



CITY COUNCIL REGULAR MEETING MINUTES

Tuesday, May 7, 2013 at 7:00 P.M.
Senior Center at Belle Haven, 110 Terminal Avenue,
Menlo Park, CA 94025

Mayor Ohtaki called the meeting to order at 7:07 p.m. with all members present

Mayor Ohtaki led the Pledge of Allegiance

ANNOUNCEMENTS

Chip Taylor, Director of Public Works introduced the new Transportation Manager, Jesse Quirion.

A. PRESENTATIONS AND PROCLAMATIONS

A1. Proclamation declaring Bike to Work Day May 9, 2013 ([Attachment](#))
Mayor Ohtaki presented the proclamation to Greg Klingsporn, Bicycle Commission Chair.

Public Comment

Andrew Boone provided information from the census regarding biking to work.

A2. Proclamation declaring Public Works Week May 19-25, 2013 ([Attachment](#))
Mayor Ohtaki presented the proclamation to Chip Taylor, Director of Public Works.

A3. Proclamation declaring Municipal Clerk's Week May 5-11, 2013 ([Attachment](#))
Mayor Ohtaki presented the proclamation to Pam Aguilar, Deputy City Clerk.

A4. Proclamation recognizing National Mental Health Awareness Month ([Attachment](#))
Mayor Ohtaki presented the proclamation to Lisa Pamphilon founder of Turning Point and chair of the Mental Health Awareness and Roberta Roth Outreach Specialist from the library and co-chair of the Mental Health Awareness Project.

A5. Update on Belle Haven Neighborhood Vision process ([Staff report #13-082](#))
Staff presentation by Derek Schweigart, Assistant Community Services Director

B. COMMISSION/COMMITTEE VACANCIES, APPOINTMENTS AND REPORTS

B1. Consider applicants for appointment to fill four vacancies on the Bicycle Commission and One Vacancy on the Transportation Commission ([Staff report #13-079](#))
Staff presentation by Margaret Roberts, City Clerk

ACTION: Kirsten Keith nominated the following:

Bicycle Commission:

Drew Combs – term expiring April 30, 2016

William Kirsch and Cindy Welton – term expiring April 30, 2017

The Council voted unanimously for the nominations to the Bicycle Commission.

Transportation Commission:

Catherine Carlton nominated Philip Mazzara and Kirsten Keith nominated Michael Meyer.

Philip Mazzara was appointed with affirming votes from Council Members Cline, Mueller, Ohtaki and Carlton.

C. PUBLIC COMMENT #1

- Carolina Lopez spoke in support of a police station in Belle Haven neighborhood.
- Rose Bickerstaff spoke regarding the Housing Element and the balance needed.
- Vicky Robledo requested fair distribution of affordable housing to be included in the Housing Element.
- Nina Wolk spoke against high density housing in the Belle Haven neighborhood.
- Sheryl Bims read a letter to the Council and staff regarding the Draft Housing element. (*Letter*)
- Audley Lyon stated that the worst kind of discrimination is included in the current Draft Housing Element and the increase in traffic.
- Carolyn Clarke stated that she can get to Redwood City faster than she can get to downtown Menlo Park and spoke in support of the new Police substation.
- Johnnie Walton, Mt. Olive AOH Church of God, asked the Council to verify that the statement that Belle Haven property owners want the housing in their neighborhoods.
- Rachel Bickerstaff spoke regarding locations for new housing locations in the current Draft Housing Element. The housing needs to be distributed throughout Menlo Park.
- Johnnie Cruz spoke against the additional high density housing coming into the neighborhood when there are not basic necessities or services currently available in the Belle haven neighborhood.
- Jacqueline Cebrian agreed with all of the speakers regarding the high density housing and it is unfair as they shoulder the burden of people.

D. CONSENT CALENDAR

ACTION: Motion and second (Cline/Keith) to approve the consent calendar as presented passes unanimously.

- D1.** Award a contract for street sweeping services to Contract Sweeping Services, Inc. in the amount of \$638,512.70 and authorize the City Manager to extend the contract for up to an additional 4 years ([Staff report #13-073](#))
- D2.** Award a contract for the Sidewalk Trip Hazard Removal Project to Precision Emprise, Inc. in the amount of \$80,000, and authorize a total budget of \$100,000 for construction, contingencies, material testing, inspection and construction administration ([Staff report #13-078](#))
- D3.** Authorize the Public Works Director to accept the work performed by Golden Bay Construction, Inc., for the Safe Routes to Hillview Middle School Project ([Staff report #13-076](#))
- D4.** Authorize the Public Works Director to accept the work performed by Amland Corporation, for the Middlefield Road at Linfield Drive Lighted Crosswalk Improvement Project ([Staff report #13-077](#))

E. PUBLIC HEARINGS

- E1.** Conduct a Public Hearing and consider a request for Use Permit, Architectural Control, Tentative Map, Heritage Tree Removals and Below Market Rate (BMR) Housing in-lieu fee agreement for 6 detached dwelling units on two adjacent parcels at 1273 and 1281 Laurel Street ([Staff report #13-074](#))

Staff presentation by Kyle Perata, Assistant Planner ([PowerPoint](#))

Architect: Tony J. Sarboraria, Architect and Forrest Mazart, owner provided the Council with a handout and spoke briefly about the project. (*Handout*)

Mayor Ohtaki opened the Public Hearing at 9:21 p.m.

Public Comment

- Richard Jones requested that one tree (number 9) not be removed.

Motion and second (Cline/Keith) to close the Public Hearing at 9:24 p.m. passes unanimously.

ACTION: Motion and second (Keith/Cline) to approve all recommendations in the Amended Attachment A, as outlined below and to add a condition to require a construction plan be submitted prior to the issuance of the building permit passes unanimously.

1273 Laurel Street

1. Adopt a finding that the redevelopment of the site is categorically exempt under Class 32 (Section 15332, "In-Fill Development Projects") of the current State 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. Adopt findings that the proposed major subdivision is technically correct and in compliance with all applicable State regulations, City General Plan, Zoning and Subdivision Ordinances, and the State Subdivision Map Act.
5. Adopt **Resolution No. 6144** approving the five heritage tree removal permits.
6. Adopt **Resolution No. 6145** approving the Below Market Rate Housing In-Lieu Fee Agreement, recommended by the Housing Commission on January 16, 2013, and recommended by the Planning Commission on April 8, 2013. (Attachment C).
7. Approve the project subject to the following conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by AJS Architecture and Planning, consisting of 29 plan sheets, dated received April 17, 2013, inclusive of the recommendations by the Planning Commission on April 8, 2013, 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 of the Planning, Engineering and Building Divisions. Landscaping shall properly screen all utility equipment that is installed outside of a building and that cannot be placed underground. 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 the 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 issuance of a grading, demolition or building permit.
 - g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.
 - h. Concurrent with the submittal of a complete building permit application, the applicant shall submit proposed landscape and irrigation documentation as required by Chapter 12.44 (Water-Efficient Landscaping) of the City of Menlo Park Municipal Code. If required, the applicant shall submit all parts of the landscape project application as listed in section 12.44.040 of the City of Menlo Park Municipal Code. This plan shall be

subject to review and approval by the Planning and Engineering Divisions. The landscaping shall be installed and inspected prior to final inspection of the building.

- i. Prior to recordation of the Final Map, the existing structures shall be demolished after obtaining a demolition permit.
- j. Concurrent with the application for a Final Map, the applicant shall submit covenants, conditions and restrictions (CC&Rs) for the approval of the City Engineer and the City Attorney. The Final Map and the CC&Rs shall be recorded concurrently.
- k. Concurrent with the application submittal for the Final Map, the applicant shall submit a Grading and Drainage Plan, including an Erosion and Sedimentation Control Plan, for review and approval of the City Engineer. The Grading and Drainage Plan shall be prepared based on the City's Grading and Drainage Plan Guidelines and Checklist and the Project Applicant Checklist for the National Pollution Discharge Elimination System (NPDES) Permit Requirements. The Grading and Drainage Plan shall be approved prior to issuance of a grading and/or building permit.
- l. Prior to recordation of the Final Map, the applicant shall install new improvements as shown on the project plans per City standards along the entire property frontage subject to the review and approval of the Engineering Division. The applicant shall obtain an encroachment permit, from the Engineering Division, prior to commencing any work within the right-of-way. If determined appropriate and subject to the approval of the Engineering Division, the applicant may provide a bond for the completion of the work subsequent to the recordation of the Final Map.
- m. Prior to recordation of the Final Map, the applicant shall pay any applicable recreation fees (in lieu of dedication) per the direction of the City Engineer in compliance with Section 15.16.020 of the Subdivision Ordinance. The estimated recreation in-lieu fee is \$128,000 (based on \$32,000 per net new unit).
- n. Concurrent with the application for a grading and/or building permit, the applicant shall submit an updated Hydrology Report for review and approval by the Public Works Department. The Hydrology Report shall confirm that the project does not result in increased storm water runoff as measured by the peak flow rate for a 10-year storm and shall also confirm that the on-site depressed garages will not be subject to flooding during a 10-year storm. If the Hydrology Report shows an increase of runoff (over the existing conditions runoff), then the applicant shall implement modifications to the project to ensure that neither impact occurs subject to review and approval of the Planning and Engineering Divisions.
- o. Concurrent with the application for a grading and/or building permit, the applicant shall submit a plan for any new utility installations or upgrades for review and approval of the Planning, Engineering and Building Divisions. Landscaping shall properly screen all utility equipment that is installed outside of a building and that cannot be placed underground. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
- p. Prior to grading and/or building permit issuance, the applicant shall provide documentation of the recordation of the Final Map at the County Recorder's Office for review and approval of the Engineering Division and the Planning Division. Application for a grading and/or building permit may be made prior to recordation.

1281 Laurel Street

1. Adopt a finding that the redevelopment of the site is categorically exempt under Class 32 (Section 15332, "In-Fill Development Projects") of the current State 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.
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 - 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. Adopt findings that the proposed major subdivision is technically correct and in compliance with all applicable State regulations, City General Plan, Zoning and Subdivision Ordinances, and the State Subdivision Map Act.
5. Adopt **Resolution No. 6144** approving the five heritage tree removal permits (Attachment B).
6. Adopt **Resolution No. 6145** approving the Below Market Rate Housing In-Lieu Fee Agreement, recommended by the Housing Commission on January 16, 2013, and recommended by the Planning Commission on April 8, 2013. (Attachment C).
7. Approve the project subject to the following conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by AJS Architecture and Planning, consisting of 29 plan sheets, dated received April 17, 2013, inclusive of the recommendations by the Planning Commission on April 8, 2013, except as modified by the conditions contained herein, subject to review and approval of the Planning Division.
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F. REGULAR BUSINESS

- F1.** Provide direction on the State Route 101/Willow Road Interchange Project alternative ([Staff report #13-075](#))
 Presentation by Fernando Bravo, Engineering Services Manager and Mohammad Suleiman, Caltrans Project Manager ([PowerPoint](#))

Public Comment

- Adina Levin thanked staff and Caltrans for listening to the community and protecting the pedestrians and cyclists and urged Council to approve the item.
- Andrew Boone asked that the Council look carefully look at the details when the design phase comes forward.
- Jim Bigelow, Menlo Park Chamber of Commerce, spoke in supports of the project moving forward and suggested the Council not delay the project.
- Matt Henry stated there will continue to be a bottleneck at Bay Road and stated that there needs to be a separate pedestrian/bicycle bridge.

ACTION: Motion and second (Keith/Carlton) to approve staff recommendation of 1B Modified passes unanimously.

F2. Consider a resolution authorizing preliminary conditional commitment of \$2.5 million from the Below Market Rate Fund for the CORE Affordable Housing Project at the Veteran's Administration facility in Menlo Park ([Staff report #13-081](#))
Staff presentation by Starla Jerome-Robinson, Assistant City Manager

Darci Palmer made a presentation on behalf of CORE Affordable Housing. ([PowerPoint](#))

ACTION: Motion and second (Mueller/Carlton) to approve **Resolution No. 6146** authorizing preliminary conditional commitment of \$2.5 million from the Below Market Rate Fund for the CORE Affordable Housing Project at the Veteran's Administration facility in Menlo Park passes unanimously.

F3. Council discussion and possible recommendation on various seats for determination at the next City Selection Committee meeting scheduled for May 17, 2013 ([Staff report #13-080](#))
There were no additional letters received.

ACTION: By acclamation the Council supports Richard Garbarino for the LAFCo seat.

F4. Consider state and federal legislative items, including decisions to support or oppose any such legislation, and items listed under Written Communication or Information Item
There were no legislative items discussed.

G. CITY MANAGER'S REPORT

There was no City Manager report given.

H. WRITTEN COMMUNICATION

There were no written communications.

I. INFORMATIONAL ITEMS

There were no informational items.

J. COUNCILMEMBER REPORTS

There were no Councilmember reports.

K. PUBLIC COMMENT #2

There were no public comments made.

L. ADJOURNMENT

The meeting was adjourned at 11:04 p.m.


Margaret S. Roberts, MMC
City Clerk

Minutes accepted at the Council meeting of June 4, 2013