evictions on residential properties. He said the protection for commercial evictions expired a month earlier.

Chair Riggs said the Planning Commission usually asked for open space in major projects. He noted the continuing completion of the Bay Trail, which was a multi-countywide facility, and encouraged its use.

Commissioner DeCardy said the City was certified as on track to meet the targets given to it by the State. He asked how certification worked. Mr. Noce said it was an annual process he believed. Commissioner DeCardy asked what would happen if the City did not meet its moderate income target. Mr. Noce said the state had not identified a process by which it would penalize a city for not meeting its goals other than SB 35.

Commissioner DeCardy thanked Commissioner Bigelow for speaking. He said the targets from the state pushed the City. He said the needs in the City though were extraordinarily higher than what was being done. He referred to the higher allocation needs expected in the future and recommended that they all needed to look at how to meet those beginning now.

**ACTION:** Motion and second (Doran/DeCardy) to recommend to the City Council approval of the Housing Element Annual Report; passes 4-0-3 with Commissioners Barnes, Kennedy and Tate (left the meeting at 9 p.m.) absent.

## H. Informational Items

### H1. Future Planning Commission Meeting Schedule

- Regular Meeting: March 22, 2021

Planner Sandmeier said the March 22 agenda would have a single-family home development and the Menlo Portal project for an EIR scoping and study session.

- Regular Meeting: April 12, 2021

**I. Adjournment**

Chair Riggs adjourned the meeting at 9:31 p.m.

Staff Liaison: Senior Planner Corinna Sandmeier

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on April 12, 2021