



MENLO PARK PLANNING COMMISSION MINUTES

Regular/Study Meeting

March 24, 2003

7:00 p.m.

City Council Chambers

801 Laurel Street, Menlo Park, CA 94025

CALL TO ORDER – 7:08 p.m.

ROLL CALL – Fry (Chair), Halleck, Pagee, Stein (Vice-Chair) present; Bims*, Fergusson* and Soffer absent
*Commissioners Bims and Fergusson were attending a meeting on the Hamilton Avenue Park/Housing Developer Selection Committee as representatives of the Belle Haven neighborhood and Planning Commission, respectively.

INTRODUCTION OF STAFF – Cramer, Murphy, Siegel, Smith

A. PUBLIC COMMENTS

There were none.

B. CONSENT CALENDAR

1. Consideration of the draft transcripts of the November 4, 2002 Planning Commission meeting.

Commission Action: M/S Halleck/Pagee to approve as presented, 4-0.

C. PUBLIC HEARINGS

1. **Use Permit Revision/Menlo Park Chamber of Commerce/Downtown Menlo Park (Santa Cruz Avenue and side streets):** Request for a use permit revision to add amusement rides and games for children and young adults, concession stands and ticket booths to the activities of the annual Connoisseur' Marketplace. The new rides and games would be located in Parking Plaza Three, between University Drive, Crane Street, Oak Grove Avenue and Santa Cruz Avenue.

Staff Presentation: Planner Cramer presented the staff report. She noted that the proposed expanded "Kid Zone" area would produce sounds and noise levels greater than the requirements of the City's "Noise Ordinance." The generator for the rides produces 65 decibels, and is similar to the generator used for the carnival held at the Nativity School in the spring. Additionally, noise would be produced by the amplified music and riders of the ride. To minimize noise impact, a condition of approval has been added to prohibit amplified music during set up and clean up of the amusement rides, excluding the amplified music associated with testing the rides prior to public use. Planner Cramer highlighted the section on public safety in the staff report noting three conditions of approval that had been added to address public safety concerns; all OSHA requirements are to be met and mechanical ride technician employees are to be stationed on-site

at all times from set up to break down to provide protection and supervision of the equipment; additional police presence for the Kids' Zone will be paid for by the applicant; and the Chamber of Commerce would assume all potential liabilities and the City Attorney would review all insurance and liability agreements prior to the event for approval by the City Attorney and City Manager.

Planner Cramer said that after further consultation with the City Attorney, staff recommends two additional conditions of approval that address safety and use of the parking lot. She indicated that she had distributed a sheet listing conditions "j" and "k." Condition "j" prohibits camping, sleeping or overnight stays on the lot by any personnel other than security and condition "k" would allow police to move, direct or disperse a crowd as needed to provide safety for the event. She noted that staff has also added a condition of approval for a one-year review to hear testimony from surrounding neighbors and businesses regarding the success of the parking shuttle program or other issues related to traffic, parking, noise, lighting dust and trash. She said that the notice for the public hearing had been distributed to a broad area surrounding the parking plaza including Valparaiso Avenue, both sides of Johnson Street and Menlo Avenue, and Alma Street. She indicated that staff has received one call and two letters from downtown merchants who raised concerns. The focus of the concern is on the loss of parking and the inconvenience of a parking shuttle. Planner Cramer said that staff is recommending approval with the additional conditions of approval as noted.

Questions of Staff: Commissioner Pagee asked if there were any complaints from the Nativity area. Planner Cramer said that the Nativity site is also subject to a use permit and there have been some complaints from neighbors over the years and most of the issues have been resolved over the years. Commissioner Pagee said that one of the letters indicated that a handicapped parking space would be blocked. Planner Cramer responded that staff could work with Transportation to relocate the handicapped parking space in the remaining 87 parking spaces. Chair Fry said that the letter was referring to the handicapped access rather than the parking space. Planner Cramer said that she is not aware where the handicapped access is to that building and that staff would need to work with the applicant to reconfigure the site to accommodate handicap access. In response to a question from Vice-Chair Stein, Planner Cramer indicated that the generator to be used would be diesel and there were 10 rides proposed. Chair Fry noted that condition "e" should be corrected to indicate "review and approval."

Public Hearing: Dr. Bill Tarr, owner of Peak Performance Chiropractic in Menlo Park, noted that he was a past President of the Menlo Park Chamber of Commerce. He said that this was his seventh year serving as co-chair of the Connoisseurs' Marketplace. He said that the money earned from the event makes up about two-thirds of the Chambers' operating budget. Noting rising costs and decreasing Chamber membership, Dr. Tarr said that a carnival was suggested to increase revenue by John Conway, who was instrumental in organizing the annual Nativity Carnival. He said that they did not want to degrade or compromise the existing Connoisseurs' Marketplace. They wanted the support of the merchants in the area that would be affected and met with merchants to gain that support. The Chamber also wanted to replace the parking that would be displaced by the Kid Zone.

Rick Ciardella, business owner in Menlo Park, and John Conway, Chamber of Commerce and business owner in Menlo Park, also made themselves available for questions.

Vice-Chair Stein asked if the First Aid Station was close enough to be readily accessible if someone falls. Dr. Tarr said that First Aid Station would be at Crane Street and Santa Cruz Avenue and it was located close by the Kid Zone. She asked whether there would be signs or persons to direct persons to the station. Dr. Tarr said that all of the ticket and food booths are staffed and managed by Chamber people and they would be glad to put up signs. Mr. Conway said that there also will be police presence such as at the level used at the Nativity Carnival to

prevent adverse situations and for safety. Vice-Chair Stein asked whether the diesel generator could be located to lessen any impact from the smell. Mr. Conway said that the generator could be located further away and run a longer cable.

Chair Fry asked how the location for the Kid Zone was determined. Dr. Tarr said that they wanted to keep it in theme with the Kid's area on University Drive. Mr. Ciardella said that the layout was determined to some extent by the location of trees and other physical features. The Chamber had the ride vendor visit the site with them and that was the result. Chair Fry asked about Cathy Mies concern about disabled access. Mr. Ciardella said that they will pull the fence back from the building for fire and disabled access. Vice-Chair Stein asked about the parking for the impacted businesses. Mr. Ciardella said that there was a parking area reserved for the businesses, and they would run a shuttle from Menlo School. In response to a question from Chair Fry, Mr. Conway said that the rides would begin on Sunday at 10:00 a.m., as the Connoisseur's Marketplace opens at 10:00 a.m. as well, and that they see a lot of families with small children on Sunday mornings. In response to a question from Vice-Chair Stein, Mr. Ciardella said that the current use permit has University Drive closing at 8:00 p.m. on Friday and they want to maintain that plan.

William Parker, Hospitality Supervisor for Menlo Park Presbyterian Church, had three comments about the parking plan. He said that on Saturdays and Sundays, they have 3,200 people come to their worship services between Saturday and Sunday. He said that they have monitored the parking lot the Chamber plans to use over the past few weekends and estimate that there are 900 vehicles that use that lot for the Saturday and Sunday services. He said that the loss of the parking lot would impact about 50 percent of their weekend congregation. He said that if University Drive is closed near Oak Grove Avenue, the Church would lose an additional parking lot of about 25 spaces for their Education Building. Also, if University Drive is closed near Oak Grove, the Church loses major egress out of their main Church parking lot, which is located on University Drive. He said that the last two years for Christmas Eve, they have used a shuttle from Menlo School to the front of the Church on a rotational basis. He said that they tried to advertise the availability of the service and they had been disappointed with the number of people who used the shuttle service.

Commissioner Halleck asked Mr. Parker if he had talked with the Chamber of Commerce about their concerns. He said that he had not. Commissioner Halleck encouraged Mr. Parker to work with the Chamber. Commissioner Halleck asked about the impact. Mr. Parker said that people should be able to attend worship and also there might be an impact on offerings.

Vice-Chair Stein asked whether additional signs might be placed along the route identifying parking at Menlo School. Mr. Ciardella said that they have kept the Church's Youth Ministry driveway open and reconfigured the closure of the street to accommodate Church parking. Dr. Tarr said that for previous years the Church parking lot had been used by vendors unless Church goers had parked early in the morning, but this year the vendors will be parking at a distance. He said that they would use signs to advertise the shuttle. Commissioner Pagee asked about the shuttle route back to Menlo School without a stop light. Mr. Ciardella said that they may want to keep on University Drive as there is a four-way stop sign.

Commission Action: M/S Halleck/Stein to close the public hearing.

Motion carried, 4-0.

Vice-Chair Stein said that her only concern was that cars, people and kids do not mix and wondered how people would be directed to the area noting that where the shuttles are entering and leaving and cars are entering created two conflicts for people. She said that the Commission's motion might require that the walkway be designed to minimize the conflict.

Commissioner Halleck agreed with Vice-Chair Stein and expects from the positive and cooperative spirit shown that the issues mentioned would be resolved. He said that the connection between University Drive and Santa Cruz Avenue would not accommodate a shuttle and he agreed with their shuttle route.

Commissioner Pagee suggested that beginning the shuttle earlier might help alleviate the parking situation for the Church. She also suggested using the Police Cadets to direct traffic to help with the conflict between traffic and people in critical areas such as the parking lot and at University Drive. She agreed with Vice-Chair Stein's concern about cars and kids.

Chair Fry said that she was in favor of adding to the attractiveness of the event for the Chamber and families. She suggested that in the month ahead the Chamber work with the impacted businesses to help educate their clientele with the issues of parking and the alternatives. She was concerned about the back lot being left for deliveries because of the presence of children, unless there was oversight of the use of that parking.

Commission Action: M/S Stein/Halleck to approve as staff recommended with additional conditions to include a pedestrian flow plan developed between staff and the applicant to maximize the foot traffic into the play area through the University Drive entrance and to maximize the shuttle drop-off to enter on Crane Street and to minimize foot traffic through Crane Street to the Kid Zone. She asked for a condition to require that a location be found for the diesel generator at the greatest distance possible from people and a condition that the disabled parking be relocated to allow for disable access to the building affected by the parking.

1. Make a finding that the project is categorically exempt under Class 1 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. Approve the use permit subject to the following conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by the Chamber of Commerce, consisting of two plan sheets dated received March 18, 2003, and approved by the Planning Commission on March 24, 2003, except as modified by the conditions contained herein.
 - b. The use permit shall be subject to review by the Planning Commission within one year from the date of approval. The review shall be at a public hearing, the purpose of which is to hear testimony from surrounding neighbors and businesses regarding the degree of success of the parking shuttle program or other issues related to traffic, parking, noise, lighting, dust and trash. If the Commission finds that the concerns of the neighbors or businesses have not been adequately addressed by the applicant, the Commission may consider discontinuance of all or a portion of the rides and activities in the Kid Zone and/or making other changes to the conditions.
 - c. The applicant shall submit proof of compliance with all laws and regulations in accordance with the Occupational Safety and Health Administration (OSHA) for review and approval by Community Development Department one month prior to the event.

- d. The applicant shall pay all costs associated with required additional police presence for the Kid Zone.
- e. The applicant shall submit all insurance and liability agreements for review and approval by the City Attorney and City Manager one month prior to the event.
- f. The project sponsor shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
- g. The applicant shall be responsible for all clean up and repair work should damage be caused to Parking Plaza Three.
- h. The applicant shall notify the City Staff and Police Department of specific dates each year, at least one month prior to holding the event.
- i. No amplified music shall be permitted during set up and clean up of amusement ride equipment, with the exception of ride testing.
- j. Camping, sleeping or overnight stays shall not be allowed in Parking Plaza Three. Other than B&B's security personnel, no one else shall be allowed in Parking Plaza Three between the hours of Midnight and 8:00 a.m.
- k. The applicant shall ensure that at all time that the patrons of the rides are not blocking any street which is open to traffic, that emergency vehicles and personnel have unimpeded access and that all safety regulations concerning maintaining proper distance from all rides is maintained. The Menlo Park Police Department shall be allowed to move, direct or disperse the crowd as is necessary to provide for the safety of the attendees of the Marketplace and for the City as a whole.
- l. At least one month prior to holding the event, the applicant shall submit a pedestrian flow plan that minimizes conflicts between pedestrians and vehicles for review and approval by the Transportation Division. The plan shall include appropriate signage to direct pedestrian and vehicle traffic and appropriate promotion of shuttle service to businesses and churches.
- m. At least one month prior to the event, the applicant shall work with the Planning Division to find an optimal location of the generator that minimizes noise and air quality impacts for adjacent businesses, residences and event attendees.
- n. At least one month prior to holding the event, the applicant shall work with the Transportation and Building Divisions to relocate handicap parking spaces displaced by the Kid Zone in the portion of Parking Plaza Three that will remain open for parking during the event. The safety fence for the Kid Zone shall not block access to the rear entrance of 1143 Crane Street.

Motion carried, 4-0.

D. STUDY SESSION

- 1. **Use Permit and Architectural Control/RHL Design Group, Inc./500 Willow Road:**
Request for a use permit and architectural control to demolish structures associated with an existing gas station and car wash facility and construct new structures associated with a gas station and a 1,355 square-foot convenience store open 24-hours a day.

Staff Comment: Planner Smith reported that the applicant has submitted a proposal to redevelop the existing Willow Road Service Station at 500 Willow Road. The proposal would include the removal of the existing hand care wash facility, the reconstruction of the canopy and pump islands and the addition of an approximately 1,355-square-foot convenience store that would operate 24-hours a day. He noted that the proposal will require approval of a use permit and architectural control. The applicant has requested a study session prior to the proposal appearing at a public hearing to discuss issues such as the loss of the hand car wash, the addition and operation 24-hours of a convenience store, and the height of the canopy.

Planner Smith said that five letters of opposition to the project had been received. He noted that most of the letters expressed opposition to an increase in traffic and the proposed 24-hour operation of the convenience store and pump islands.

Responding to a question from Commissioner Pagee, Planner Murphy said that staff does not have a complete inventory of 24-hour facilities. He said that there are not specific limits on hours of operations, but when there are complaints about the hours of operations, a permit may be required for hours of operation.

Public Comment: Ron Mallia, applicant and owner of the gas station, said that he had bought it in October 2001. It was rundown and on the brink of bankruptcy. He painted the gas station, added lighting, did some landscaping and lowered the gas prices. He said that gas sales went from 90,000 gallons a month to over 200,000 gallons a month. He said that seemed to indicate that the gas station was needed within the community. He also is an independent operator and can obtain gas at lower prices and charge less. He said that the gas station is in need of an environmental upgrade including replacement of the tanks, pipes and dispenser, which are over 20 years old. He said that the upgrade would cost \$600,000 to \$700,000 and that he would need to seek financing. After a review of the finances, he determined that the hand carwash was not economically viable because the carwash pays a set low rent. He looked at other gas stations and noted that they either had busy garages or convenience stores. In the area of his gas station, most of the other stations have repair facilities but there are no convenience stores. He said that the hand car wash does not provide any revenue to the City because its revenue pays strictly for labor and he projects that the convenience store would produce \$30,000 to \$40,000 a month in retail sales, which would bring revenue to the City. Mr. Mallia said that he proposes a newly designed station that would fit better in the park setting of Menlo Park. He showed the Commission a composite drawing. He said that he plans to reduce the curb sizes to augment the planters on the end of the lot and to place a landscaping strip in the center to buffer the gas island from the street, and to remove the intrusive pole sign with a monument sign. He said that if the project is allowed to go forward, the gas station would meet environmental standards, provide a convenience store that is needed in the community, and be more attractive and a better fit with the appearance of the neighborhood. He said that without the carwash, the station would be quieter and there would be less traffic in and out of the station.

Commissioner Halleck asked if Mr. Mallia had considered not operating 24-hours and whether it was needed for him to meet his financial obligations. Mr. Mallia said that between the hours of midnight and 4:00 a.m., the traffic would be so minimal that it would not be an issue. Commissioner Halleck said that cars with loud radios late at night are undesirable. Mr. Mallia said that he might consider not operating the store 24-hours but that there are two other local gas stations that are open 24-hours for gas. Commissioner Halleck said that they have to work with the community especially when there are concerns about noise, traffic and crime. He asked if Mr. Mallia looked at nearby architecture for his proposed design choices. Mr. Mallia indicated that he had done that and referred to a gas station he had remodeled in San Francisco for which he had photographs for the Commission to see. He said that gas station made a positive difference to the neighborhood. Commissioner Halleck asked what factors led him to include a convenience store. Mr. Mallia said that there were really not any convenience stores in the neighborhood. He said that he could see park users using the convenience

store for basic essentials on their walk to and from the park or for refreshments. He said that the facility would have restrooms, and noted that the restrooms in the park are not open to the public. Commissioner Halleck asked how the recently renovated café/deli on Gilbert and Willow compared to a convenience store. Mr. Mallia said that the café does not sell bread, cereal, aspirin and other items that might be needed at a moment's notice and which would be available at a convenience store. He confirmed that he would not be selling alcoholic beverages.

Chair Fry asked about the pedestrian path for someone coming from the park to the convenience store. Mr. Mallia said that there is a walkway that comes from the park to the convenience store. Chair Fry confirmed with him that pedestrian traffic would need to navigate around cars entering, leaving and within the gas station area itself.

Commissioner Pagee said that the park used to have restrooms and asked whether they had been removed. Mr. Mallia said that he had walked all over the park; he noted that there was a school but any restrooms he saw were locked. Commissioner Pagee said that there is a market on the corner of Middlefield Road and Willow Road and La Hacienda supermarket near Menalto and Gilbert. She said this proposed convenience store would be located midway between that store and La Hacienda supermarket. Mr. Mallia said that was true, but that there were no stores in the immediate area that served the park area. Commissioner Pagee said that the store would sell dry goods, which would generate tax. Mr. Mallia indicated that was true. Commissioner Pagee asked what the minimum height for canopy clearance is for a gas tanker. Mr. Mallia indicated 15-feet. She asked if he could stagger the hours of delivery. He said that at his San Francisco station that he has deliveries late at night. Commissioner Pagee said that the neighbors were concerned about noise at night and perhaps deliveries were better made during the day. Mr. Mallia said that fire and police do not like gas deliveries during the day as that is when there is the most congestion and that he has not received complaints from neighbors there about the gas delivery at night in 20 years at his San Francisco service station. Commissioner Pagee said that one of the stations he referred to as having service garages does not actually provide repair services and asked if he would be willing to make his station a true service station rather than a convenience store. Mr. Mallia said that he has a 16-bay service station in San Francisco. He said that he would not consider opening a repair facility at this station due to the necessary dirt, grime and noise that accompanies operation of a repair place. He said that from his experience, convenience stores are a much cleaner and environmentally sound business than repair facilities.

Ms. Dinah Tuma, a resident of Menlo Park, said that she and her husband would really miss the car wash and they are concerned about the safety of employees at a 24-hour operation in an isolated area. She thought that there are many local businesses in the area to buy items sold by a convenience store and she is concerned that the convenience store would negatively impact those existing businesses. Mr. George Tuma indicated that many of the local businesses sell products normally sold by convenience stores.

Mr. Peter Schuman, a resident of Menlo Park, said that he was there also representing the interests of the Proctors and Cynthia Neuwalder, other local property owners. He said that the egress from his home near the gas station already involves a difficult intersection and was concerned about the safety of children, noting that there is a local school. He was very concerned about noise for the neighbors. He said that he visited the recently remodeled café/deli and found that they are selling many of the items a convenience store would. He said that he likes the lower gas prices and patronizes the gas station, but did not see any need to sell gas 24-hours a day. He said that lights at night would change the character of the neighborhood. He opposes the proposed hours of the gas station and the increased traffic flow.

Mr. Don Huster, President of the Pacific Park Homeowners' Association, said that the intersection serves as a disadvantage for any business located there, noting the difficulty of pulling out of the gas

station and making a left hand turn. He is concerned about the safety in the area. He indicated that the new café/deli owners want to work with the neighborhood and stock items the community needs. He said that most neighbors do not see the need of a convenience store. He said that the area has become more and more residential and the gas station is already out of character with the immediate neighborhood. He said that he and other property owners in the area are concerned that late night business would cause noise for the local residences.

Mr. Andrew Miner, a resident of Menlo Park, indicated that he was against the project as proposed. He said that he appreciated that there was a study session and that the applicant had improved the gas station very much already. He said however that the area is becoming more and more residential. He said that there is another store at Willow Road next to Sweet Amy's. He said that the gas station is not safe for pedestrians now and he doubted he would walk to that gas station to use the convenience store. He suggested that the gas station be remodeled and upgraded but there should be no increase in use of the site or be open 24-hours. He was concerned about crime. He expressed concern for the nearby school and children who would be attracted to a convenience store and said the area was not safe for pedestrians. He said that the traffic circulation is congested, and he would miss the car wash. He was concerned that raising the canopy would spill light over into the nearby residences at night. He was also concerned about large vehicles, such as buses, using the gas station that sells diesel. He said that the noise from the car wash has never bothered him. He said that cars using the gas station leave their radios loud while pumping gas, which has been a nuisance.

Ms. Katherine Strehl, a resident of Menlo Park, agreed with the issues already raised and questioned whether a 24-hour convenience store suited the character of the neighborhood.

Mr. Bill Dempsey, a resident of Menlo Park, said that there is a large gas station east on Willow Road with a convenience store that is opened all night. He agreed with the issues raised by the other speakers.

Mr. Chris Hummel, a resident of Menlo Park, said that he is home during the day and has a home office which faces Willow Road. He said that currently when fire engines travel Willow Road their sirens literally shake the house. He said that cannot be changed but he cautioned adding to the problem.

Vice-Chair Stein said that she would like to look at the photographs of Mr. Mallia's San Francisco gas station. The applicant provided the Commission with the photographs.

Commissioner Halleck thanked the neighbors for attending. He suggested that Mr. Mallia consider meeting with the neighborhood. Commissioner Halleck said the issues he heard of most concern were traffic and noise. He said Mr. Mallia should provide the Commission with the data on traffic he mentioned. Commissioner Halleck noted that there is a concern with the proposed 24-hour use and suggested that Mr. Mallia would need to address noise concerns as well. Commissioner Halleck asked if there would be an environmental study. Planner Murphy said that there is a possibility that the project would be exempt from CEQA, but that planning might require other studies to document that the project would not have any potentially significant impact. Commissioner Halleck asked how a convenience store would be exempt and whether that was based on traffic counts. Planner Murphy indicated that the the first threshold for the City for environmental documents would be traffic counts and impacts on volumes and signalized intersections. Beyond that they may look at noise impacts. Commissioner Halleck said that concerns were raised about light intrusion and suggested that the applicant might need to look at mitigations. Commissioner Halleck said that the applicant needed to explain to the community the need, if so, of raising the canopy. Commissioner Halleck said that the applicant should address the neighborhood's concerns about traffic, light, noise and safety. He would want to see a facility that is complementary to the neighborhood and not in conflict.

Vice-Chair Stein asked for the hours on C-4 zoning. Planner Smith said that C-4 allows for 24-hour operations. Staff noted that the Commission could address hours of operations under the use permit. Vice-Chair Stein said that one issue raised was about lighting. Mr. Mallia said that he is willing to work with the neighbors. He said that he paid to paint his neighbor's residence next to his San Francisco station. Regarding lighting, he says there are two types of lighting for gas stations. The one most commonly used, Scottsdale Convex, shines light everywhere. He uses Scottsdale Flat which shines the light straight down. He said that two feet from the canopy it is dark and light does not leave the immediate area. He said that he would be glad to meet with the neighbors and see what they can work out, and he intended to be flexible. Vice-Chair Stein suggested that the roof not just mimic the immediate adjacent structure but that he look around the neighborhood at other roof styles as well. She suggested that the canopy be at the most minimal height possible. Noting the design for the convenience store, she said that she likes the open design at the pedestrian level, but questioned the height behind it. Vice-Chair Stein said that the fascia on the building and canopy seemed out of scale. The architect indicated that the height behind the building was for the HVAC screening and ductwork. He said that the canopy fascia was intended to be continuous with the building fascia. Vice-Chair Stein suggested that the mechanical area be less vertical. She noted that the hours of operation are an issue and neighborhood opposition is important. She suggested that he might want to consider not being open 24 hours a day.

Commissioner Pagee said that the neighbors use the gas station currently, and they are saying that they do not want a convenience store or 24-hour operation. She suggested that he might want to eliminate the convenience store, limit hours of operations and work with the neighbors to make the carwash more profitable. Regarding the dimensions of the proposed building, she said that as a mechanical engineer, she rarely gets more than 24-inches for duct work and suggested sloping the roof to get a pitch to reduce the mass. She suggested that he find out why the other businesses in the area are not open 24-hours and whether it is not profitable.

Chair Fry thanked the applicant for having the study session with the Commission. She said that the comments made by the public would be important to consider as he moved forward with the project. She said that she was sensitive to the financial aspect in that the upgrade was expensive and he is an independent operator. She said that she feels the community is fortunate to have businesses that are not part of big businesses, and she would like to see him succeed. She said that the next step would be for him to meet with the neighbors and work to create a win-win solution. She said that the height of the fascia appears in the rendering to be out of scale with the pillars and that the massiveness behind the convenience store should be lowered. She suggested that the tile might be the same as the surgery center which she thought would give some visual continuity in the pseudo-business area. Regarding lighting, she said that it appeared that he had good ideas in that area. She suggested that he might want to think about noise and possible mitigation.

Vice-Chair Stein said that her study of the car wash is that it is well-used. She suggested that he might want to study the traffic more closely into the car wash and get more solid data. The architect said that they had a traffic engineering study done by hand count and that there would be less traffic with a convenience store than with the existing car wash. Vice-Chair Stein asked how the children cross to get to school and whether that pattern will change for them with the new layout. She suggested that maybe through landscaping they could design a path to the park. Vice-Chair Stein said that the existing car wash is an eyesore and the car wash employees sit on the street when there is no use. She said that it does not meet the City's standards.

Chair Fry said that since there is another 24-hour service station on the east side of Willow Road that staff might get more information about the problems or benefits associated with 24-hour operation. She said that she visited most of the businesses along the area and noted that most businesses close at 10:00 p.m. or earlier.

Mr. Miner suggested that the applicant consider not playing music at all at the gas station. He commented also on the need for restrooms at the parks but the problems associated with those facilities. Commissioner Halleck said that there is a level at which music can be played that is conducive to business and cannot be heard past the business area. Mr. Mallia said that the bathrooms at the station would be accessed from inside which provides greater control over the use of the facilities.

Chair Fry summarized the issues heard including concerns with noise, light, traffic, hours of operation, types of uses, the fascia, and the importance of the applicant meeting with the neighborhood.

Ms. Virginia Proctor, a Menlo Park resident, said that about 15 years ago the gas station was open all night and there were noise problems. Her son, who lived across from the station at that time, was awakened often by radios blaring at the gas station. She said tow trucks would park there and leave their speakers on.

Vice-Chair Stein said that they should also add pedestrian flow and safety to the list. Vice-Chair Stein confirmed with the applicant that he intended to meet with the neighbors; she suggested that staff might be able to provide addresses for neighbors to be notified of such a meeting.

E. COMMISSION BUSINESS

- **Discussion of meeting of Mayor, Mayor Pro-tem and Commission Chairs and Vice Chairs on February 18, 2003.**

At the meeting of February 24, 2003, Commissioners Fry and Stein reported back to the Commission on the highlights of the February 18, 2003 meeting. With the item now listed on the agenda, the Commission discussed ideas which came from the meeting that were of greatest interest to Commissioners.

- **Discussion of upcoming joint study session of the Planning Commission and City Council scheduled for May 6, 2003**

The Commission began a discussion of items that could potentially be raised at the upcoming joint study session with the City Council.

ADJOURNMENT

The meeting adjourned at 10:12 p.m.

Staff Liaison: Justin Murphy, Principal Planner

Prepared by: Brenda Bennett, Recording Secretary

Approved by Planning Commission on January 26, 2004.