



CITY COUNCIL AND COMMUNITY DEVELOPMENT AGENCY MINUTES

Regular Meeting
Tuesday, May 14, 2002
7:30 p.m.
Menlo Park Council Chamber
801 Laurel Street, Menlo Park

ROLL CALL – Mayor Schmidt called the meeting to order at 7:35 p.m. Mayor Pro Tem Kinney and Councilmembers Borak and Jellins were present. Councilmember Collacchi was absent. Staff present included City Manager Boesch, Assistant City Manager Seymour, City Attorney McClure, City Clerk Ramos and other department heads.

A. PRESENTATIONS AND PROCLAMATIONS

1. Honoring “Trees for Menlo Park, Inc.”

Mayor Schmidt read the proclamation. The proclamation was presented to John Arnold, President, Trees for Menlo, Inc.

Mayor Pro Tem Kinney provided a presentation about the El Camino Real tree project.

Lucille Spurlock, Secretary for Trees for Menlo Inc., gave background and named some of the public members who helped in this effort.

Marilyn Kinney, Trees for Menlo, Inc. Treasurer, gave background regarding the Arbor Day Foundation award celebration in Nebraska.

John Arnold, President, Trees for Menlo Inc., provided a status report about the tree-planting project on El Camino Real and grant funding for this project.

B. ANNOUNCEMENTS, APPOINTMENTS AND REPORTS

1. Arts Commission appointment.

M/S Kinney/Jellins to extend the application period. Motion passed 3-1, with Mayor Schmidt dissenting and Councilmember Collacchi was absent.

Mayor Schmidt encouraged the applicant Ryan Belcher to contact the Arts Commission for an interview.

2. Councilmember Reports: Schmidt, Kinney, Borak, Collacchi, Jellins.

Mayor Pro Tem Kinney reported on the Chamber of Commerce Annual Golden Acorn event and that the City received an award for its 75th Anniversary.

City Manager Boesch announced the recent appointment of Chris Boyd as the City's new Police Chief. He also reported on the feedback from residents regarding the Santa Cruz Avenue road improvements. He said that three public meetings have been scheduled tomorrow to provide information to the residents and to receive additional comments regarding this matter. He also announced the phone numbers to call for comments about the project.

C. PUBLIC COMMENT #1

Everett Estkowski, Menlo Park, said that Santa Cruz improvements are causing some difficulty and inconvenience.

James Schott, Menlo Park, supported a plan that would improve traffic safety on Santa Cruz Avenue.

Alec Neville, Menlo Park, compared the Santa Cruz improvement project to a project on the Embarcadero in San Francisco that was initially opposed and has become a successful project.

Ollie Brown, Menlo Park, commented on the safety and welfare of the students who travel Santa Cruz Avenue by foot especially where there are no sidewalks.

Ed Greene, Menlo Park Fire District, is concerned about maneuvering the emergency vehicles on Santa Cruz Avenue.

Pat White, Menlo Park, expressed safety concerns for motorists, pedestrians, bicyclists and emergency vehicles and noted that the median islands restrict entrance to his and other driveways.

Horace Nash, Menlo Park, asked the community to allow time to adapt to the new short-term traffic calming measures and continue working on a redesign for the entire street for long-term improvements. He summarized the review and approval process of Phase 1 and 2 and its objectives.

James Clendenin, Menlo Park, noted an increase in traffic, noise and frustration of drivers on Santa Cruz Avenue. He is hopeful that the improvements will result in a quieter, safer and more aesthetically pleasing street.

Del Krause, Fire Board Director and resident, opposed the left turn lanes and islands because he said they do not work.

Herb Borak, Menlo Park, referred to a memo from the City Manager to the Council regarding Sand Hill Road noting that it might be in violation of the Brown Act. He asked that when the Council begins its Sand Hill discussions, to ensure that the meetings comply with the Brown Act.

Eric Gilbertson, Menlo Park, expressed concerns that there are too many lateral displacements and that pedestrians and bicyclists were not considered in the design process and the current plan has too many physical obstructions especially for pedestrians and bicyclists.

Frank Carney, Menlo Park, summarized the process of the implementation of traffic calming measures for the Linfield Oak neighborhood, noting that the results have slowed down traffic. He commended staff and Council for its efforts and said that the design is good and worthwhile if it meets the goal of slowing down traffic.

Councilmember Jellins noted that staff has been taking notes of the public comments and invited the public to the scheduled meetings tomorrow to receive information and provide feedback. He noted that the project is a work in progress and is one stage of a multi-stage project to improve Santa Cruz Avenue for the safety and welfare of the entire community.

D. CONSENT CALENDAR

Mayor Schmidt read the consent items.

M/S Borak/Kinney to approve the consent calendar items as presented. Motion passed 4-0 with Councilmember Collacchi absent.

1. Approval of audited bills for period 45 ending May 3, 2002.
2. Authorization of the City Manager to enter into an agreement in the amount of \$400,000 with Transcore to furnish and install Adaptive Traffic Signal Interconnect System Software and Traffic Monitoring Center Hardware for the El Camino Real Adaptive Traffic Signal Coordination Project.
3. Approval of Minutes for the City Council Meeting of April 23, 2002.

E. PUBLIC HEARING

1. Appeal of a decision by the Planning Commission to approve a Use Permit to allow for the construction of two residences on a lot that is substandard with regard to lot width and for excavation to occur in the required rear and side setbacks at 724 Harvard Avenue.

Justin Murphy, Senior Planner, presented the staff report.

Staff responded to questions regarding setbacks, excavation, light wells, below grade space and egress requirements, ventilation, parking on street and driveway width.

Chris Ridgeway, Architect for the applicant, provided colored renderings for Council's review and provided information about the design and the meeting with the neighbors to resolve concerns. He noted that the project meets the City's zoning regulations and that the project has received letters of recommendation.

Leslie Peters, appellant, expressed concern about the project's size and screening and noted a petition by 21 opposing neighbors. She also noted that the property owners do not intend to live on the lot and that the neighbor who supports the project has a deep and large lot. She urged the Council to reduce the project size.

Scott Eikenberry, appellant, expressed concern about light plane provisions. He is concerned that the maximum square footage, which excludes the basement, would increase the number of people and cars on the property. He noted that most of the double houses are on the other side of street and have the deeper lots. He expressed preference for a single house for this project.

Ashley Eikenberry, appellant, expressed concern about the light plane and maintaining the current mix and open space of the neighborhood. She encouraged modifying the design to reduce the size of the second house. She reiterated that the property owners would not live on the property.

Bob Puette, property owner, explained that he and his wife bought the property last year as an investment. He said that the design is to replicate old Menlo Park and Palo Alto and that he has made significant contributions on the architecture and design of the project.

Mike Ohearn, Realtor that sold the property, noted that the Garlock's, who live across the street, support the project and clarified that the front house does not have a basement. He observed that other houses on the same street are built to their maximum allowable size.

Carolyn Caligiury, Menlo Park, expressed support for the project.

Mr. Ridgeway (Architect) commented about the size, the basement, light wells, roof pitch and light planes. He felt that constructing two separate cottage-like houses looks better than building one massive house. He responded to questions regarding the side windows and tree-planting to provide screening and privacy for the rear neighbors.

Mayor Schmidt closed the public hearing at 9:30 p.m.

Councilmember Borak commented that the architect has done a good job on the design of the houses and how they fit into the neighborhood. She recognized the concerns of the neighbors and would move to reduce the size of the rear house.

Mayor Schmidt seconded the motion and commended the architect on the design of the houses. He suggested ways of reducing the size by not building the basement, or building the basement but building a single story house above grade in the rear. He said that if the basement will not be built, the required window egress should be relocated to the east of the west elevation, not the north elevation. He also addressed the daylight plane issues.

Mayor Schmidt suggested making the motion more specific and suggested that the intensity of use could be reduced by getting rid of the square footage in the basement and eliminating the rear courtyard intrusion into the rear yard setback.

Discussion ensued.

Mr. Ridgeway noted that if the second story was eliminated it would impact the bedrooms and suggested cutting off the roof above the daylight plan and re-orienting the window towards the rear of the property. He submitted a map of the neighborhood houses and noted that all of the properties with two units had second stories. He suggested tucking in the attic and clipping the gables facing the north side to minimize the overall size of the house. He also suggested moving the window facing the north side to face the rear. He provided a sketch of his idea and submitted it to Council for review. He further explained that if the roof pitch was lowered it would make the house less attractive and putting the bedrooms in the basement will make the house less appealing to sell.

Discussion ensued regarding the proposed modifications, light wells, and bedroom windows for cross ventilation.

Councilmember Borak continued to express concern about the square footage of the rear house.

Mayor Schmidt suggested denying the appeal on the condition that the basement would be eliminated, the roof cut back and egress window moved.

Scott Eikenberry, appellant, stated that the appellants would prefer modifying the rear house to a single story.

Architect Ridgeway suggested removing one of the bedrooms in the basement and reducing the square footage in that area in addition to the modifications suggested earlier.

New Motion

M/S Kinney/Schmidt to deny the appeal and approve the use permit subject to the following changes in the conditions listed in Attachment A of the Council report as outlined by Councilmember Kinney:

- **Add Condition j as follows:** Prior to building permit issuance, the applicant shall submit revised plans for review and approval of the Planning Division with the following modifications to the rear unit:
 - o Eliminate the room labeled “bedroom”, including its closet, and the corresponding floor area from the basement. The layout of the remaining space may be reconfigured provided that the basement contains only one bedroom, one bathroom, and the internal stairwell.
 - o Eliminate the side light well.
 - o Clip the roof on the right side (as viewed from the front) to eliminate the intrusion into the daylight plane.
 - o Relocate the second floor window from the right side elevation to the rear elevation. In order to create a window that meets egress requirements for the affected bedroom, the rear elevation may be modified to include a dormer.

City Attorney McClure noted that because the floor area has been maximized, the applicant would not be able to add additional floor space with the dormer.

Ashley Eikenberry, appellant, clarified that the neighbors would like the bedroom on the second story eliminated in order to get privacy and light and would reduce the number of people living in the house.

Mayor Schmidt replied that the light and privacy issues are being addressed and eliminating the bedroom in the basement would reduce the number of people living in that house.

Councilmember Borak said she could not support the motion because it does not address all of the concerns and suggested sending the modified project to the Planning Commission.

Councilmember Kinney opposed sending it back to the Planning Commission.

Mayor Schmidt said he would support the motion because the applicants are operating under the zoning laws that apply to R2.

Motion passed 3-1, with Councilmember Borak dissenting and Councilmember Collacchi absent.

Mayor Schmidt declared a recess at 10:30 p.m. and reconvened the meeting at 10:40 p.m.

F. REGULAR BUSINESS

1. Review of the Administrative Draft Traffic Impact Analysis prepared for the Housing Element Environmental Impact Report.

Justin Murphy, Senior Planner, presented the staff report.

Councilmember Borak expressed concerns about the analysis prepared by Dowling Associates, Inc.

Questions and discussion ensued regarding the Transportation Impact guidelines and the different methodologies for analyzing traffic intersections, and delay mechanisms.

City Attorney McClure noted that staff would further study how the General Plan standards compare with the traffic impact analysis in terms of levels of service delays and report back to Council.

Mayor Schmidt noted the required mitigations resulting from the City's efforts to meet the housing element requirements and the impacts on the infrastructure of an additional population generated by the 1400 proposed housing units and the plan to handle the needs that arise to support the increased population such as schools, water, and waste. He said that the key to balancing jobs and housing and to satisfying the state requirements is to not intensify existing housing units but convert commercially zoned properties to residential in a scale that is slightly higher than what is proposed. He noted some other potential sites that might be included in the proposed list such as the O'Brien site as was suggested during the M2 study discussions. He is skeptical about the proposed guidelines to satisfy state requirements and questioned whether it meets Menlo Park's goals and vision. He is open to looking at the proposed commercial sites for rezoning to residential and adding other sites. He is not sure whether the conclusions of the Land Use and Circulation studies centered around El Camino are valid.

Staff commented about the regional growth factor and the lack of credit for the removal of commercial uses under the Land Use and Circulation Study as compared to the draft traffic impact analysis and noted that some of the assumptions are conservative. Staff responded to questions regarding review and response process and timelines.

Councilmember Borak expressed concern about the proposed housing sites.

City Attorney McClure clarified the process of deleting or changing items from the plan. He outlined some options for Council to consider including a previous suggestion by Councilmember Collacchi to appoint a subcommittee to look at the proposed and other potential sites, review them with staff and make a recommendation to Council.

M/S Kinney/Schmidt moved to form a subcommittee of Councilmember Collacchi and Mayor Pro Tem Kinney to look at the proposed and other potential sites with a goal of converting nonresidential uses to residential use and not upzoning current residential

sites and come back to the Council with recommendations. At the same time, staff would look at the traffic methodology of the study in terms of levels of service delays and how it compares with the General Plan standards and report its recommendation to the Council.

Motion passed 4-0 with Councilmember Collacchi absent.

2. Consideration of legislative items listed in the League of California Cities Bulletin(s), or items referred to in Written Communications or Information Items, including decisions to support or oppose any such legislative, communication or information item – None.

G. WRITTEN COMMUNICATIONS - None

H. INFORMATION ITEMS - None

Mayor Schmidt announced Bike to Work Day on Thursday and invited bicyclists to pick up their bags with goodies located at various sites in the City.

I. PUBLIC COMMENT #2 – None.

J. ADJOURNMENT – The meeting adjourned at 11: 30 p.m.

Approved with changes on June 18, 2002:

Susan A. Ramos, CMC, City Clerk