



REGULAR MEETING MINUTES

Date: 11/7/2016
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

A. Call To Order

Chair Katherine Strehl called the meeting to order at 7:00 p.m.

B. Roll Call

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

Staff: Thomas Rogers, Principal Planner, Michele T. Morris, Assistant Planner, Corinna Sandmeier, Associate Planner, Tom Smith, Associate Planner, Jean Lin, Senior Planner

C. Reports and Announcements

Principal Planner Thomas Rogers reported that the City Council at its October 25 meeting conducted a session on the topic of housing displacement. He said at a Special Meeting to be held November 9, the Council would consider an ordinance requiring 12-month leases for renters, and would then provide guidance on mandatory, non-binding arbitration and other possible actions to address housing displacement. He said the City Council at its November 1 meeting approved the Facebook Campus Expansion Project that included an ordinance that would be on their November 15 meeting agenda. He said at that same meeting the Council would consider the Planning Commission's recommendations on the ConnectMenlo Project or General Plan Update. He said Council would continue its consideration of that project at their November 29 meeting, and if they approved the project, another meeting on December 6 would be needed to adopt ordinances. He said a State of the City Event would be held on November 17.

Chair Strehl said she understood that Off the Grid was able to negotiate with Caltrain to keep their event at the train station parking lot. Principal Planner Rogers said that Chair Strehl might have more recent information than he. He said after the City Council consideration of the Off the Grid lease for use of the Library parking lot he understood that the Mayor intended to reach out to Caltrain about allowing the event at that location. He said he knew that Off the Grid would be able to stay longer at that site but he had no other information about continued future use.

D. Public Comment

There was none.

E. Consent Calendar

Chair Strehl noted email comments on the September 26, 2016 minutes from Commissioner Henry

Riggs. Commissioner Riggs said two of the comments were actually questions. Principal Planner Rogers said staff had not responded to those questions yet. He said if the Commission wished they could direct staff to review the minutes of September 26 regarding the comment and questions posed by Commissioner, and revise if needed.

Commissioner John Onken asked whether he needed to be recused from consideration of the Stone Pine Lane item E3 due to a potential conflict of interest. Principal Planner Rogers said for Consent Calendar items per the City Attorney that if the Consent Calendar was taken as a whole and voted upon, Commissioner Onken could clarify beforehand he was abstaining from the approval on item E3.

- E1. Approval of minutes from the September 26, 2016 Planning Commission meeting. ([Attachment](#))

ACTION: Motion and second (Riggs/Onken) to approve the minutes of September 26 and October 19, 2016 with staff review and verification per Commissioner Riggs comments and questions of pages 2, 3 and 16 of the September 26 minutes; passes 5-0 with Commissioner Combs and Goodhue abstaining.

- E2. Approval of minutes from the October 19, 2016 Planning Commission meeting. ([Attachment](#))

ACTION: Motion and second (Riggs/Onken) to approve the minutes of September 26 and October 19, 2016 with staff review and verification per Commissioner Riggs comments and questions of pages 2, 3 and 16 of the September 26 minutes; passes 5-0 with Commissioner Combs and Goodhue abstaining.

Chair Strehl asked for a motion on Items E4 and E5 noting that Commissioner Onken would need to recuse himself from Item E3.

ACTION: Motion and second (Susan Goodhue/Andrew Barnes) to approve Items E4 and E5; passes 7-0.

ACTION: Motion and second (Strehl//Goodhue) to approve Item E3; passes 6-0 with Commissioner Onken abstaining.

- E3. Architectural Control/Whitney Gaynor/1771 Stone Pine Lane:
A request for architectural control for exterior modifications to the front façade of an existing single-family townhouse located in the R-3 (Apartment) zoning district. ([Staff Report #16-084-PC](#))

ACTION: Motion and second (Strehl//Goodhue) to approve Item E3; passes 6-0 with Commissioner Onken abstaining.

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:
 - a. The general appearance of the structure is in keeping with the character of the neighborhood.

- b. The development will not be detrimental to the harmonious and orderly growth of the City.
- c. The development will not impair the desirability of investment or occupation in the neighborhood.
- d. The development provides adequate parking as required in all applicable city ordinances and has made adequate provisions for access to such parking.
- e. The property is not within any Specific Plan area, and as such no finding regarding consistency is required to be made.

3. Approve the architectural control subject to the following **standard** conditions:

- a. Development of the project shall be substantially in conformance with the plans provided by Studio Maven, consisting of fourteen plan sheets, dated received October 24, 2016, and approved by the Planning Commission on November 7, 2016 except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
- b. Prior to building permit issuance, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, Recology, and utility companies' regulations that are directly applicable to the project.
- c. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
- d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
- e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
- f. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.

E4. Sign Review/Alice Booker/149 Commonwealth Drive:

Request for sign review to modify an existing freestanding monument sign to include six tenants in the M-2 (General Industrial) zoning district. ([Staff Report #16-085-PC](#))

ACTION: Motion and second (Goodhue/Barnes) to approve Items E4 and E5; passes 7-0.

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make a finding that the sign is appropriate and compatible with the businesses and signage in the general area, and is consistent with the Design Guidelines for Signs.
3. Approve the sign review request subject to the following **standard** conditions of approval:
 - a. Development of the project shall be substantially in conformance with the plans provided by the applicant, consisting of 21 plan sheets dated received September 27, 2016, and approved by the Planning Commission on November 7, 2016, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
 - b. The applicant shall comply with all West Bay 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 applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.

E5. Architectural Control/Kirk Loevner/889 Santa Cruz Ave:
Request for architectural control for exterior modifications to the front and rear facades and the addition of floor area to extend the front entryway to the roofline, in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. ([Staff Report #16-086-PC](#))

ACTION: Motion and second (Goodhue/Barnes) to approve Items E4 and E5; passes 7-0.

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 G), which is approved as part of this finding.
 - c. Upon completion of project improvements, the Specific Plan Maximum Allowable Development will be adjusted by 37 square feet of non-residential uses, accounting for the project's net share of the Plan's overall projected development and associated impacts.
2. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:
 - a. The general appearance of the structure is in keeping with the character of the neighborhood.
 - b. The development will not be detrimental to the harmonious and orderly growth of the City.

- c. The development will not impair the desirability of investment or occupation in the neighborhood.
 - d. The development provides adequate parking as required in all applicable City Ordinances and has made adequate provisions for access to such parking.
 - e. The development is consistent with the El Camino Real/Downtown Specific Plan, as verified in detail in the Standards and Guidelines Compliance Worksheet (Attachment F).
3. Approve the architectural control subject to the following **standard** conditions:
- a. Development of the project shall be substantially in conformance with the plans provided by Greg Smith, consisting of 13 plan sheets, dated received October 19, 2016, and approved by the Planning Commission on November 7, 2016 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, Recology, and utility companies' regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. 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.
 - e. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.
4. Approve the architectural control subject to the following **project-specific** conditions:
- a. Prior to building permit issuance, the applicant shall pay the Transportation Impact Fee per the direction of the Transportation Division in compliance with Chapter 13.26 of the Municipal Code. The current estimated transportation impact fee is \$171.31 (\$4.63/sf x 37 sf retail) although the final fee shall be the fee in effect at the time of payment. The Transportation Impact Fee escalates annually on July 1.
 - b. Prior to issuance of building permit, the applicant shall submit the El Camino Real/Downtown Specific Plan Preparation Fee, which is established at \$1.13/square foot for all net new development. For the subject proposal, the fee is estimated at \$41.81 (\$1.13/sf x 37 sf net new square feet).

F. Public Hearing

F1. Use Permit/Clara Ting/1045 Trinity Drive:

Request for a use permit to demolish an existing two-story, single-family fire-damaged residence and construct a new two-story, single-family residence on a substandard lot with regard to lot width in the R-E-S (Residential Estate Suburban) zoning district. ([Staff Report #16-087-PC](#))

Staff Comment: Assistant Planner Michele Morris noted elevation sheet A-3.1 had been distributed to the Commission at the dais and copies were on the rear table for the public as well. She said this was a revision to the sheet in the staff report and had been submitted after publication of the staff report. She said this drawing was intended to reflect the 3-D rendering in the plans.

Applicant Presentation: Ms. Clara Ting said she was the project engineer and Karen Lin was the project architect. She said the property owner Katie Wang was also present. She said the original house was a two-story 3,066 square foot single-family residence. She said the front of the home faced Trinity Drive and the rear faced the Sharon Heights Country Club. She said originally a permit was applied for the addition of two master suites. She said during the summer of 2015 the majority of the house was damaged by fire. She said the property owner resumed construction but then decided to add more square footage that required a use permit.

Ms. Karen Lin said the homes on Trinity Drive were one-story so the design would have the same building height along Trinity, maintaining a very low building profile. She said the two-story height would be on the Country Club side of the property. She said the main entryway formed the courtyard. She described the materials that would be used.

Commissioner Larry Kahle asked what the panel in gray was next to the door shown in the rendering. Ms. Ting said that was ornamental stone and extended to the staircase and linked from the arrival point to the lower level. Commissioner Kahle said the existing roof pitch was four and twelve but this house was three and twelve, and asked why they were not matching the existing roof pitch. Ms. Ting said due to the height limitation they needed to lower to three and twelve. She said they increased the plate height one-foot for the back bedroom and two-foot for the family area so she needed to lower the pitch by one. Commissioner Kahle said the courtyard was a nice concept but there seemed to be solid walls facing into it. He said that glass there would be important for light. Ms. Ting said there was only one solid wall and that was the one at the entrance door.

Chair Strehl opened the public hearing.

- Stratton McVey-Richardson said she lived next door on Trinity Drive but her home was situated down from the proposed project building. She said her light was impacted by existing Theodore pines that also dropped messy vegetation on her property. She said the applicant had an arborist look at those but she assumed they would not be trimmed or cleaned. She said her preference was to have those trees removed. She said she was concerned the new second-story roof would impact light to her home. She said she would like the site cleaned up during construction and before the property owner moved into the home.

Chair Strehl closed the public hearing.

Commission Comment: Commissioner John Onken said if the orientation was correct as shown on

the plans that the only impact light-wise on the neighbor's (speaker's) home would be the very early morning sun in the summer. He said he could see that the trees might be a problem and would encourage the arborist to prescribe trimming. He said the proposed project was sound and non-intrusive and he could support.

Commissioner Kahle asked if the project was at its maximum height. Assistant Planner Morris said that the height of the building was 20.4 feet.

Commissioner Kahle said the project proposal was essentially a stucco box with vinyl windows and some wood siding applied to it. He noted the strip over the garage that seemed out of place. He said the project had much more opportunity for roof planes and materials to make it a better design. He said generally he did not support the project proposal.

Commissioner Riggs asked if the building permit would cover keeping the perimeter of the project site clean during construction or if that was something that came to the Planning Director. He asked if that was a condition they could apply to the approval. Principal Planner Rogers said the Municipal Code had requirements that related to dirty or derelict properties but in general it was expected that a construction project would create some disruption. He said for this level of project there was no standard for a construction staging or phasing plan except as related to tree protection.

Commissioner Onken said Commissioner Kahle mentioned vinyl windows and he asked if that was called out in the plans. Commissioner Kahle indicated where the reference to vinyl widows was.

Commissioner Drew Combs moved to approve the use permit. Commissioner Goodhue seconded the motion.

Commissioner Onken asked if the applicant would be willing to consider other materials for the windows noting that typically the Commission did not approve of white vinyl windows.

Ms. Ting said the property owner had no objection to changing the windows to wood or aluminum clad windows.

Commissioner Onken asked if the makers of the motion and second would consider adding a condition to allow the applicants to resubmit the window plan materials for either wood or aluminum clad to staff for review and approval. Chair Strehl confirmed that was acceptable with Commissioners Combs and Goodhue the makers of the motion and second.

ACTION: Motion and second (Combs/Goodhue) to approve with one modification as shown; passes 6-1 with Commissioner Kahle opposed.

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. 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 Aclara Engineering Consulting consisting of 14 plan sheets, dated received October 26, 2016, and approved by the Planning Commission on November 7, 2016, 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.
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 revised elevations that are consistent with the three-dimensional renderings of the plan set, subject to review and approval of the Planning Division.
 - b. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised arborist report and a revised site plan addressing the following, subject to the review and approval of the Planning Division:
 - 1) Provide specific tree protection measures for heritage trees numbered 13, 14, 16, 24 and 25;

- 2) Describe specific impacts to heritage trees based on site, grading, utility, and landscaping;
 - a) Provide specific tree protection zones (TPZ) for each heritage tree to be preserved in the revised report and include the following elements:
 - b) Tree protection fencing shall be six-inch chain link;
 - c) If fencing inhibits construction access or activities, wood chip mulch with trench plates or plywood may be used to protect the TPZ, and a precise description of where this method will be used shall be provided in the revised arborist report
- 3) Clearly identify the required heritage tree replacements on the revised site plan, or submit documentation that the City Arborist has waived such requirements.

c. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans to include wood or aluminum clad windows (not vinyl windows), subject to the review and approval of the Planning Division.

F2. Use Permit/Jeff Chase/936 Hobart Street:

Request for a use permit to demolish an existing, one-story single-family home and construct a new, two-story single-family home with a basement on a substandard lot with regard to lot width in the R-1-S (Single Family Suburban) zoning district. ([Staff Report #16-088-PC](#))

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

Applicant Presentation: Ms. Karen Zak, project architect, Menlo Park, introduced Jeff Chase, representative for the owners, Pacific Excel III Group. She said they chose a Spanish California style which they thought would step back nicely on the second story, meet daylight planes, and give neighbors additional space and privacy. She said they worked around quite a few trees on the site and talked to neighbors as they started the design to make sure they took into account their interests and sensibilities.

Commissioner Kahle asked if they would consider a clay tile roof to fit the house style. Mr. Chase, Aptos, said they agreed that roof material would look better. Commissioner Kahle asked if they would use two by four or two by six studs. Ms. Zak said two by six studs. Commissioner Kahle said the roof pitch was three and twelve and asked why they did not do four and twelve since they were not close to the maximum building height. Ms. Zak said they thought the three and twelve would look better.

Commissioner Onken asked about the reasoning for 10-foot ceilings on both the first and second stories. Ms. Zak said on the second floor the 10-foot ceiling was only on the master bedroom side. She said it was mainly because the room was very large, they wanted a feeling of spaciousness, and there was plenty of room in the height to make that work. She said doing that they did not need cathedral ceilings and they could have more insulation in the attic spaces.

Commissioner Kahle said that the master bathroom over the garage was prominent creating a solid wall there. He asked if they would be willing to set that back to reduce its mass noting the size of the master bedroom and closet could absorb that step back. Ms. Zak said their preference would be to leave it as they had already stepped the second story back so far. She said the master

bedroom and closet size were what they found people wanted.

Chair Strehl said the garage door seemed very prominent and asked if it could be divided. Ms. Zak said they could change to two doors or use a post in the center to make it appear as two doors. Chair Strehl said she was concerned about water conservation and noted they had six and a half bathrooms. She asked if there were any water conservation measures being taken. Ms. Zak said the new codes were very stringent and the bathroom fixtures and toilets were low flow. She said the landscaping would be drought tolerant.

Chair Strehl opened the public hearing. She closed the public hearing as there were no speakers.

Commission Comment: Commissioner Riggs said the staff report indicated the sill heights were three-foot six-inch minimum and that addressed privacy concerns. He said that a sill under four-foot six-inches did not protect neighbors' privacy. He asked if the bathrooms had obscured glass over the bathtubs. He said he was concerned with the side windows of bedrooms 2 and 3 as without a landscape plan he couldn't tell if the views were screened.

Ms. Zak said the two bathroom windows called for obscure glazing. Commissioner Riggs asked if egress was required on the north side or whether it could be met on the east and west sides. Ms. Zak said egress was required on the side windows. She said with the Spanish style the windows were casement but the back ones did not count as they were not wide enough. Commissioner Riggs suggested she check with the Fire District about that. He asked about the landscaping. Ms. Zak said pittosporum would be planted along the property line.

Commissioner Kahle said generally it was a nice design and the massing worked well with the exception of the master bathroom above the garage. He said with the 10-foot ceiling it was especially prominent. He said the master bedroom was 17-feet deep and if the wall of the master bathroom was pushed back it could be aligned with the entry wall. He said changing to a clay tile roof would make a great difference and that two piece clay tile rather than one piece would be in keeping with the style. He said the windows even in a two by six wall did not sit back far. He said the front walls of the house could be made thicker to get recess and some shadows. He suggested the skylight in the master bathroom might be pushed to the side so it did not stick out so much.

Commissioner Onken said they should mandate that the windows on the south elevation be reduced in size and the sill height raised, and that other egress be found, as those windows seemed to be pushing the boundaries of visual privacy. He said he would like to see the house come back with a different massing consideration as the front elevation was unfortunate. He said it could be helped by moving the chimney around to the side. He suggested also that the garage door be reduced in size or divided with some type of detailing. He said he could support Commissioner Kahle's assertions about a clay tile roof but he was unsure how those would work on a three and twelve pitch. He said he would like the project to come back with a redesign.

Commissioner Kahle said the windows as designed with the center mullion would not meet egress requirements. He said there was a style called a French casement window that would meet the egress requirement. He said a four and twelve roof pitch would help a lot in terms of reducing the apparent mass of the second story. He said although he indicated he could support the project he would prefer it returned with more fine tuning of the design.

Commissioner Drew Combs said he appreciated the comments made by Commissioners Onken and Kahle. He said he could support the project as presented and he did not see that the

suggestions would massively change the project as proposed.

Commissioner Andrew Barnes said he appreciated the suggested enhancements to the project to the extent that they did not impinge on the materials and square footage of the project. He said he would like the project to come back with the referenced enhancements.

Commissioner Onken moved to have the project return with redesign. Commissioner Kahle seconded the motion. Chair Strehl asked staff how soon the project might be able to return to the Commission. Principal Planner Rogers said it was based upon the architect's responsiveness and staff workload, and estimated two to four months for the project to return to the Commission.

Chair Strehl recognized the project architect. Ms. Zak said they could agree to move the master bathroom back to align with the front entryway if that would get approval for the project this evening. She said they could change the egress windows to the French casement type mentioned. She said they could also change the sill heights on the left hand side. Chair Strehl asked about the roof pitch. Ms. Zak said they could look at the roof pitch. Commissioner Barnes asked about the garage door. Ms. Zak said they had already agreed to change the garage doors. Commissioner Barnes asked about the clay tile roof. Ms. Zak indicated assent.

Commissioner Onken said as the maker of the motion that the revisions could be provided by email to the Commission for review. Chair Strehl asked staff to comment. Principal Planner Rogers said the maker of the second first needed to agree, and added there was a process of substantial conformance email so the action would be an approval subject to certain changes. Commissioner Onken said that they were not changing the fundamentals of the data sheet in terms of what they approved and what returned as conforming.

Commissioner Riggs said there were a number of suggested changes including moving the chimney to the side, change in roof pitch, clay tile, pushing back the master bath, window changes, and garage door changes. He said his concern was this was not the project architect's design but a committee design. He said he would like some design guidelines in the future.

Commissioner Onken said that he would move to approve contingent upon conformance review to have the project architect address elevation issues, specifically the windows and their detailing such as a deeper reveal, reconsider the roof pitches, a clay tile roof instead of an asphalt roof, reduce the fenestration along the side boundaries for privacy, amend the garage door design, either reduce the ceiling height in the master bathroom or move the bathroom back, noting the latter might change the square footage and require a Commission hearing. Commissioner Kahle seconded the motion and noted the applicant had the option to continue the item to another meeting if they preferred or to work through staff.

Chair Strehl asked if staff had enough to work with the applicant, or whether the applicant would prefer to have the item continued and return.

Assistant Planner Morris said the changes directed to the applicant included changing windows and their details modified, changing roof pitch, change to a clay tile roof, reduce fenestration on the sides of the house, amend the garage door to reduce the massing or its prominence, move the fireplace to the side or a different location, reduce the height or move the master bath back from the front façade with Commissioner Kahle seconding the motion but offering the option of coming back with a continuance. Commissioner Riggs said there was also a suggestion to move the master bath skylight to a north slope rather than facing the street.

Chair Strehl said she was concerned they were designing the project, and said she would like to ask the applicant if they would prefer a continuance or to work with staff on a conformance basis. Ms. Zak said they would prefer approval with the conditions. She said the requested changes were not as major as they might sound. She said they looked at houses on this street that had use permits before they made their choices and felt like they did listen to many things, noting houses on that street with full garage doors and bigger windows. She said they made their windows smaller and their roof pitch lower to keep the height lower. She said by changing the pitch the height would increase. She said she was not quite clear on what window details were being asked for and why.

Commissioner Kahle said this was a recommendation and they could go either way on it in his opinion. He said with a thicker wall the windows could be recessed which gave them depth creating shadow, and appearing much more like a Spanish Mediterranean style house. Ms. Zak said the sill on the interior was for the homeowner who would purchase the house and that was the challenge.

Commissioner Combs said for the record that they were putting the applicant in an awkward situation to accept all the changes somewhat ad hoc or come back in three or four months with a redesign. He said he would vote for it. He said he agreed with Commissioner Onken that the single garage door or the window sill heights were common concerns of Planning Commissioners.

ACTION: Motion and second (Onken/Kahle) to approve with the following modifications; passes 7-0.

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by Zak Johnson Architects consisting of 10 plan sheets, dated received October 26, 2016, and approved by the Planning Commission on November 7, 2016, 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.
4. Approve the use permit subject to the following **project-specific** condition:
- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised arborist report and a revised site plan addressing the following, subject to the review and approval of the Planning Division:
 - 1) Specify that a 4- to 6-inch wood chip layer of mulch will be added at grade in the area outside the tree protection fencing under the tree driplines and covered with ¾-inch plywood (or an equivalent) prior to demolition;
 - 2) Specify in the Tree Protection Plan the irrigation for the protected heritage trees including the method, location, timing, flow rate, duration and depth; and
 - 3) Recommendations shall be made in the arborist report for tree protections based on the evaluation of the grading and utility plans.
 - b. ***Prior to the submittal of a complete building permit application, the applicant shall submit revised plans addressing the topics listed below, subject to the review and approval of the Planning Division. The Planning Commission shall be notified of these changes by email, and any Commissioner may request that the Planning Division's approval of the revised elevation plans may be considered at the next available Planning Commission meeting. The revised elevation plan shall be fully approved prior to issuance of the overall building permit. The specific topics to be addressed include:***
 - 1) Change the windows on the left side of the second floor to French casement windows***
 - 2) Change the roof pitches***
 - 3) Change the roof materials from composition to clay tile***
 - 4) Reduce the fenestration on the sides of the home***

- 5) *Revise the garage door from one door to two doors, or a two-door simulated style***
- 6) *Move the chimney from the front elevation to a side elevation***
- 7) *Move the master bathroom to align with the front entry; and***
- 8) *Move the master bathroom skylight to the north side of the roof slope.***

F3. Use Permit Revision/Morteza Nassiri/317 Yale Road:

Request for a use permit revision to make changes to the floor plan, windows and roof plan of a previously approved single-family, two-story residence with a basement on a substandard lot with regard to lot width in the R-1-U (Single-Family Urban) zoning district. The previous use permit was approved by the Planning Commission on May 9, 2016. ([Staff Report #16-089-PC](#))

Staff Comment: Associate Planner Corinna Sandmeier said there were no additions to the staff report.

Applicant Presentation: Mr. Roger Kohler, project architect, Palo Alto, introduced the project builder Morteza Nassiri. He said the project was approved earlier in the year and since then they decided to eliminate a bedroom on the first floor and expand the living and dining areas and rearrange the upper floor. Mr. Nassiri said he was the owner and builder and they had added a bathroom so each bedroom has a bath. Mr. Kohler said the exterior walls remained the same and as recommended by staff they had moved the house back; he said the only change to the exterior was the placement of windows.

Chair Strehl said that water conservation was important to her and she had concerns about six and a half bedrooms. She asked about the exterior watering plan. Mr. Kohler said they had submitted their planting plan with the last submittal of building plans. He said the landscaping had low water usage. Mr. Nassiri said the change was instead of two of the bedrooms sharing a bathroom that each would have its own bathroom. He said it should not increase the water usage as they were using low flow and dual flush toilets.

Commissioner Goodhue asked when there were landscaping plans if those could be provided to the Commission. Commissioner Riggs suggested requiring that two-story projects have a planting plan. Principal Planner Rogers said that was not a requirement for single-family residential development.

Chair Strehl confirmed with the applicant that he had done neighbor outreach.

Chair Strehl opened the public hearing. There being no speakers, she closed the public hearing.

Commission Comment: Commissioner Onken said generally the house was well-proportioned. He said he was concerned with the west wall and large line of windows even closer to the property line than the previous project had. He said egress windows were required but he thought others could be reduced to address privacy concerns lacking a landscape plan.

Commissioner Riggs said he was concerned about privacy and he did not think three-foot six-inch sills addressed that. He said the design was a good attempt to maximize square footage on the lot. He said he thought it would be quite impactful for Yale Road.

Principal Planner Rogers noted recent Commission comments about window sill heights and privacy. He said that staff's findings were based on input from Planning Commissions whose membership changed over time. He said over the last few years the Commission had been fairly consistent that a minimum sill height of three feet was considered good for privacy, if that helped explain why the staff report included the text that it did.

Commissioner Kahle said he appreciated the changes made to the project and he shared concerns about the windows on the right side and impacts on privacy. He said he supported the project. He moved to approve as recommended in the staff report. Commissioner Combs seconded the motion.

ACTION: Motion and second (Kahle/Combs) to approve as recommended in the staff report; passes 6-1 with Commissioner Onken opposed.

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 Kohler Associates Architects consisting of 11 plan sheets, dated received October 25, 2016, and approved by the Planning Commission on November 7, 2016, 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 and street trees in the vicinity of the construction project shall be protected pursuant to the arborist report by Kevin Kielty Arborist Services LLC, dated received March 23, 2016.

- F4. Use Permit Revision and Architectural Control Revision/Ron Krietemeyer/1315 O'Brien Drive: Request for use permit and architectural control revisions to a previously approved project, which would allow the removal of approximately 32,000 square feet of gross floor area of warehouse from the rear of the structure and construction of a new exterior rear wall consistent with the architectural style of the previously approved building, in the M-2 (General Industrial) zoning district. ([Staff Report #16-090-PC](#))

Staff Comment: Associate Planner Tom Smith said he had no modifications to the staff report.

Applicant Presentation: Mr. John Tarlton said he thought this was the first time he had ever requested the reduction of building square footage. He said this structure was adjacent to a vacant portion of the lot and they intended to bring an application forward in the future for a building. He said at this time they wanted to move a blank wall back and reduce the existing building size by 32,000 square feet.

Chair Strehl asked if they were keeping the foundation or moving it back also. Mr. Tarlton said they were keeping it. He introduced David Leung, Project Architect, DES Architects. Mr. Leung said the existing building slab would remain but there was no use intended for it at this time. He said the existing slab on the east and west edges had been a truck dock and they would need to install guardrails along there for safety.

Commissioner Goodhue asked if the applicant then wanted to place a building in the space behind the reduced structure whether the slab and guard rails would need to be removed. Mr. Tarlton said they would have to come back with the new building proposal and the site modification associated with it including future removal of the slab.

Chair Strehl opened the public hearing. She closed the public hearing as there were no speakers.

ACTION: Motion and second (Onken/Riggs) to approve as recommended in the staff report; passes 7-0.

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

2. 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. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:
 - a. The general appearance of the structure is in keeping with the character of the neighborhood.
 - b. The development will not be detrimental to the harmonious and orderly growth of the city.
 - c. The development will not impair the desirability of investment or occupation in the neighborhood.
 - d. The development provides adequate parking as required in all applicable city ordinances and has made adequate provisions for access to such parking.
 - e. The property is not within any Specific Plan area, and as such no finding regarding consistency is required to be made.
4. Approve the use permit and architectural control subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by DES Architects and Engineers consisting of 23 plan sheets, dated received October 13, 2016, and approved by the Planning Commission on November 7, 2016, except as modified by the conditions contained herein, subject to review and approval by the Planning Division.
 - b. 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.
 - 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 existing curb inlet shall be converted to a junction box and install a new curb inlet per City's standards. 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 the removal of the existing curb, gutter, and sidewalk and installation of new curb, gutter, sidewalk, and planting strip per City standards along the entire property frontage. 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 Project Arborist's recommendations.
 - h. Simultaneous with the submittal of a complete building permit application, if applicable, the applicant shall document compliance with the City's Water Efficient Landscape Ordinance (WELO) in effect at the time of building permit submittal.
5. Approve the use permit and architectural subject to the following **project-specific** conditions:
- a. The property owner shall retain a qualified transportation consulting firm to monitor the trips to and from the project site and evaluate the effectiveness of the TDM program one year from commencement of operations within the subject building and shall submit a memorandum/report to the City reporting on the results of such monitoring for review by the City to determine the effectiveness of the TDM program (Attachment E). This report shall be submitted annually to the City subject to review by the Planning and Transportation Divisions. If the subject site is not in compliance with the anticipated trip reductions from the TDM program the applicant shall submit a detailed mitigation and monitoring plan identifying steps to be taken to bring the project site into compliance with the maximum Daily, AM and PM trips identified in the trip generation analysis and TDM program.
 - b. Prior to or concurrent with the submittal of a complete building permit application, the applicant shall execute the Below Market Rate (BMR) Housing Agreement. Within two years of building permit issuance, the applicant shall comply with the terms of the BMR Agreement, which include the payment of the in lieu fee of approximately \$422,699.35 (as of July 1, 2014), provision of two units, or a combination thereof. The BMR fee rate is subject to change annually on July 1 and the final fee will be calculated at the time of fee payment.
 - c. When chemical quantities exceed the reportable limits as defined by the California Health and Safety Code, the tenant shall provide a Hazardous Materials Business Plan (HMBP), or equivalent document to the San Mateo County Environmental Health Division and Fire District.
 - d. If the tenant modifies the types and/or quantities of chemicals used and stored at the site, the tenant shall obtain a revised Fire Permit from the Menlo Park Fire District.
 - e. The use permit for hazardous materials used and stored at the site shall only be permitted for Pacific Biosciences or subsequent tenants within the front suite of the building.

- f. If the tenant requests window or door openings along the rear wall to be constructed as part of a future building permit, Planning staff shall evaluate the proposed windows and doors and issue an administrative approval granting such changes if they are in conformance with the areas indicated on the rear elevation of the approved plan set and compatible with the design and materials of the overall structure

G. Regular Business

G1. Architectural Control Revision/Rob Fischer/1090 El Camino Real:

Request for an architectural control revision to allow metal roll-down doors to be installed at three building entrances along Santa Cruz Avenue in conjunction with a restaurant use at an existing commercial building in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. ([Staff Report #16-091-PC](#))

Staff Comment: Senior Planner Jean Lin said staff had no changes to the staff report. She said a materials board for the metal roll-down doors was being circulated for the Commission's review.

Questions of Staff: Commissioner Kahle asked if the doors were already installed. Senior Planner Lin said they were installed without staff review and permits. Commissioner Kahle asked what would happen if the Commission did not approve the architectural control revision. Senior Planner Lin said that was a risk the applicant faced as they chose to install without permits. She said if approved they would need a building permit and the doors would need to be inspected.

Commissioner Combs said that the applicant had presented a design including the roll-down doors to the Commission that the Commission approved without the roll-down doors. Senior Planner Lin said that was correct and staff had not presented the Commission with the design of the roll down doors that were being contemplated. Commissioner Combs asked if there was discussion at that time about the roll-down doors. Senior Planner Lin said there was not discussion about roll-down doors when the project came before the Commission in 2013. She said the applicant had requested consideration of roll-down doors. She said staff in considering the aesthetics of the roll-down doors at that time had had no documentation supporting the necessity of roll-down doors for any security measures. She said as part of the staff condition of approval a provision allowed for staff review should they demonstrated that the roll-down doors were needed for security. Commissioner Combs confirmed with staff that the applicant was clear on staff's position and had no approval to install roll-down doors, but installed them.

Chair Strehl noted a letter supporting substantial conformance and asked staff to review. She said she recalled discussion about roll-down doors. Senior Planner Lin said the doors were discussed in the original architectural control application staff report but there was no active Commission discussion regarding them. She said there had been two substantial conformance memorandums. She said the first was in October 2014 and that included exterior modifications as well as the enclosure of a kitchen on the rooftop deck and other minor changes. She said the second more recent substantial conformance memo was on August 2016 that included additional exterior changes that included the relocation of equipment cabinets; changes to the building's color scheme and some minor modifications.

Applicant Presentation: Mr. Rob Fischer, project applicant, said at the very beginning in discussing this project they had talked about roll-down doors, and there were letters between them and the Planning staff about the roll-down doors. He said there was another letter written in February 2014 that referenced roll-down doors and the necessity would have to be proven for security reasons in the future. He said he was not defending that the roll-down doors were installed without a permit.

He said he was neither an architect nor a builder. He said the letter had indicated that if they could demonstrate a necessity for the roll-down doors they could be considered. He said in the area around the train station about a year ago there was a point in time when a homeless encampment went behind Menlo Center and porta-potties were brought in for the people in that encampment. He said there was a roll-down door for the gate at the Menlo Center for security reasons.

Commissioner Kahle said he knew Mr. Fischer from the Creamery in Palo Alto. He said the gates were intended to keep people out but was part of an exit path. Mr. Fischer said there was an emergency release for the gates.

Commissioner Riggs asked about the maintenance commitment to the gates noting they were lengths of aluminum and could be bent or even decorated. Mr. Fischer said the reason they wanted to keep them the natural color was if they were tagged it would be easier to remove the paint. He said they have been tagged already. He said if the aluminum got dented, the doors would be fully replaced. He said he thought the positives outweighed the negatives.

Commissioner Combs asked if anything else was considered for security other than the roll-down doors. Mr. Fischer said he had no other ideas in how to secure that large of a doorway. Senior Planner Lin said one of the suggestions for securing the vestibule had been installation of motion sensor lighting. She said she thought they had agreement that was a good starting point with the option of looking at other measures as necessary. She said they did not have any other options related to creating a barrier to the vestibule area.

Chair Strehl opened the public hearing.

Public Comment:

- Todd Burke, Palo Alto, said he had lived in Menlo Park from 1997 to 2007, and has known Mr. Fischer since 1997, and was a customer of Mr. Fischer's various establishments. He said this was not only about the roll-down doors but was about bringing a new restaurant experience to Menlo Park and the Peninsula. He said he thought a roll-down door was a relatively minor consideration from an architectural standpoint and would provide safety. He said Mr. Fischer's team was committed to high standards of maintenance.
- Fran Dehn, Menlo Park Chamber of Commerce, said she also encouraged the Commission to approve the request for the architectural control revision. She said Menlo Park was a great place to live and to do business but motion sensor lighting did not do too much in the area around the train station. She said she worked there and she has gone from motion sensor lighting to continuous lighting outside her door. She said when she comes to work in the morning she cleans up after people who had been there in the night. She said they were looking forward to the BBC reopening.
- Ann Carr, Menlo Park, said she supported the roll-down doors and they were a good way to create security. She said they would be open during the day and closed from 10 p.m. until 7 a.m. She said they would help keep the area safe and clean.
- Dr. Gavin Carr, Menlo Park, said the City was a great place to raise kids. He said he met Mr. Fischer at the Creamery in Palo Alto. He said he also met his wife there. He said all of Mr. Fischer's restaurants were first class. He said the roll-down doors were a good idea. He said he thought the restaurant would bring more people to the area.

Chair Strehl closed the public hearing.

Commission Comment: Chair Strehl said that the gates looked fine and would be open during day time and evening hours.

Commissioner Onken said he agreed with Chair Strehl's comments. He said the area was an entry way and this would improve the area.

Commissioner Barnes said he supported noting he did not see the gates as incongruous with brick.

Commissioner Combs asked if staff was recommending approval. Senior Planner Lin said staff was recommending approval with conditions. Commissioner Combs said that this was not about the doors but about process and rules. He said what was expressed to the applicant was clear. He said however he lived near the area and understood the applicant's security concerns. He said the rules were not followed yet it was a project the public would like to see happen.

Commissioner Riggs said he concurred, and moved to approve the architectural control revision as recommended by staff. Commissioner Goodhue seconded the motion.

ACTION: Motion and second (Riggs/Goodhue) to approve as recommended in the staff report; passes 7-0.

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 approved on February 10, 2014.
2. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:
 - a. The general appearance of the structure is in keeping with the character of the neighborhood.
 - b. The development will not be detrimental to the harmonious and orderly growth of the City.
 - c. The development will not impair the desirability of investment or occupation in the neighborhood.
 - d. The development provides adequate parking as required in all applicable city ordinances and has made adequate provisions for access to such parking.
 - e. The development is consistent with the El Camino Real/Downtown Specific Plan.
3. Approve the use permit and architectural control subject to the following **standard** conditions:

- a. Development of the project shall be substantially in conformance with the plans prepared by CCS Architecture consisting of three plan sheets, dated received November 2, 2016, and approved by the Planning Commission on November 7, 2016, except as modified by the conditions contained herein, subject to review and approval by the Planning Division.
 - b. 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.
 - 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 existing curb inlet shall be converted to a junction box and install a new curb inlet per City's standards. 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 the removal of the existing curb, gutter, and sidewalk and installation of new curb, gutter, sidewalk, and planting strip per City standards along the entire property frontage. 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, including, but not limited to, installation of the proposed canopy over the public sidewalk, the applicant shall obtain an encroachment permit for review and approval of the Engineering Division.
4. Approve the architectural control revision subject to the following ***ongoing project-specific*** conditions:
 - a. All outdoor noise amplification must meet required noise levels at any residential property line in accordance with the Noise Ordinance.
 - b. Any citation or notification of violation by the California Department of Alcoholic Beverage Control or other agency having responsibility to assure public health and safety for the sale of alcoholic beverages will be grounds for considering revocation of the use permit.
 5. Approve the architectural control revision subject to the following ***project-specific*** conditions:
 - a. The roll-down metal security gates shall remain rolled up in their open position seven days a week during the hours of 8:00 a.m. to 10:00 p.m.

Chair Strehl said for the record that her husband probably had dinner at the Creamery this evening.

H. Informational Items

H1. Future Planning Commission Meeting Schedule

- Regular Meeting: November 14, 2016
- Regular Meeting: December 5, 2016
- Regular Meeting: December 12, 2016

Commissioner Barnes said he would like his agenda packet in a binder noting the binders for the General Plan Advisory Committee. Chair Strehl suggested that he re-use binders and get his agenda packet three-hole punched. Principal Planner Rogers said he would inquire as to the possibility of the agenda packets being delivered with three-hole punched.

I. Adjournment

Chair Strehl adjourned the meeting at 9:05 p.m.

Staff Liaison: Thomas Rogers, Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on December 5, 2016