



# CITY COUNCIL STUDY SESSION MINUTES

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**STUDY SESSION**  
**Tuesday, October 4, 2005**  
**7:00 p.m.**  
**City of Menlo Park**  
**The Menlo Park City Council Chambers**  
**701 Laurel Street**  
**Menlo Park, CA 94025**

**A. ROLL CALL** - Winkler, Jellins, Cohen, Duboc, Fergusson

**STAFF PRESENT** - David Boesch, City Manager; William McClure, City Attorney; Audrey Seymour, Assistant City Manager; and Silvia M. Vonderlinden, City Clerk. Various department heads and other City staff were also present.

**PLEDGE OF ALLEGIANCE**

Mayor Winkler made the following announcements:

- The meeting is dedicated to the memory of Michelle Mazzei, who passed away over the weekend. Ms. Winkler listed Ms. Mazzei's interests and accomplishments as a person and a professional. She was a fourth grade teacher at Oak Knoll school.
- Chris Boyd, Police Chief, announced that on October 3, 2005 a resident was robbed and sexually assaulted. Mr. Boyd shared a sketch of the suspect.
- Mayor Winkler announced that Kepler's Books will reopen on October 8, 2005.

**B. PUBLIC COMMENT**

Patti Fry congratulated Council on its approval of the Safeway project but she has concerns about permitted uses. Ms. Fry spoke about the court ruling on the Allied Arts case.

Steve Schmidt, former Mayor, addressed the Council asking that the record reflect that Ms. Mazzei passed away due to a negligent driver.

**C. STUDY SESSION**

1. Discussion of and possible direction on a General Plan amendment and Zoning Ordinance amendment to create a new General Plan Land Use designation and a new zoning district that allows a maximum floor area ratio of 110 percent for uses comprised of offices, research and development, light industrial uses, hotels and ancillary uses such as fitness centers and restaurants; a rezoning from M-2 General Industrial to the new zoning district; and a development agreement to guarantee development rights over a 15-year period in exchange for demonstrable benefits to the City for property located at 101-135 Constitution Drive and 100-190 Independence Drive.

Justin Murphy, Community Development Services Manager, explained that this proposal is not for a particular design but for a development plan. Mr. Murphy made the following corrections to the staff report: 1) on page 2 of said document the table should read 50% maximum and not 30%, and 2) attachment B2 was missing from the packet.

David Bohannon, the applicant, introduced Philip Erickson, President of Community Design + Architecture, who shared a presentation covering the history, current economic climate, and site possibilities.

#### Council discussion

Council asked about timelines and Mr. Bohannon said that it is not possible to predict when the project would be completed. Council inquired about sales tax predictions and Joanne Brion provided economic data. The inter-connectedness of the area was discussed, and Council asked why the whole area isn't being considered. Mr. Boesch said that the General Plan could cover the whole area; however, rezoning would have to be case by case.

A shuttle plan for the area was discussed as well as the possibility of employee childcare centers. Council asked about community outreach and Mr. Bohannon said that some meetings had been held in the Belle Haven community. The jobs/housing imbalance was discussed. Council asked about the Environmental Impact Report (EIR), and City Attorney McClure, said that the EIR will not focus on social impacts. Mr. McClure shed light on a possible Development Agreement. The salt water ponds were discussed and some Council Members suggested a hotel in the area should take advantage of the view and access to the wild life refuge area. Council Member Fergusson would like the EIR to recognize the following points: the sites are adjacent to the Don Edwards wildlife refuge; the levies in the bay do not meet the 100-year flood prevention level; and ground water resources should include the Palo Alto Park Mutual Water Company.

Council discussed the possible uses to be included in the General Plan amendment. Mr. Boesch offered that the analysis will try to answer some of these questions, and staff will look at the zero front yard set back. Some Council Members would like to see flexibility in the mix of future uses. Council inquired if an economic study had been commissioned. Mr. Boesch said that Mr. Bohannon was asked to prepare a fiscal analysis impact report, and a draft was received by the City.

#### **Public Comment**

- Patti Fry believes in taking a broader view that considers multiple factors. Ms. Fry requests that the mix of uses be well planned and studied thoroughly.
- Philip Bourgeois supports this plan because it will attract more professionals to the area.
- Chuck Bernstein opined this is spot zoning and the goal should be to take a more global look at the area. He would prefer a joint effort with more property owners involved.
- Chris Carter is a neighbor in the area and is excited that this is on the table. He opined that the zoning changes should apply to all sites on Independence and Constitution.
- Bill Butler is a property owner in the area and stated that something is better than nothing. He stated that looking at the whole area will delay action.
- Charles Brock owns property in the area and applauds the idea of moving forward. He is puzzled that sites between the Bohannon's properties are not included in the zoning.
- Perry Patel supports a hotel in this area but he is concerned that this might create a shift of business and revenue from other hotels.

Council Member Duboc would like to know specifics about the plans for the area. Mayor Winkler would also like to get information on housing trends. Council discussed zoning for these two properties versus a comprehensive plan for the area. Council agreed that specific use mixes need to be defined and thought out carefully. There was an interest in a financial impact analysis. Council Members asked about the timing of the EIR and what alternatives are being looked at. Council Member Fergusson would like to know the impacts of different uses. Mr. Murphy said that some of the alternatives may include current permitted uses, but other zoning alternatives would have to be studied through City staff. Mr. Murphy added that the goal is to have the EIR released in November. Mr. Boesch thanked Council for the discussion adding that the project will work itself through the project review process.

#### **D. ADJOURNMENT – the study session adjourned at 9:26 p.m.**

Respectfully submitted,

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Silvia M. Vonderlinden, CMC

Approved at the Council Meeting of October 25, 2005.