



## REGULAR MEETING MINUTES

**Date:** 3/25/2019  
**Time:** 7:00 p.m.  
**City Council Chambers**  
**701 Laurel St., Menlo Park, CA 94025**

### A. Call To Order

Vice Chair Andrew Barnes called the meeting to order at 7:02 p.m.

### B. Roll Call

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

Absent: Susan Goodhue (Chair)

Staff: Ceci Conley, Contract Assistant Planner; Fahteen Khan, Contract Assistant Planner; Kyle Perata, Acting Principal Planner; Ori Paz, Assistant Planner

### C. Reports and Announcements

Acting Principal Planner Kyle Perata said the City Council at its March 26, 2019 meeting would start the two-year review of the General Plan update with a study session. He said it would also consider the Mid-Pen Housing funding agreement and abandonment of right of way between 1305 and 1345 Willow Road and hear a presentation by a group of high school students associated with the UC Berkeley group on the local supply housing study for Belle Haven and North Fair Oaks that was part of the Facebook Campus Expansion development agreement. He said the Environmental Quality Commission would consider an appeal of the heritage tree removal permit for 1000 El Camino Real on March 27. He said the appeal of the Phillips Brooks School's use permit would be heard by the Council at its April 9 meeting.

### D. Public Comment

There was none.

### E. Consent Calendar

- E1. Approval of minutes from the March 11, 2019, Planning Commission meeting. ([Attachment](#))

Commissioner Henry Riggs suggested a correction on page 7, 4<sup>th</sup> paragraph, 2<sup>nd</sup> line: replace "entryway" with "entry arch."

**ACTION:** Motion and second (Katherine Strehl/Riggs) to approve the minutes with the following modification; passes 5-0-1-1 with Commissioner Camille Kennedy abstaining and Commissioner Susan Goodhue absent.

- Page 7, 4<sup>th</sup> paragraph, 2<sup>nd</sup> line: replace “entryway” with “entry arch”

## F. Public Hearing

- F1. Use Permit/~~Adam~~ **Kevin** Novak/1171 Valparaiso Avenue:  
Request for a use permit to demolish an existing two-story residence and construct a new two-story residence on a substandard lot with regard to minimum lot width in the R-E (Residential Estate) district, and to conduct interior and exterior remodels to an existing non-conforming accessory structure. The scope of work on the accessory building would exceed 50 percent of the existing replacement value in a 12 month period. The project includes a request for excavation in the right side setback for a lightwell and stair associated with the proposed basement. A heritage size coast redwood tree in very poor condition is proposed for removal. ([Staff Report #19-020-PC](#))

Staff Comment: Assistant Planner Ori Paz said the agenda listing for the item showed the applicant as Adam Novak, which was not correct. He said the staff report correctly indicated the applicant was Kevin Novak.

Applicant Presentation: Pearl Renaker said she was the project architect for property owners Kevin and Hannah Novak. She said the property owners wanted to live in a warm, contemporary and light-filled home with space for entertaining. She said the siting of the new home would largely follow the siting of the existing home. She said the accessory building would be remodeled to match the new home. She said the lot had 33 heritage trees and they were proposing to remove just one redwood tree that was nearly dead.

Replying to Vice Chair Barnes, Ms. Renaker said that the courtyard in the front was gravel and very similar to the existing condition.

Replying to Commissioner Strehl, Ms. Renaker said the accessory building was intended to continue as a pool house and also included a workshop. She said it was not a dwelling unit and had no kitchen.

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

Commission Comment: Commissioner Strehl said she found eight and a half bathrooms objectionable and asked if this was a family home.

Hannah Novak said that they had a large family in the Midwest and wanted to provide them comfortable accommodations when they came to visit.

Commissioner John Onken said the second story windows did not overlook neighbors and there was more than enough screening side to side. He said it was a large home but tastefully designed.

Commissioner Kennedy said the house seemed tastefully designed and on a large lot and set back.

Vice Chair Barnes said he did not think the project was over paved referring to a question in the staff report. He moved to approve as recommended in the staff report. Commissioner Onken seconded the motion.

**ACTION:** Motion and second (Barnes/Onken) to approve the item as recommended in the staff report; passes 6-0-1 with Commissioner Goodhue 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. Development of the project shall be substantially in conformance with the plans prepared by Tektive Design, consisting of 22 plan sheets, dated received March 18, 2019, and approved by the Planning Commission on March 25, 2019, 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 Kielty Arborist Services, LLC., dated revised January 22, 2019.

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 plans indicating the revised location of the proposed heritage tree removal replacement tree, subject to review and approval by the Planning Division and City Arborist.

F2. Use Permit/Jing Quan/1331 Modoc Avenue:

Request for a use permit to determine the Floor Area Limit (FAL) for a lot with less than 5,000 square feet of developable area, in association with the demolition, remodel, and expansion of the existing single family home. The proposal includes a use permit request to add an attached secondary dwelling unit on a lot less than 6,000 square feet in size. The parcel is a substandard lot in the R-1-U (Single Family Urban Residential) zoning district. ([Staff Report #19-021-PC](#))

Staff Comment: Contract Assistant Planner Fahteen Khan said there were no additions to the written report.

Applicant Presentation: Jing Quan, project architect, outlined the proposed project.

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

Commission Comment: Commissioner Riggs said he could make the findings for the square footage noting the project was a straight forward application and was a subtle remodel.

Commissioner Strehl said the garage had a shower and toilet and asked if the access to that was only from the garage. Ms. Quan said the property owner was a contractor and wanted to have a shower and bathroom in the garage to use before coming into the house. Commissioner Strehl confirmed with the architect that to do so he would need to leave the garage to get into the house.

Commissioner Onken moved to approve as recommended in the staff report. Commissioner Riggs seconded the motion.

Vice Chair Barnes said he was disinclined to approve a secondary dwelling unit that did not meet the required lot size. He said in this instance as it was attached, he thought it would work.

ACTION: Motion and second (Onken/Riggs) to approve the item as recommended in the staff report; passes 6-0 with Commissioner Goodhue 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. Development of the project shall be substantially in conformance with the plans prepared by WEC Associates, consisting of 9 plan sheets, dated received March 5, 2019, 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 and street trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and per the City Arborist's recommendation, hand excavation shall be used for the proposed concrete removal in the front yard.
- F3. Use Permit Revision/Ravinder Sethi/933 Hermosa Way:  
Request for a revision to a previously approved use permit to demolish an existing single-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 width, depth, and area in the R-E (Residential Estate) zoning district. The request includes modifications to the approved front, rear and right elevations, slightly raising the overall height of the structure, changing the siding materials from shingles to horizontal boards, and adding stone veneer to wooden columns. ([Staff Report #19-022-](#)

PC)

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

Applicant Presentation: Roger Kohler, project architect, said the property owners wanted to revise the plans previously approved for a use permit. He said changes included the removal of the second-floor balcony over the front entry, widening of the window on the second floor stair landing, removal of the door to the deck in bedroom #4, increasing the second floor plate height from 9-feet 3-inches to 9-feet 6-inches, changing exterior materials to horizontal board siding, reducing building height three-inches to 27-feet 5-inches, and addition of stone veneer to the fireplace and all the base columns. He said the property owner had spoken with neighbors about the changes and there seemed to be no issues.

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

Commission Comment: Commissioner Onken said the proposed changes and increased ridge height by six-inches were relatively de minimis. He moved to approve as recommended in the staff report.

Commissioner Riggs said the perspectives did not call out corner boards, but sometimes the elevations did. He asked if the applicant could confirm whether there were corner boards or if mitered siding would be used. Recognized by the Chair, Mr. Kohler said the property owner did not want the boards.

Commissioner Riggs said he had a problem with the aesthetics of the new central and enlarged gable. He said emphasizing one more gable on a home with many gables and hips made it appear overpowering. Mr. Kohler said this was something the property owner wanted.

Commissioner Riggs said sheet A9 showed sample stone, which was skinny, dry stack stone. He said on A13 on the sample elevation it showed larger, randomly placed stone. Mr. Kohler said the stone proposed on A13 looked better than the one on the first page. Commissioner Riggs asked which one should be put into the record. Mr. Kohler said he would prefer A13 with the randomly placed stone.

Commissioner Riggs said the record should show no corner boards and the stone veneer should be as shown on A13 for building elevations rather than what was shown on the cover sheet and the sample on A9. He said if Commissioner Onken as the maker of the motion agreed he would like to require that the middle gable not be reemphasized with the matching arch and that the architect be allowed to choose another mullion pattern for the middle window previously approved.

Responding to Mr. Kohler, Commissioner Riggs said he preferred the before version of the front window. He asked if that was acceptable to Commissioner Onken, who made the motion to approve.

Commissioner Onken said he understood taste concerns regarding corner boards. He said looking at the perspectives the design of the upper floor had a gable infill that then turned down into the corner boards so he would prefer that the mandate against corner boards not be applied here. He

said he could support the gable window in the front reverting to how it was proposed for the last approval.

Commissioner Riggs said the architect had said there were no corner boards and yet on A13 they were aesthetically necessary on the two front gables. Mr. Kohler said he saw a problem on page A13 in that the corners on the second floor had trim around the corners and the trim below it did not have those boards shown. He said he thought boards should be added to the corners.

Replying to Vice Chair Barnes, Commissioner Onken said his motion was to approve the proposed revisions to the previously approved use permit with a condition through a conformance review process that the architect resubmit treatment to the front gable to be closer to what was previously approved. Commissioner Riggs seconded the motion.

**ACTION:** Motion and second (Onken/Riggs) to approve the item with the following modifications; passes 6-0-1 with Commissioner Goodhue 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. Development of the project shall be substantially in conformance with the plans prepared by Kohler Architects, consisting of 16 plan sheets, dated received March 8, 2019, and approved by the Planning Commission on September 17, 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 Mayne Tree Expert Company, Inc., dated received September 5, 2018.

**4. Approve the project subject to the following project-specific conditions;**

- a. ***Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans of the second floor front façade gable, and stone veneer on the bottom of the first floor columns, which shall have the objective of providing enhanced elevations that are consistent with the architectural style of the previously approved building. The revised plans shall be subject to review and approval of the Planning Division. Consistent with the City's substantial conformance memo process, the Planning Division shall provide a copy of the proposed elevation to the Planning Commission for review via email through the Planning Division's Substantial Conformance Memo process. Should one or more Commissioners have questions or concerns about the proposed floor plan, the Commissioner(s) may request that the item be scheduled for a discussion at a future Planning Commission meeting.***

- F4. Use Permit and Variance/Scott Curtiss/1531 Laurel Place:  
Request for a use permit to remodel and add a new second story to an existing non-conforming residence in the R-1-S (Single Family Suburban Residential) zoning district. The proposed work would exceed 50 percent of the existing replacement value in a 12-month period. Additionally, the project includes a variance request to legalize the non-conforming wall to allow the proposed eaves to encroach up to 18 inches into the required right-side setback from the existing nonconforming wall, in association with an increase of that wall's plate height. ([Staff Report #19-023-PC](#)) *Continued from the PC meeting of March 11, 2019*

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

Applicant Presentation: Lauren Goldman, L'oro Designs, project architect, said the primary goal for the proposed remodel and addition was to gain modest square footage while maximizing the use of an atypically shaped lot. She said they would maintain the footprint of the first floor and set back the second-story addition from the front yard. She said a portion of the existing first floor was nonconforming and due to how the home was placed on an oddly-shaped lot this proposal required a use permit. She said portions of the existing eaves extended beyond the allowed eave encroachment distance. She said they were proposing extending the plate height of the existing walls as allowed by zoning regulations except this request had nonconforming eaves to be



replaced due to the plate height raising. She said a variance was also requested to legalize the nonconforming wall for the purpose of rebuilding a nonconforming eave. She said the nonconforming wall would maintain existing framing while extending the plate height.

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

Commission Comment: Commissioner Onken said he thought the project was well described as a modest remodel with an unobjectionable second floor addition. He said the proposal had nice elements and was a fairly simple design without being grandiose. He said he supported the project.

Vice Chair Barnes asked about the garage door noting he would like to see some windows on that. Ms. Goldman said they were not renovating the garage but if they decided to replace the garage door, they would take his comment into consideration.

Michele Haddad, one of the property owners, said they would consider the garage door.

Commissioner Riggs said he had initial concerns with the right-side and left-side windows and privacy. He said looking at the streetscape he realized the home looked onto two garages, but the large master bedroom window looked onto the backyard of 1533. He asked about landscape planting at the property line that might restore the neighbor's privacy in the future.

Ms. Goldman confirmed he was speaking about the large window on the east side. She said there was an existing cedar tree that provided screening. She said they were proposing to maintain the existing patio so as not to impact that tree.

Commissioner Riggs moved to approve as recommended in the staff report. Vice Chair Barnes seconded the motion.

**ACTION:** Motion and second (Riggs/Barnes) to approve the item as recommended in the staff report; passes 6-0-1 with Commissioner Goodhue absent.

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Make the following findings as per Section 16.82.340 of the Zoning Ordinance pertaining to the granting of the variance:
  - a. A hardship peculiar to the property and not created by any act of the current property owner exists. The subject site, is not a typical, rectangular-shaped lot, but rather a trapezoid shape with a narrow front. The combination of the irregular lot shape and the placement of the existing residence, creates a hardship.

- b. The proposed variance is necessary for the preservation and enjoyment of substantial property rights possessed by other conforming property in the same vicinity, and the variance would not constitute a special privilege of the recipient not enjoyed by neighbors. In this case the variance will allow for the existing roof, including the eaves, to be rebuilt along the right side resulting in a cohesive aesthetic for the development while fostering a usable floor plan.
  - c. The granting of the variance will not be materially detrimental to the public health, safety, or welfare, or will not impair an adequate supply of light and air to adjacent property, given that the location of the wall would remain unchanged and the variance would allow for an architecturally consistent aesthetic with regard to the proposed eaves. Further, the remodeled and expanded residence would comply with all other development regulations prescribed by the Zoning Ordinance, such as building coverage, floor area limit, daylight plane, and building height.
  - d. The conditions upon which the requested variance is based would not be applicable, generally, to other property within the same zoning classification as the lot is trapezoid shape, narrowest at the front and the existing encroachment into the required right side yard as examples of the uniqueness of this situation.
  - e. The property is not within any Specific Plan area. Hence, a finding regarding an unusual factor does not apply.
4. Approve the use permit subject to the following **standard** conditions:
- a. Development of the project shall be substantially in conformance with the plans prepared by L'oro Designs, consisting of 21 plan sheets, dated received February 27, 2018, 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 and street trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report by Kielty Arborist Service LLC, dated July 12, 2018; revised November 28, 2018.

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

- a. Prior to building permit issuance the contractor shall sign a letter acknowledging the nonconforming walls cannot be demolished past the framing members. The letter shall identify that if the existing nonconforming walls and other elements of the existing residence are demolished the project will need to be revised to comply with the current Zoning Ordinance requirements. The letter shall be subject to review and approval of the Planning Division in an effort to ensure that the projects within nonconforming situations do not exceed the scope of work authorized by the use permit.

F5. Use Permit/Mandy Dang/993 El Camino Real:

Request for a use permit for a full/limited service restaurant (boba tea shop) on a lot that is substandard with regard to parking in the El Camino Real/Downtown Specific Plan (SP/ECR-D) zoning district. The tenant space is vacant but was previously used for a cobbler shop. ([Staff Report #19-024-PC](#))

Applicant Presentation: Mandy Dang said they were proposing to open a boba tea shop at 993 El Camino Real and applying for a use permit due to the substandard parking. She said they hoped to get approval as their business had a fast turnover with the majority of their business being to go drinks. She said it took two minutes or less to make a drink.

Vice Chair Barnes asked staff if they had anything to add to the report. Contract Assistant Planner Ceci Conley so there were no additions.

Vice Chair Barnes confirmed the Commission had no questions of staff.

Commissioner Strehl asked the applicant where employees would park. Ms. Dang said they would be encouraged to park in the downtown public parking plaza. Replying further to Commissioner Strehl, Ms. Dang said two employees would work during the weekdays and three or four on the weekend.

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

Commission Comment: Commissioner Michael Doran said for the record that Menlo Park was in dire need of boba tea and he hoped they could help make this happen.

Commissioner Kennedy said that Posh Bagel had a boba tea machine. She said at that shop there was a high demand for boba tea, and it was quickly prepared. She said it was much quicker than the time it took for a coffee or latte to be made.

Commissioner Riggs moved to approve, and Commissioner Strehl seconded the motion.

Commissioner Onken said he was supportive of the application, but it did not include a signage application. He encouraged the applicant to do decent signage. He said this block needed its new tenants to improve signage and its presence.

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

1. Make findings with regard to the California Environmental Quality Act (CEQA) that the proposal is within the scope of the project covered by the El Camino Real/Downtown Specific Plan Program EIR, which was certified on June 5, 2012. Specifically, make findings that:
  - a. The project is categorically exempt under Class 1 (Section 15301, “Existing Facilities”) of the current CEQA Guidelines.
  - b. Relevant mitigation measures have been incorporated into the project through the Mitigation Monitoring and Reporting Program (Attachment E), which is approved as part of this finding.
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 March Design, consisting of four sheets, dated received March 14, 2019, and the project description letter, dated received January 9, 2019, and approved by the Planning Commission on March 25, 2019, 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 requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
4. Approve the use permit subject to the following **project-specific** conditions:
  - a. The applicant shall address all Mitigation Monitoring and Reporting Program (MMRP) requirements as specified in the MMRP (Attachment E). Failure to meet these requirements may result in delays to the building permit issuance, stop work orders during construction, and/or fines.

- b. The City has adopted a Supplemental Transportation Impact Fee for the infrastructure required as part of the El Camino Real / Downtown Specific Plan. The fee is calculated at \$393.06 per PM peak hour vehicle trip. The proposed project is subject to a Supplemental TIF of \$3,993.49, for a total of 10 new PM peak hour trips. Payment is due before a building permit is issued and the supplemental TIF will be updated annually on July 1st along with the TIF.

## **G. Informational Items**

### **G1. Future Planning Commission Meeting Schedule**

Acting Principal Planner Perata said the next agenda would have two single-family residential development projects, architectural control for a commercial building on Sand Hill Road, and a conditional development permit amendment for Sharon Hills Association.

- Regular Meeting: April 8, 2019
- Regular Meeting: April 29, 2019
- Regular Meeting: May 6, 2019

Commissioner Strehl asked when the 201 El Camino Real project would come forward. Planner Perata said the project was still under review with no hearing date scheduled yet. Commissioner Strehl said that all medical office use was being rumored. Planner Perata said the applicant was still working through the commercial component and he believed that there was one component that was medical office. Commissioner Strehl confirmed with staff the proposal included residential on the top story, so it was not all medical office use.

## **H. Adjournment**

Vice Chair Barnes adjourned the meeting at 8:08 p.m.

Staff Liaison: Kyle Perata, Acting Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on April 8, 2019