



## PLANNING COMMISSION MINUTES

Regular Meeting  
August 5, 2013 at 7:00 p.m.  
City Council Chambers  
701 Laurel Street, Menlo Park, CA 94025

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**CALL TO ORDER** – 7:02 p.m.

**ROLL CALL** – Bressler, Eiref (Vice Chair), Ferrick, Kadvany (Chair), Onken, Riggs, Strehl

**INTRODUCTION OF STAFF** – Rachel Grossman, Associate Planner; Momoko Ishijima, Planner; Jean Lin, Associate Planner; Kyle Perata, Assistant Planner; Thomas Rogers, Senior Planner

### **A. REPORTS AND ANNOUNCEMENTS**

#### **A1. Update on Pending Planning Items**

##### **a. Housing Element – Steering Committee #1 – August 6, 2013**

Senior Planner Rogers said that the new cycle of the Housing Element was starting and the City's Housing Element Steering Committee would have its first meeting on August 6, 2013.

##### **b. General Plan Update – City Council – August 27, 2013**

Senior Planner Rogers said the City Council was tentatively scheduled at their August 27, 2013 meeting to have an introductory study session on the General Plan update and potentially to appoint a Council subcommittee to look at the process to hire a consultant to work on the overall planning process.

##### **c. SRI Campus Modernization Project (added)**

Senior Planner Rogers said additionally regarding the SRI Campus Modernization Project that a Notice of Preparation for the Environmental Impact Report was published the week before and distributed to the Planning Commission. He said the Planning Commission at their August 19 meeting would have a planning and scoping session and would receive comments on the Notice of Preparation. He said written comments would be accepted until September 3, 2013.

Commissioner Bressler asked if the Menlo Gateway Bohannon project applicants had applied for a building permit. Senior Planner Rogers said they had not. Commissioner Bressler asked when there would be a review process. Senior Planner Rogers said that

he thought the development agreement had specified a five year term and the review would be December 2013.

Commissioner Riggs asked what the duration of effort for the General Plan update would be. Senior Planner Rogers said there was at least one year of work but he was not sure of how long was needed for the entire General Plan update. Commissioner Riggs asked about the 500 El Camino Real project. Senior Planner Rogers said a Council subcommittee member had just sent out an email today regarding the project and he did not have additional information.

## **B. PUBLIC COMMENTS**

There were none.

## **C. CONSENT**

### **C1. Approval of minutes from the July 8, 2013 Planning Commission meeting.**

Commission Action: M/S Strehl/Ferrick to approve the minutes as submitted.

Motion carried 5-0 with Commissioners Eiref and Kadvany abstaining.

## **D. PUBLIC HEARING**

### **D1. Use Permit/Yiran Wu/433 O'Connor Street: Request for a use permit to construct a new two-story, single-family residence on a vacant lot that is substandard with regard to lot width, in the R-1-U (Single-Family Urban) zoning district.**

Staff Comment: Planner Lin said the etched glass sample was being circulated and there were no additions to the staff report.

Questions of Staff: Commissioner Riggs confirmed with staff that this item and the next were development projects for two lots were created by a subdivision approved by the Commission in 2010. He asked if there had been a development project associated with the lot splits. Planner Lin said it was understood that both lots would be developed. She said the 439 O'Connor Street lot had an existing home. She said the lot also had a detached garage and guest house both of which have since been demolished and a new two-car garage constructed at the rear of the lot. She said the other lot, 433 O'Connor Street, had been vacant and a two-story home with detached garage had been part of the original approval. Commissioner Riggs said there had been a condition for the planting of large trees and asked if that was part of the development approvals. Senior Planner Rogers said the minutes for the lot subdivision indicated the action was approved as recommended in the staff report and Planner Lin noted that the conditions of approval did not include the planting of large trees.

Public Comment: Ms. Jing Quan said she was the project architect for both this project and the next agenda item. She said the property owner for this subject property wanted an Italian look, and they would use clay tile on the roof and smooth, stucco walls. She said the two-car garage would be located at the front with a wood door stained to match the entrance door. She said the front setback would be 21 feet and the second story setback was greater than the first floor setback on all sides. She said the windows would have exterior grids and there were a number of architectural details.

Commissioner Strehl said the plan showed windows on either side of the stove but that was not shown on A-4. Ms. Quan said there would only be one five-foot wide window in the kitchen and not the two two-foot wide windows as those were incorrectly shown.

Commissioner Onken questioned Ms. Quan's comment about the windows and the use of an exterior grid, noting that was not the Commission's preference. Ms. Quan said they would use both interior and exterior grids. Commissioner Onken noted the plans only indicated exterior. Ms. Quan said she would correct the plans. Chair Kadvany noted that there would be a spacer bar as well. Commissioner Riggs confirmed with the applicant that she understood what the spacer bar was.

Chair Kadvany closed the public hearing.

Commission Comment: Commissioner Strehl said the project would be a great addition for the neighborhood. Commissioner Ferrick said that the window heights on the second floor seemed sufficient to protect privacy and noted the one window at three-foot eight-inches was the standard height for emergency ingress/egress. Commissioner Riggs said that those were double-hung windows and most likely the windows for emergency access were the casement windows in the rear and front.

Commission Action: M/S Strehl/Riggs to approve the item with the following modification:

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 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 and Associates, consisting of ten plan sheets, dated received on July 22, 2013, and approved by the Planning Commission on August 5, 2013, 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. Prior to commencing any construction activities in the public right-of-way or public easements, the applicant shall obtain an encroachment permit 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. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.
4. Approve the use permit subject to the following **project-specific** conditions:
- a. The Mutual Easement Termination Agreement shall be executed and recorded after demolition of all existing structures at 439 O'Connor Street, and prior to issuance of a building permit for either 433 O'Connor Street or 439 O'Connor Street.

- b. Concurrent with submittal of a complete building permit application, the applicant shall submit revised elevations noting that all windows will be simulated divided light windows with interior and exterior grids, and spacer bars between the glass, subject to review and approval of the Planning Division.***

Motion carried 7-0.

- D2. Use Permit/Yiran Wu/439 O'Connor Street:** Request for a use permit to demolish an existing single-story, single-family residence and detached garage, and construct a new two-story, single-family residence on a lot that is substandard with regard to lot width, in the R-1-U (Single-Family Urban) zoning district. As part of the proposed development, a 27.9-inch diameter heritage Italian cypress tree in fair condition in the front yard is proposed for removal.

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

Public Comment: Ms. Jing Quan said this home would be Craftsman style noting the garage door would be painted to match the home. She said the second story would be set back even more to protect the neighbor's privacy. She said a replacement tree would be planted in the backyard for the tree proposed for removal.

Chair Kadvany closed the public hearing.

Commission Comment: Commissioner Riggs said the tree being removed was in the front yard area. He asked if the applicant would be willing to offer a street tree rather than a tree in the rear yard. Ms. Quan said they could put a street tree on the left hand side next to the new tree at 433 O'Connor Street. Commissioner Riggs confirmed the applicant would work with the City Arborist on species and spacing of the trees.

Commissioner Strehl moved to approve as recommended in the staff report. Commissioner Riggs said he would second if the motion included the applicant working with the City Arborist to plant a tree in the front of the home. Commissioner Strehl said that was acceptable to her.

Chair Kadvany asked if both homes could be constructed simultaneously. Planner Lin said there was only one tree needing protection and no reason that both homes could not be built simultaneously.

Chair Kadvany asked if there had been neighborhood outreach. Ms. Quan said the neighborhood was aware of the two projects that were proposed to be built.

Senior Planner Rogers asked if the Commission also wanted the window modification to include the spacer bar for this project as done for the previous agenda item. Both

Commissioners Strehl and Riggs as the makers of the motion and second respectively indicated the window condition should be included.

Commission Action: M/S Strehl/Riggs to approve the item with the following modifications:

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 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 and Associates, consisting of eleven plan sheets, dated received on July 22, 2013, and approved by the Planning Commission on August 5, 2013, 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. Prior to commencing any construction activities in the public right-of-way or public easements, the applicant shall obtain an encroachment permit 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.
4. Approve the use permit subject to the following ***project-specific*** conditions:
- a. The Mutual Easement Termination Agreement shall be executed and recorded after demolition of all existing structures at 439 O'Connor Street, and prior to issuance of a building permit for either 433 O'Connor Street or 439 O'Connor Street.
  - b. Concurrent with submittal of a complete building permit application, the applicant shall submit revised elevations noting that all windows will be simulated divided light windows with interior and exterior grids, and spacer bars between the glass, subject to review and approval of the Planning Division.***
  - c. Concurrent with submittal of a complete building permit application, the applicant shall submit a revised site plan to relocate the replacement tree to the front yard, with the location and species of the tree subject to review and approval by the City Arborist.***

Motion carried 7-0.

- D3. Use Permit/Maryam Tabatabaei/715 Cambridge Avenue:** Request for a use permit to demolish an existing single-story, single-family residence and detached accessory structure, and construct a new two-story, single-family residence including a basement and an attached garage on a substandard lot with regard to lot width in the R-2 (Low Density Apartment) zoning district.

Staff Comment: Planner Grossman said there were no additions to the written report.

Public Comment: Ms. Maryam Tabatabaei, property owner, provided the Commission with photographs of homes in the neighborhood that she thought supported their proposed project plans. She noted the other property owner because of a business trip and the project architect were both out of the country. She said although the property was zoned as R-2 they wanted to build a single-family residence and have a larger backyard. She said the existing home has a partial basement. She said the project as described in the staff report met the standards. She said one of planning staff's concerns was that the window sizes were not consistent. She said the differences were because of the practicality of the function for the windows and for aesthetics. She said the bathroom window was completely different from the living room windows, and the bedroom windows from the kitchen windows. She said they tried to incorporate some arched windows to pick up on the arch of the balcony and garage but they thought having all the windows arched would not be attractive. She said staff also indicated the front entry was overly prominent. She said in the Tuscan design the entry was prominent. She said their original design had a covered balcony over the entry and the balcony was now pushed to the back. She said the entry was only nine-feet high and there were other houses in the neighborhood with more dominant entryways. She said the staff report said the design should be closer to the existing houses in the neighborhood but there was so much variety in the neighborhood there was not a theme. She said the homes were different and tasteful in their neighborhood and their home was in harmony with newer homes noting several addresses.

Commissioner Eiref confirmed the project applicant would be the resident of the proposed home.

Mr. Kourosh Dalili said he lived directly behind the subject property and had concerns with privacy as there were no trees indicated for planting and their bedroom windows face the subject property's backyard. He said the second story of the project would look down into their yard and their home noting there were at least five windows and a balcony on the rear elevation.

Chair Kadvany closed the public hearing.

Commission Comment: Chair Kadvany said the staff report was unusual in being critical of a residential development project.

Commissioner Onken said he appreciated some of staff's concerns about the proposed design. He said the window varieties on the front elevation were not necessarily harmonious with one another and that he thought a large slider window over the garage was at odds with the very tall windows for the living room. He suggested reconsidering how all the windows worked with one another. He said generally there was an emphasis on quality materials but the use of vinyl clad windows was an issue.



Chair Kadvany said he understood the applicant's goal of building a Tuscan style home but he found the numerous different choices that had been included in the design over-imposing. He said the front doors were considerably decorated, flanked by columns and a significant balcony on the front elevation. He said it was not anything individually but the combination was off-putting. He said the window styles were competing with one another.

Commissioner Riggs said he appreciated staff's efforts to describe the question of fit within the neighborhood and agreed with the comments made by other Commissioners. He said this type of home would sit well on three-quarters of an acre. He said in Allied Arts beyond the more recent two-story homes that the character of most residences was cottage-style and that could include Mediterranean stucco, Craftsman, and farmhouse styles, noting these were names to describe materials that were used in the 20s and 30s. He said this was a grand design but it created a lot of bulk. He said there should be no prejudice against a two-story design and the square footage, however.

Commissioner Bressler said he did not want to shut the project down. He said if the project were continued that they needed to give the applicant more specific direction. He said he liked the front door, the balcony and the garage doors and noted that no one had complained about the garage doors.

Commissioner Eiref said that this was almost a 5,000 square foot home which did not work for him. He said the window on the balcony was not centered on the balcony. He said there was a historical strong presence of smaller cottages in Allied Arts but noted that those home were being replaced by larger two-story homes. He said there were some homes with Tuscan elements. He suggested better windows and window placement.

Commissioner Ferrick said the choice of materials for the windows was important noting the high quality of the other materials for the project. She said the project was conforming to the rules. She noted the City did not have design guidelines. She said however that she was concerned with side neighbor privacy as the side setbacks were narrow. She said she liked some of the elements of the design and suggested the applicant address privacy concerns such as back fence foliage and possibly obscure glass for windows on the side setbacks.

Commissioner Onken moved to approve staff's recommendation to continue the project; for the project to return with changes to address the neighbor's privacy concerns, including screening between bedrooms, and privacy along the side setback, noting the bay window was higher than the six foot fence. He suggested the applicant bring back a proposal somewhat less grand.

Recognized by the Chair, Ms. Tabatabaei said the proposed home was nearly in the same footprint as the existing home and that there was a large yard. She said they would plant trees to provide screening.

Commissioner Onken asked if there was a required landscape plan. Planner Grossman said a landscape plan was not required for R-1 and R-2 properties.

At the request of the Chair, Commissioner Onken said his motion was to continue the project as recommended by staff and their list of issues. He said there was a concern that this was too large of a house for too small of a site and concerns regarding privacy. Commissioner Riggs said he would second the motion. He noted that staff's comments were well thought out and this design would be more suitable for a larger lot.

Commissioner Ferrick said regarding privacy that the left side caused her greater concern as there was no setback on the second story on that side noting the sill heights of the bathroom could be raised higher or opaque glass used. She said she was less concerned with the rear neighbors as their property was 65 feet away. She said that landscape screening would suffice there. She said although it felt like a large house the design met the rules. She suggested that they keep that in mind when considering design guidelines and the General Plan update.

Chair Kadvany said he was concerned with privacy on the left elevation and he would like the front entry to be less prominent. He said in his opinion the proposed design was imposing and overbearing. He said the neighborhood was eclectic but there were homes recently built that were intensely disliked by the neighbors.

Commissioner Bressler said the issues raised seemed muddled. He asked if they thought the home was too big. He said there were concerns about privacy on the left side but a comment had been made to not set back the left side second story. Commissioner Riggs said he had made that comment as the left side was the nicest form. He said moving a window back three or five feet did not really address privacy. He said other solutions to protect privacy were to raise sill heights, use obscure glass, and/or plant large trees along the property line. He said he had no issue with the square footage or that it was two-story. He said even without design guidelines the Commission has made decisions on architecture and that he did not think this would be a good project for the area in which it was located.

Chair Kadvany asked the applicant if the direction was clear. Ms. Tabatabaei said they could change the windows material. She said she was confused about the direction on the windows and which windows should be changed. She said the house itself was not big noting the basement was large. She said their house would be very comparable to the home at 665 Cambridge Avenue. She said if the Commission did not like the railing above the door they could sacrifice that but otherwise this was a more modest home than the one at 665 Cambridge Avenue. She said they tried to keep all the windows on the second story smaller to protect the neighbors.

Commissioner Eiref said the applicant's proposed design was very close to working and suggested she not make changes under a stressful situation. He said it would be better for the applicant to work with her architect.

Commissioner Riggs said there were admirable aspects of what the architect had designed noting the garage door. He suggested not comparing this project to 665 Cambridge Avenue as the portals were different and that home was on a single floor scale. He suggested sharing with the architect his thought that this design for this site was like a large voice in a small room.

Chair Kadvany said the meeting was being recorded and the architect and other property owner could listen to the meeting to understand the direction being given.

Commissioner Ferrick said she had sympathy for the applicant and acknowledged the time and money already invested in the project. She said she would like some specificity about the Commission's direction. She said the right side elevation was fine but the windows on the left side should either have the sill heights raised or opaque glass should be used.

Commissioner Bressler asked whether the Commission would vote support of the project if there were no changes to the entry way.

Chair Kadvany said the entry could be kept the same size but change the features or change the size of it and keep the features. He said his expectation was to have the front entryway changed. He said the window over the garage could be improved.

Commissioner Eiref said the front door looked to be as large as the garage door. He said he thought the architect could absorb the direction easily and have a revised design done quickly.

Commissioner Onken asked if there was a way to have the architect suggest some revisions prior to bringing the item back to the Commission. Planner Grossman said the Commission could meet with the applicant to review plans prior to meeting without taking action or the plans could be forwarded to the Commission prior to the meeting without any discussion among Commissioners on those plans.

Commissioner Riggs said he could approve a project with the front entry way if it was a simple Palladian box, but probably not otherwise.

Commission Action: M/S Onken/Riggs to continue the item with direction including the following:

- Address building scale to make it more compatible with lot size;
- Provide more consistency in window size and style;
- Minimize prominence of front entry; and
- Address potential privacy issues on left side and rear elevation.

Motion carried 7-0.

**D4. Use Permit/David Golding/969 Rose Avenue:** Request for use permit for the demolition of an existing single-story, single-family residence and the construction of a new two-story, single-family residence and a detached garage on a substandard lot with regard to lot width and lot area, in the R-1-U (Single-Family Urban) zoning district.

Staff Comment: Planner Ishijima said there were no additions to the staff report.

Public Comment: Mr. Steve Simpson, project architect, SDG Architects, said they selected a traditional understated architectural style to be compatible with the neighborhood. He said he noticed they had an incorrect specification for the windows. He said the windows would have a spacer bar.

Commissioner Eiref asked if the cupola on the garage was for venting or decoration. Mr. Simpson said it was a bit of a folly but operable as well.

Commissioner Ferrick asked about the office on the first floor as it would have a closet outside of it. Mr. Simpson said technically it was a bedroom but the property owner would use it as an office.

Chair Kadvany closed the public hearing.

Commission Comment: Commissioner Ferrick said she really liked the design noting it was classic and charming. She said with the window clarification she thought it was a great project.

Commissioner Eiref said the design was classy with clean lines and he was happy to make a motion to approve as recommended in the staff report. Commissioner Onken seconded the motion.

Commission Action: M/S Eiref/Onken to approve the item as recommended in the staff report.

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 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 SDG architects, consisting of 15 plan sheets, dated received July 18, 2013, and approved by the Planning Commission on August 5, 2013, 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.

Motion carried 7-0.

Commissioner Ferrick said she would recuse herself from the next item as she has been on the planning committee for the event for many years.

- D5. Use Permit/Menlo Park Chamber of Commerce/Santa Cruz Avenue between El Camino Real and University Drive:** Request for a use permit to allow a downtown block party on Santa Cruz Avenue, between El Camino Real and University Drive. The block party would occur up to three times a year, including a possible winter event, and would include activities such as amplified music, bands,

outdoor dining, and street vendors, including business and non-profit displays. The proposed event would exceed the noise limits established under Section 8.06.030 of the Menlo Park Municipal Code. The block party would require a street closure for Santa Cruz Avenue from El Camino Real to University Drive, as well as side street closures at the intersections with Santa Cruz Avenue.

Staff Comment: Planner Perata said staff had no updates to the staff report.

Public Comment: Ms. Fran Dehn, Chamber of Commerce, said the idea of a community event had been requested by the City Council in 2007 with the Chamber of Commerce leading the event production. She said this block party was now an annual event and well received by all. She said this request was for a multi-year permit to save holding duplicative hearings and reduce use of staff resources.

Commissioner Riggs said there would be street closing at 7 a.m. on the event day and wanted assurance there would not be more restrictions than was needed. Ms. Dehn said in the past they have had street closings that started at 3 p.m. She said for the holiday event they might want the street closing to begin earlier. She said depending on the plans for the holiday events it might be for a smaller perimeter of Santa Cruz Avenue. Commissioner Riggs said block parties have been organized so well that there had been no parking problems.

Chair Kadvany asked if there was any record of noise or parking complaints from these events. Planner Perata said there was no record of any such complaints over the past seven years.

Chair Kadvany closed the public hearing.

Commission Action: M/S Strehl/Bressler to approve the item as recommended in the staff report.

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current 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 project description letter, provided by the applicant, dated January 10, 2013, and approved by the Planning Commission on August 5, 2013 except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
  - b. Prior to the commencement of the event, the applicant shall obtain all necessary permits from the Menlo Park Fire Protection District, Menlo Park Building Division, Menlo Park Police Department, and other applicable agencies.
4. Approve the use permit subject to the following **project specific** conditions:
  - a. Three months prior to the first event of the year, the applicant shall contact the Community Development Department and Police Department to set up a pre-meeting and, as applicable, submit a traffic control plan, encroachment permit, and street closure request.
  - b. The applicant shall coordinate with city staff regarding traffic control, parking enforcement, and event cleanup for the event.
  - c. Any signs for the event, including road closure signs, shall be placed in such a way so as to not block bicycle lanes, sidewalks, or roadways. The applicant shall coordinate with city staff to ensure that signs remain in a stable and upright position for the duration of the event.
  - d. The applicant shall coordinate with city staff to develop a clean-up program during and immediately following the event.
  - e. Concurrent with the submittal of the encroachment permit and street closure permit, the applicant shall provide a schedule and location map of music and amplified sound events.
  - f. If any problems arise in the future, they will be brought to the attention to the Community Development Director, and the Use Permit is subject to revocation if there is a failure to adhere to the conditions.

Motion carried 6-0 with Commissioner Ferrick recused.

## **E. COMMISSION BUSINESS**

There was none.

## **ADJOURNMENT**

The meeting adjourned at 9:14 p.m.

Staff Liaison: Thomas Rogers, Senior Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on September 9, 2013.