

### **REGULAR MEETING MINUTES**

Date: 8/15/2023 Time: 6:00 p.m.

**Locations:** Teleconference and

**City Council Chambers** 

751 Laurel St., Menlo Park, CA 94025

## **Special Session**

### A. Call To Order

Mayor Wolosin called the meeting to order at 5:04 p.m.

### B. Roll Call

Present: Combs, Doerr (remote – AB 2449 Just Cause), Nash, Taylor, Wolosin

Absent: None

Staff: City Manager Justin I. C. Murphy, Assistant City Manager Stephen Stolte, City

Attorney Nira F. Doherty, Assistant to the City Manager/City Clerk Judi A. Herren

### C. Closed Session

C1. Closed session conference with labor negotiators pursuant to Government Code §54957.6 regarding labor negotiations with the American Federation of State, County, and Municipal Employees Local 829 (AFSCME) and Confidential employees

Agency designated representatives: City Manager Justin I.C. Murphy, Administrative Services Director Brittany Mello, Assistant City Manager Stephen Stolte, City Attorney Nira Doherty, Special Counsel Charles Sakai

### **Regular Session**

#### D. Call To Order

Mayor Wolosin re-called the meeting at 6:03 p.m.

### E. Roll Call

Present: Combs, Doerr (remote – AB 2449 Just Cause), Nash, Taylor, Wolosin

Absent: None

Staff: City Manager Justin I. C. Murphy, Assistant City Manager Stephen Stolte, City

Attorney Nira F. Doherty, Assistant to the City Manager/City Clerk Judi A. Herren

### F. Agenda Review

Staff to provide an update to item J7.

### G. Report from Closed Session

No reportable actions.

### H. Public Comment

- Troy Goodwin spoke in support of retaining the Onetta Harris Community Center name for the new community center.
- Chester Palesoo spoke in support of retaining the Onetta Harris Community Center name for the new community center.
- Kenneth Harris spoke in support of retaining the Onetta Harris Community Center name for the new community center.
- David Wheaten spoke in support of retaining the Onetta Harris Community Center name for the new community center.
- Greg Goodwin spoke in support of retaining the Onetta Harris Community Center name for the new community center.

### I. Presentations and Proclamations

I1. Presentation: Sister Cities annual update

Menlo Park Sister Cities Vice-President and Director Catherine Carlton made a presentation (Attachment).

The Sister City Association Menlo Park students made a presentation (Attachment).

### J. Consent Calendar

- J1. Accept the City Council meeting minutes for June 20, 27, and July 11, 2023 (Attachment)
- J2. Waive the second reading and adopt an ordinance requiring safe storage of firearms in residence (Staff Report #23-172-CC)
- J3. Waive the second reading and adopt an ordinance amending Sections 16.43.070, 16.44.070, and 16.45.070 of Title 16 of the Menlo Park Municipal Code to clarify the process for determining the appraised value of and the required community amenities value for bonus level development projects in the O (Office), L-S (Life Sciences), and R-MU (Residential Mixed-Use) zoning districts (Staff Report #23-173-CC)
- J4. Authorize the city manager to execute a three-year master agreement for on-call tennis court repair services to Saviano Construction, Inc. and determine this action is categorically exempt under California Environmental Quality Act guidelines section 15301 exemption for existing facilities (Staff Report #23-179-CC)
- J5. Adopt a resolution authorizing the City Manager to execute a memorandum of understanding between City of Menlo Park and Caltrain for San Francisquito Creek embankment stabilization (Staff Report #23-174-CC)
- J6. Adopt a resolution authorizing staff to submit an application to the San Mateo County

Transportation Authority for Measure A & W Highway Program (Staff Report #23-175-CC)

J7. Adopt a resolution authorizing the South Bayside Waste Management Authority to acquire real property located at 1245 San Carlos Avenue, Unit E, San Carlos, CA. (Staff Report #23-176-CC)

Management Analyst II Joanna Chen and South Bayside Waste Management Authority Executive Director Joe La Mariana provided an update to the cost savings.

- J8. Adopt a resolution approving the fiscal year 2023-24 investment policy for the City and the former Redevelopment Agency of Menlo Park (Staff Report #23-177-CC)
- J9. Receive and file investment portfolio as of June 30, 2023 (Staff Report #23-178-CC)

**ACTION**: Motion and second (Nash/ Combs), to approve the consent calendar, passed unanimously.

### K. Public Hearing

K1. Consider and adopt resolutions to amend the City of Menlo Park General Plan Circulation Element and El Camino Real/Downtown Specific Plan to add an Alley designation under the Local Access street classification, and allow for the City Council to consider closing public streets within the Main Street and Local Access (Alley) street classifications to vehicular traffic (Staff Report #23-180-CC)

Planning Manager Kyle Perata made the presentation (Attachment).

Mayor Wolosin opened the public hearing.

- Alex Beltramo spoke in opposition of street closures on Santa Cruz Avenue.
- Elias Blawie spoke in opposition of street closures on Santa Cruz Avenue.

Mayor Wolosin closed the public hearing.

The City Council received clarification on regulatory action, circulation patterns (e.g., one-way closure) and the environmental analysis prepared for the proposed amendments.

The City Council discussed public engagement and future agenda items for downtown vibrancy and zoning, streetaries and street closure interactions.

The City Council directed staff to return with a speed limit review and signage.

**ACTION**: Motion and second (Doerr/ Nash), to adopt a resolution amending the Circulation Element of the General Plan to modify the street classifications in the General Plan Circulation Element to incorporate an Alley designation under the Local Access street classification, and allow for the City Council to consider street closures within the Main Street and Local Access classifications, passed unanimously.

**ACTION**: Motion and second (Wolosin/ Combs), to adopt a resolution amending the El Camino Real/Downtown Specific Plan (Specific Plan) to allow street closures on Santa Cruz Avenue in additional locations to the Central Plaza identified in the Specific Plan and allow for street closures on additional

streets and alleys in the Specific Plan, provided the closures are consistent with the General Plan Circulation Element and would reinforce the Urban Design Framework and the guiding principles of the Specific Plan, passed unanimously.

## L. Regular Business

L1. Waive the first reading and introduce an ordinance adding Chapter 13.30 Streetaries Outdoor Dining Areas to Title 13 (Streets, Sidewalks and Utilities) and amending Sections 13.18.10 and 13.18.20 of Chapter 13.18 (Use of Public Right of Way) (Staff Report #23-181-CC)

Assistant City Manager Stephen Stolte and HdL Companies representative Kirstin Hinds made the presentation (Attachment).

- Elias Blawie requested agenda material for in-person viewing, high-level executive summary for each staff report and spoke in opposition of Santa Cruz Avenue street closures.
- Randy Avalos requested information on impacts and costs to the city.

The City Council received clarification on cost breakdown for square footage, public works director allowances for some criteria, fees structure of subsidized and non-subsidized (rates opposed to waivers), impacts to new parklets, subsidies, roof requirements, and public outreach to retail businesses with parklets impacted by this ordinance.

The City Council discussed amplified sound in connection with streetaries, aesthetic requirements and reducing requirements if not crucial for safety, exclusion of outdoor uses by retail businesses in Streetaries program, desire to track nonfood business interest over time, Ryans Lane closure and potential new construction impacts on Streetaries.

**ACTION**: Motion and second (Nash/ Combs), to waive the first reading and introduce an ordinance adding Chapter 13.30 Streetaries Outdoor Dining Areas to Title 13 (Streets, Sidewalks and Utilities) and amending Sections 13.18.10 and 13.18.20 of Chapter 13.18 (Use of Public Right of Way), passed unanimously.

L2. Consider and adopt a resolution approving (1) Appraisal Instructions for Determining the Value of Community Amenities and (2) Community Amenity Implementing Regulations to determine the appraised value of bonus level developments (Staff Report #23-182-CC)

Planning Manager Kyle Perata made the presentation (Attachment).

The City Council received clarification on receiving future feedback.

The City Council discussed a 15-day early staff report release for the future community amenities study session item, modifications to community amenities between the public hearing and final community amenities proposal, and housing development community amenity proposals public and City Council notification.

**ACTION**: Motion and second (Taylor/ Nash), to adopt a resolution approving the following:

• Appraisal instructions to determine the value of community amenities under bonus level zoning in the O, L-S and R-MU zoning districts in the Bayfront Area to clarify definitions and appraisal

criteria: and

- Community amenity implementing regulations that standardize the application procedures, appraisal review process and determination of the value of the bonus level development, and identify the process and timing for screening of the applicant's community amenities proposal with the City Council; and
- Update to regulation 3b3a regulations to include a 15-day early release staff report; and
- Update to regulation 3b3 and/or 3b4 adding a statement where proposed modifications between the public hearing and final community amenities proposal be added to a City Council agenda as an informational item; and
- Housing projects notification to the City Council and public, passed unanimously.

### M. Informational Items

- M1. City Council agenda topics: August 22 September 12 (Staff Report #23-183-CC)
  - Pam Jones reminded the public of this recurring item.
- M2. Transmittal of city attorney billing (Staff Report #23-184-CC)
- M3. Short term rental compliance update (Staff Report #23-185-CC)

### N. City Manager Report's

City Manager Justin Murphy reported out on upcoming August meetings and the summer concert series.

### O. City Councilmember Reports

None.

### P. Adjournment

Mayor Wolosin adjourned the meeting at 8:46 p.m.

Assistant to the City Manager/ City Clerk Judi A. Herren

These minutes were approved at the City Council meeting of September 12, 2023.



Menlo Park
Sister Cities Association:

2023 Student Exchange to Bizen, Japan



This week-long student cultural exchange trip helped us foster greater understanding of cultures and people

By living with host families, attending classes and participating in cultural activities together, we formed meaningful connections and learned to appreciate cultural similarities and differences.



# Bizen

Our sister city Bizen is a small town in Okayama prefecture known for its traditional Bizenyaki pottery.

We were able to participate in pottery classes, stop by local shops and explore the kilns and studios of the resident potters.



# Okayama

We visited the 16th-century Okayama Castle, named "Crow Castle" for its iconic black exterior, and the Korakuen, an iconic and beautiful garden.









# Hiroshima

We visited the Hiroshima Peace
Memorial Museum dedicated to
documenting the August 6,
1945, atomic bombing of
Hiroshima during World War II.

# Cultural Immersion

Throughout the entire trip, we experienced traditional Japanese culture by staying with local host families in Bizen.

During the homestay, we were able to eat meals prepared in the traditional Japanese style, get to know our families, and experience firsthand what life is like in Bizen.



# Student Interactions

Interactive classes and activities with local students provided a great opportunity for cultural exchange!

Meeting local Bizen students allowed us to make new friends and gain insights into daily student life.





# Learnings and Takeaways



Experienced traditional Japanese culture

Visited temples, shrines and made

Bizenyaki pottery.



Learned about Japan's history

Visit the Shizutani School, the first public school in Japan, and other historic sites.



Formed strong friendships

Bonded with host families, students, staff and volunteers during the week together City Council Special and Regular Meeting Minutes August 15, 2023 Page 14 of 50



# Conclusion and Gratitude

Thank you to our hosts in Bizen for welcoming us into their schools and homes.

The cultural exchange and new friendships formed on this trip will stay with us for a lifetime.

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Q & A

# PLAN AMENDMENTS FOR STREET CLOSURES

July 24, 2023 City Council Meeting **Staff Presentation** 



## **AGENDA**

- Background on street closures
  - Relationship to proposed streetary program
- Proposed General Plan and Specific Plan Amendments
  - Amendments to allow consideration of future street closures
- City Council review and action
  - Adopt a resolution approving the proposed amendments to the General Plan and Specific Plan





## **BACKGROUND**

- City is developing an outdoor dining "streetary" program
  - Proposed program would allow for longer-term outdoor dining program
  - City Council held a study session in February 2023 on the proposed streetary program
    - City Council expressed interest in continuing current street closures on Santa Cruz Avenue and Ryans Lane
- Street closures require amendments to the General Plan and Specific Plan
- Planning Commission recommended approval of proposed amendments at its July 24 meeting





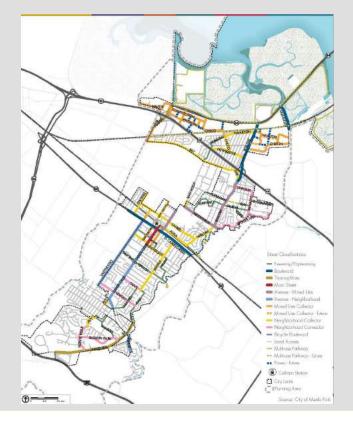


- Proposed amendments would:
  - Provide City Council flexibility to consider street closures within Main Street (e.g. Santa Cruz Avenue) and Local Access "Alley" (e.g. Ryans Lane) street classifications
  - Allow City Council to consider additional street closures on Santa Cruz
     Avenue in addition to the Central Plaza concept and on other streets
     downtown
  - Amendments limited to minor circulation changes and modifications to public space and would not increase the development potential of the General Plan or El Camino Real/Downtown Specific Plan



# **CIRCULATION ELEMENT FIGURE 2**

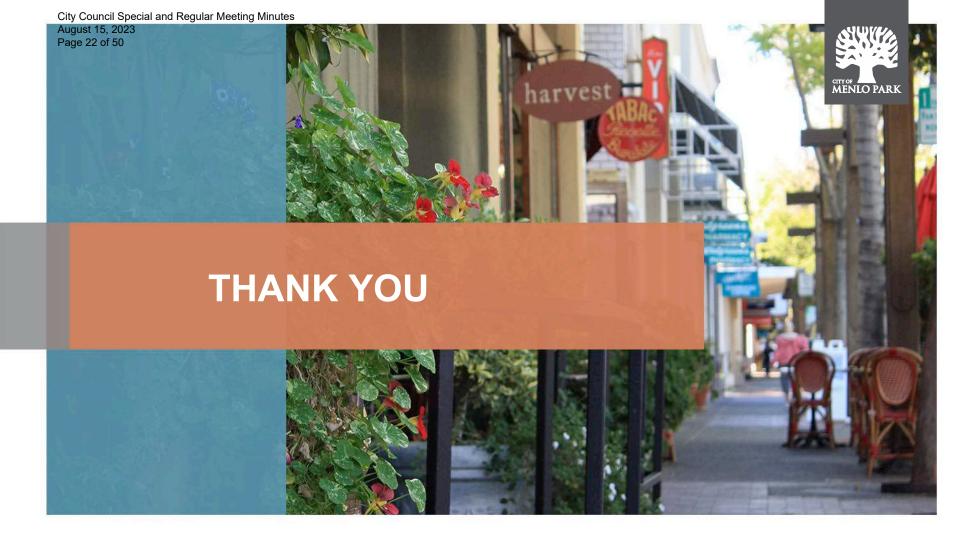
- Street Classifications
  - Main Street (red)
  - Local Access (grey)





# **RECOMMENDED ACTIONS**

- Adopt two resolutions:
  - Approve amendments to General Plan Circulation Element (Attachment A)
  - Approve amendments to the El Camino Real/Downtown Specific Plan (Attachment B)







# **AGENDA**



- Background
- Existing Eligible Outdoor Uses
- Summary of Business Feedback
- Proposed Streetary Outdoor Dining Areas Program
- Design Standards & Fee Structure





## BACKGROUND

- June 2020: City Council approved a Temporary Outdoor Use Permits (TOUP) Program to allow outdoor dining in the public right-of-way
- January 2022: City Council asked staff to research a longer-term outdoor dining program
- January 10, 2023: Staff presented a draft outdoor dining design standard packet as an informational item
- February 28, 2023: The TOUP Program expired and City Council held a study session and provided direction for the Streetary Outdoor Dining program (a long-term policy for outdoor dining in the public right-of-way)



# **EXISTING ELIGIBLE OUTDOOR USES**

Food Service Establishment name	Address	Outdoor use description	
Amici's	880 Santa Cruz Ave.	Sidewalk café and seating in on-street parking	
Bistro Vida	639-641 Santa Cruz	Expanded Santa Cruz Street Café parklet and	
	Ave.	seating in closed travel lane	
Cafe Zoe	1929 Menalto Ave.	Outdoor dining in public/private parking spaces	
Camper	898 Santa Cruz Ave	Santa Cruz Street café parklet	
Camper	University Ave	Parklet in on-street parking	
Carpaccio	1122 Crane St	Outdoor dining on closed section of Ryans Lane	
Coffeebar	1149 Chestnut St	Outdoor dining on Chestnut Ave and parking plaza	
Galata	827 Santa Cruz Ave.	Expanded Santa Cruz Street Café parklet and sidewalk café	
Left Bank	635 Santa Cruz Ave.	Expanded Santa Cruz Street Café and seating in closed travel lane	
Mademoiselle Colette	812-816 Santa Cruz Ave.	Santa Cruz Street café parklet	
Roma	820 Santa Cruz Ave.	Expanded Santa Cruz Street Café	
Stacks	600 Santa Cruz Ave.	Parklet in on-street parking	





# BUSINESS FEEDBACK ON A LONGER-TERM OUDOOR DINING PROGRAM

Existing outdoor dining facility owners are interested in a cost sharing aspect as part of a longer term outdoor dining program (such as help with improvements to meet new regulations).

Restaurants are not fully recovered from the pandemic and outdoor dining has helped them stay open.

Retailers generally agree that outdoor dining should continue.

Businesses say customers continue to choose outdoor dining over indoor.



# STREETARY OUTDOOR DINING AREAS ORDINANCE



- "Streetary" or "Streetaries" are outdoor eating areas that operate within and uses the public right-of-way directly adjacent to the food service establishment street frontage and/or operates within public right-of-way on streets or portions of streets that have been closed to vehicular access.
- The program is intended to:
  - 1. Activate the public realm
  - 2. Maintain physical and visual access to businesses
  - 3. Provide safe, attractive, and accessible spaces
  - 4. Provide accessible amenity areas
  - 5. Support local economic vitality





# STREETARY LOCATION CRITERIA

- Additional location criteria:
  - Streets that have speed limits less than 25 mph.
  - Not allowed in parking spaces with peak hour parking restrictions,
     ADA designated spots, no parking color zones, cannot block public safety infrastructure, utility asset access, or bicycle facilities.
  - Cannot be located in parking spots that provide bicycle parking unless the bicycle parking can be relocated within 300-feet.
  - Must meet required travel lane and other setback requirements.
  - Must provide clearance from utility access.



# OTHER KEY FEATURES OF THE STREETARY OUTDOOR DINING PROGRAM



- Hours of operation must coincide with the business's hours of operation, though additional limitations apply to streetaries within 150-feet from residences.
- Maintenance of the streetary area, utilities, and drainage is clearly laid out.
- The permittee will be required to ensure their space is safe, free of debris, grime, and graffiti.
- Landscaping or plants must be maintained and in good health.
- Permits are non-transferable.



# DESIGN STANDARDS & FEE STRUCTURE



- The Streetary ordinance requires design standards and fees to be set by separate resolutions of the City Council.
- Resolutions for Streetary design standards and a Streetary program fee structure will be brought to the City Council for further consideration at the second reading of the Streetary outdoor dining ordinance, on Aug. 29, 2023.
- The following slides outline some key aspects of the design standards and fee structure.





# BARRIER STANDARDIZATION

- Safety standards:
  - Force impact rating of 250-lbs.
  - Maintenance of visibility of pedestrian, bicycle, or vehicle traffic, as well as traffic signs, signals and other traffic warning devices.
  - Reflectors required on corners facing the travel lane



Ex. Retroreflector on Camper's parklet

- Aesthetic standards:
  - Materials may include wood, concrete, or steel planters, and perforated steel railings.
  - Wood and concrete planters must be finished or painted.

 Colors and materials should be compatible with the façade of the adjacent building/restaurant.



railings, wood planters, concrete planters





# STREETARY DESIGN TEMPLATES

To streamline the review process for new Streetary applications, the proposed guidelines include parklet site plan and design templates that applicants can choose from.

(1) Parallel Parklet (1-space)



(2) Parallel Parklet (2-space)



(3) Diagonal Parklet



Note: Resolution for Streetary Design Standards to be considered at second reading of the Streetaries Ordinance



# STREETARY DESIGN TEMPLATES CONTINUED



## (4) Parklet / Sidewalk Café Streetary



# (5) Parklet/Sidewalk Café Curb Extension



# (6) Parklet/Pedestrian Street Streetary\*



Note: Resolution for Streetary Design Standards to be considered at second reading of the Streetaries Ordinance

\*Parklet/Pedestrian Street Streetary only applicable for street closures





# STREETARY PERMIT TERM & FEES

- Initial permit fee:
  - Streetaries parklet: based on cost of administrative permit due to similarities for review
  - Streetaries sidewalk café: based on cost of major encroachment permit
- First year use of space:
  - Based on average monthly retail rent per square foot
  - Discounted rate
- Annual renewals for both permits and use of space
  - Discounted rate
- Proposed 3-year fee waiver: total City subsidy of \$82,000

Note: Resolution for fees to be considered at second reading of the Streetaries Ordinance





# STREETARY PERMIT TERM & FEES

Streetary Parklet	Initial Permit	Annual Renewal (after 3-year term)
Parklet Permit	\$1,725	\$250
Use of Space	\$1,526	\$1,500
Recommended Cost	\$3,251	\$1,750
		Annual Renewal
Streetary Sidewalk Café	1st year	(after 3-year term)
Streetary Sidewalk Café Sidewalk Café Permit	<b>1st year</b> \$810	
		(after 3-year term)

Note: Resolution for fees to be considered at second reading of the Streetaries Ordinance



## STREETARY PERMIT TERM & FEES (COMPARISONS)



City	Initial Permit & Use Fees	Annual Use Fees	Fee purpose
Redwood City	\$8,109.60	\$4,823	Permit and use fees (annual waived through 2023).
Burlingame	\$5,531	\$4,500	Permit, use and cleaning fees.
Menlo Park	\$3,251	\$1,750	Permit + Use fees. Annual (after 3-year term) Renewal + Use.
Mountain View	\$3,169	\$385	Permit, use and cleaning fees.
San Rafael	\$2,000 (+\$2,000 deposit)	\$3,600	Permit fee (part refundable) and annual use fee (with discounts through May 31, 2025).
San Carlos	\$1,828	\$994	Permit, use and cleaning fees.
San Mateo	\$1,500	\$500	Permit and use fees.
Morgan Hill	\$716.10 (+\$1,000 deposit)	\$1,000	Permit fee (part refundable) and annual use fee.
Los Altos	\$500	\$100	Permit and use fees.
Average	\$2,954	\$1,988	(does not include proposed Menlo Park fees)
Median	\$1,914	\$997	



### BUSINESS ASSISTANCE FOR STREETARY PROGRAM



- SZFM Design Studio reviewed existing parklets for compliance with Streetary design standards and recommended improvements to aid transition.
  - Exitive Preside Stations

    Head Park Preside Stations

    Head
- Proposed waiver of Streetary permit fees until January 1, 2025 for businesses that meet transitional period deadline
  - For up to 12 applicants, City would be subsidizing \$82,000, or about \$6,800 per applicant (initial permit = \$40,000 total, or \$3,251.40 per applicant; second and third year renewal = \$21,000 in renewal fees per year)



# CITY OF MENLO PARK

### TRANSITIONAL PERIOD FOR EXISTING OUTDOOR DINING FACILITIES

Starting from the adoption date of the Streetary program, staff propose the following transitional period:

Through Sept 2023 **Sept 2023 -**

**One-month from adoption** for Streetary program to become effective, staff to create application, notify existing permit holders

Through 2023: Oct-Dec 2023

Open application period through Dec. 31, 2023

Through June 2024: Jan-June 2024

Final inspection approval by June 30, 2024





#### CITY COUNCIL NEXT STEPS

- Provide feedback on design standards and fees
- Recommend the City Council introduce the Ordinance adding Chapter 13.30 Streetaries Outdoor Dining Areas to Title 13 (Streets, Sidewalks and Utilities) and amending Sections 13.18.10 and 13.18.20 of Chapter 13.18 (Use of Public Right of Way)
- Upcoming Streetary items on August 29
  - Second reading of Streetary Ordinance
  - Resolution approving Streetary design standards
  - Resolution approving Streetary fee structure









- 1) Background on community amenities
  - Community amenities ordinance amendments
- 2) Proposed process updates
  - Appraisal Instructions for Determining the Value of Community Amenities
  - Community Amenity Implementing Regulations
- 3) City Council discussion and actions
  - Adopt resolution approving the updated appraisal instructions and implementing regulations







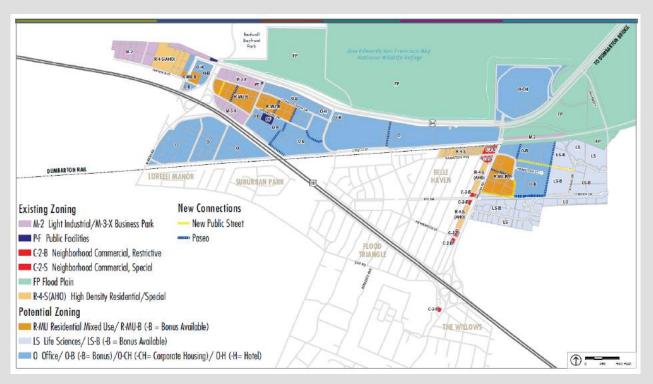


#### COMMUNITY AMENITIES BACKGROUND

- ConnectMenlo General Plan Update
  - Created office, life sciences, and residential mixed-use zoning districts in Bayfront Area
- Bonus level development
  - Increase in floor area ratio, density, and/or height
  - Permitted in exchange for provision of community amenities
  - Required amenity value is 50 percent of appraised value of bonus level development
- Community amenity requirement
  - On or off-site physical amenities from adopted list
  - Payment of in-lieu payment









### COMMUNITY AMENITY PROCESS UPDATES



- October 2020 City Council created an ad hoc subcommittee
- April 2021 City Council held a study session and Council Subcommittee recommended the following:
  - 1. adopt a revised community amenities list (Adopted July 2023),
  - 2. adopt an in-lieu payment (adopted June 2021),
  - 3. adopt a "gatekeeper" application process (August 2023), and
  - 4. establish a community amenities working group.



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#### **UPDATED APPRAISAL INSTRUCTIONS**

- Identify uniform criteria for determining the value of the bonus level development
- Revisions focused on clarifying specific definitions and criteria to be included in appraisals
- Updated appraisal instructions to be used by appraisers to ensure compliance with required form and content
- Updated appraisal instructions included in staff report Attachment A, Exhibit A.



### COMMUNITY AMENITIES IMPLEMENTING REGULATIONS



- Implementing regulation goals:
  - Identify the bonus level development value early in the project review process
  - Create a uniform appraisal review and screening process
    - Procedures for timing and review process, including City review
  - Include a City Council screening meeting before the release of the notice of preparation (NOP) for the project-level EIR
- Proposed implementing regulations are included in Attachment A, Exhibit B





- 1) Adopt a resolution (Attachment A) approving:
  - A. Appraisal Instructions for Determining the Value of Community Amenities; and
  - B. Community Amenity Implementing Regulations







### **THANK YOU**

