



MENLO PARK PLANNING COMMISSION MINUTES

Regular Meeting

October 23, 2006

7:00 p.m.

City Council Chambers

701 Laurel Street, Menlo Park, CA 94025

CALL TO ORDER – 7:00 p.m.

ROLL CALL – Bims (Chair), Deziel, Keith (Vice-chair), O'Malley, Pagee, Riggs, Sinnott

INTRODUCTION OF STAFF – Deanna Chow, Senior Planner, Justin Murphy, Development Services Manager

A. PUBLIC COMMENTS

There were none.

B. CONSENT

There were no consent items on the agenda.

C. PUBLIC HEARING

D.

Commissioner Deziel recused himself at this point for consistency with previous meetings.

1. **Use Permit, Architectural Control, Heritage Tree Permit, and Environmental Review/ Pollock Financial Group/321 Middlefield Road:** Request for a use permit and architectural control for the conversion of an existing 48,400-square-foot building from administrative to medical office use and the associated exterior modifications to the building and site located in the C-1 (Administrative and Professional District, Restrictive) zoning district. Request for Heritage Tree Permit for the removal of 8 heritage trees, relocation of 3 heritage trees, and planting of replacement trees. The proposal requires the preparation of an Environmental Impact Report.

Staff Comment: Planner Chow reported that the applicant, in addition to the request for a use permit for the conversion of the building as stated, was also proposing exterior modifications to the building facade, an increase in the number of parking spaces, the removal of 11 heritage trees, the installation of approximately 90 trees, and street frontage improvements along Middlefield Road and Linfield Drive. She noted that the proposed project required approval by the Planning Commission on the use permit for the change in use from general office to medical and related uses; architectural control for the proposed exterior modifications; environmental review, including adoption of the *Findings for Certification of the Environmental Impact Report* and adoption of the *Mitigation Monitoring and Reporting Program* prepared for the project. She said that the Draft Environmental Impact Report (DEIR) concluded that the proposed project would have less than significant impacts, with the exception to the topics of Aesthetics and

Transportation, but that those items, with proposed mitigation, would remain significant and unavoidable. She said that the Commission would also need to consider the *Statement of Overriding Considerations*, included within Attachment C, as part of their action on the *Finding for Certification of the EIR*.

Planner Chow said that staff was recommending a specific condition for contribution to the City's shuttle fee, which was included as part of the applicant's proposed *Transportation Demand Management Plan*, and which would state: *Prior to building permit issuance, the project shall contribute shuttle fees in accordance with the proposed Transportation Demand Management Plan and the City's requirements. The shuttle fee is \$0.105 per square foot of commercial use paid on an annual basis.*

Planner Chow noted that the DEIR, the conditions of approval, the *Mitigation Monitoring and Reporting Program*, and the CEQA findings identified traffic mitigation at Ravenswood Avenue and Alma Street in items labeled Traffic 1-a and the first bullet under Traffic 1-c. She said that the proposed mitigation for the intersection was the prohibition of left turns at the intersection of Alma Street and Ravenswood Avenue during the AM peak hours. She said staff had modified condition 5.o to clarify the proposed mitigation measure with the timing of the signage, the responsibility of the installation, and the cost as follows: *Prior to building permit issuance, the applicant shall pay \$4,000 to the City to install signage to prohibit left turns and through movements from Alma Street during the AM peak period (similar to current operations during the PM peak period). The signage shall be installed prior to occupancy. The condition is only applicable if the improvement has yet been funded by another project.* She said this proposed change would be consistently modified in the conditions of approval, the *Mitigation Monitoring and Reporting Program* and the CEQA findings. She noted in response to a question from Commissioner Pagee that this was also a condition for the 75 Willow Road project. Commissioner Pagee asked why other projects in this area already reviewed by the Commission had not had to contribute to this fee. Mr. Chip Taylor, Transportation Division Manager, said this was a "first-come, first-served" scenario; thus whatever project came in first would trigger the need for these improvements and would pay the costs.

Planner Chow noted that the second paragraph, first sentence on page 9 of the staff report should read: *In order to approve the project with significant and unavoidable adverse environmental impacts, the ~~City Council~~ **Planning Commission** must adopt a Statement of Overriding Considerations.* She noted the last sentence on page 19 of the staff report under the *Public Notification* section was in error and that the Planning Commission was the final decision-making body and could take action on this project this evening. She said that the Planning Commission's action will be effective after 15 days unless the action is appealed to the City Council, in which case the outcome of the application shall be determined by the City Council.

In response to a question from Commissioner Sinnott, Planner Chow confirmed that the published Public Notice had been worded accurately. She also noted that the conditions of approval included two items labeled "5.p" which would be revised to be sequential. She noted that staff had received letters on the proposed project since the distribution of the staff report from Mr. Stuart Soffer and Mr. Robert L. Payton, and those had been distributed to the Commission.

Questions of Staff: Commissioner Keith asked that staff give the Commissioners a copy of the *City of Menlo Park Grading and Drainage Guidelines and Checklist* as referenced in the

mitigation measures. Planner Chow said she did not have the document with her, but could provide the Commission a copy of those guidelines later.

Public Comment: Mr. Jim Pollock, applicant, said they would accept the financial responsibility as specified by staff in regards to a shuttle service. He said they had been working on the project since June of 2003 with the City Council, Commission and community and their goal had been to create a win-win solution. He said that Stanford was terminating leases held by physicians for medical office space on Welch Road as the lease expiration dates came up, and that this building space proposed would attract qualified physicians to the area. He said the façade and grounds would be completely renovated with the same square footage and that sustainable building practices would be utilized

Ms. Susan Eschweiler, DES Architects, said she would highlight what had changed in the proposal since previous study sessions and consideration of the draft EIR by the Commission. She revisited the existing site plan as located on the corner of Linfield Drive and Middlefield Road. She said to provide parking appropriate for medical use and comply with C-1 Zoning regulations that the parking needed to increase from 189 to 234 spaces. She said the proposed site plan would bring vehicles into the site from Middlefield Road with a right-turn only entrance with parking across the front of the building that would then wrap and connect to the rear of the building. She said entrances to the building would be from the front and rear. She said since the Commission had last reviewed the project that the DEIR had been circulated and that the removal of heritage trees and trees in general had been an area of significant concern in the DEIR. She said that originally 11 heritage trees needed removal but that now had been reduced to eight heritage trees. She said all of the trees to be removed were liquid ambers and that many of those were under the power lines and had been poorly trimmed over the years and had weak limbs. She said the trees also were in the area where they wanted to install a public sidewalk along Middlefield Road that would connect the sidewalk to the north of the Bohannon property and to the south along Middlefield Road. She said the removal of the amber trees would open up visibility of a very nice large oak tree, a cedar tree and a smaller oak tree on the property. She said a Specimen magnolia tree at the corner of the building would be relocated to the front of the property at the corner of Linfield Drive and Middlefield Road. She said there were also two heritage Olive trees in the rear that would be relocated to the frontage yard rather than removed. She said curb and gutter would be replaced at Middlefield Road and planting strip and five-foot sidewalk would be added before the property line. She said trees would be planted on the private property that would act like street trees with alternate deciduous and evergreen plantings. She said the trees and sidewalk would be continued along Linfield Drive in addition to keeping those existing trees. She said trees would be planted along the back to provide shade on the parking lot and cars. In response to a question from Commissioner Riggs, she said that those would be Chinese elms and Purple-leafed plums.

Ms. Eschweiler said that they had committed to a zero net flow of storm water from the site. She said use of pervious paving was needed to accomplish that and in-between the pervious paving and along the edges of the properties there would be bio-swales, shallow valleys filled with grasses that would filter parking lot runoff before it entered the storm drain. She said they added bike racks and lockers to the rear entrance and along the sides. She said that showers were added to be interior for the use of those who biked to work. She showed the Commission "before" and "after" photos of the site and highlighted various architectural details. She provided a color board for the Commission's review.

In response to a question from Commissioner Pagee, Ms. Eschweiler passed out a booklet from San Mateo County regarding sustainable building guidelines. She also distributed another handout with a checklist that showed what sustainable building features would be incorporated

in the development as known, noting that as further plans were developed, the guidelines would continue to be incorporated. She said that many of the guidelines were framed as goals; the first was to create a more sustainable community and respect the site which was accomplished through re-use of the existing building. She said any demolished materials from the interior renovation would be recycled. Additionally, she said the project was maximizing the corner location close to the downtown by providing pedestrian and bicycle access; the site was close to public transportation and funds would be dedicated to a shuttle service as well. She noted other items already mentioned such as the "heat island" to the rear of the building, permeable paving, bio-swales and zero net runoff, drip irrigation, construction of a new trash enclosure with recycling bins, use of steel smelting ash in the concrete (regional recycling approach), and metal stud framing instead of wood. She said that if wood was used it would be specified FSC certified wood which was wood that was managed. She said the roof would be light colored and weatherproofed. She said they wanted to save energy by providing shading with the mansard roof, new doors with weather stripping, and the use of operable windows. She said they would be adding insulation at the walls and roof. She said all of the HVAC equipment would have to be purchased new, which provided the opportunity to get the most energy-efficient equipment. She said regarding lighting that there would be new tracks with T-8 or T-5 bulbs and it would at least meet Title 24, but upon full design it might exceed those requirements.

Mr. Jeff Pollock, applicant, said they had agreed with the neighbors at 175 and 110 Linfield Drive to participate in the Linfield Drive Streetscape Improvements and that their proportionate share of those improvements would be up to \$400,000. He said right turns would be discouraged out of the medical building site through the use of medians, landscaping and signage, and in the CC&Rs. He said they thought there would be a crosswalk across Middlefield Road.

Commissioner Keith asked about bike lanes. Mr. Taylor, Transportation Division, said the intent was to have bike lanes on both sides of Linfield Drive and to accommodate parallel parking as well along the medical building site. Commissioner Keith asked about a crosswalk. Mr. Taylor said that when 110 and 175 Linfield Drive was reviewed by the City Council there had not been a final recommendation to whether there would be a traffic signal or a lighted crosswalk of some sort at the intersection of Linfield Drive and Middlefield Road. He said that Council asked for that consideration to be brought back closer to when the 110 and 175 Linfield Drive projects were ready to be finalized. He said that the cost for a lighted crosswalk was about \$38,000 and a traffic signal was about \$248,000.

Mr. Scott Hochstrasser said he was a land use and environmental planning consultant. He said the property owner had accepted the conditions of approval and they wanted to strongly encourage the Commission to move forward with the certification of the environmental document. He asked the Commission to look at attachment "C," on page 21, regarding the two significant and unavoidable adverse impacts related to "Aesthetics" and "Transportation." He said under CEQA the Commission needed to make a *Statements of Overriding Considerations* to approve the project and to find that the project had substantial public benefit over the environmental burden. He said staff recommended on page C-21 six different benefits of the project and some findings. He suggested adding some facts to those findings such as under "1" regarding re-use of the site that this would include making substantial aesthetic improvements to a 1950s building and substantial energy efficiency improvements as well as provide for ADA access. He said secondly that there was an expectation that this was an aging community that might well use a medical facility. He said thirdly the specific storm water improvement being made was to significantly increase the size of an inadequate storm drainage pipe to 36-inches. He said fourthly regarding a contribution to streetscape improvements to add there would be a

financial contribution of up to \$400,000 to include traffic coning, control speed and improved pedestrian and bicycle access. He said fifthly regarding the sidewalk that the project also included bike racks, lockers and showers at the site. He said sixthly that the project would contribute up to about \$120,000 to transportation improvements..

Mr. Don Brawner, Menlo Park, said the project was being shoe-horned into an area that has a Master Plan and has been under the General Plan for years, zoned specifically for C-1-A Office Use, which is a very low intensive use. He said medical offices have an excessive number of employees per square foot and excessive amount of visitors and vendors during the course of a day. He said if the owners could offer to do something other than medical offices then there might be an agreement. He said spot-zoning was unjustified and probably illegal. He said the Linfield-Middlefield-Willow TIA was inadequate. He said all of the offices at the site could be leased by the property owners if they were willing to renovate and lease them at the fair market rate. He said there were numerous locations for medical offices on the peninsula, including Palo Alto, Mountain View, Redwood City and El Camino Real in Menlo Park as well as space in Portola Valley. He said that Stanford was opening up the Mid-Point facility in Redwood City. He said there was really no need for medical offices in Menlo Park. He said the mitigation for the Alma and Ravenswood intersection was ludicrous.

Mr. Dee Tolles, Menlo Park, said he had an opposing view to the previous speaker. He noted that he had worked with the Pollocks on a previous project at 801 Welch Road as well as 49 other projects. He said Mr. Pollock's company was run on integrity and quality and they had developed many beautiful buildings with wonderful landscaping and concerned attention to the needs of the tenants and the neighbors. He said there was a need for the medical offices as Stanford was taking over the medical buildings on Welch Road for other uses as the leases expired. He said he fully supported the project.

Ms. Fran Dehn, Menlo Park, said on Middlefield Road that there was a barrier from going onto Middlefield Road from Santa Monica and it was illegal to turn right onto Santa Monica traveling south on Middlefield Road. She said it was also illegal to make a left onto Middlefield Road out of Santa Monica. She said she had taken the Public Works Director and the Transportation Manager to the site so they could see how frequently people were making the illegal left and right hand turns. She said that either the barriers should be removed or something should be done to enforce the restriction.

Mr. David Speer, Menlo Park, said the Linfield Drive Streetscape Improvements should be more codified and added as conditions of approval with greater explanation. He said he concurred with the land use planner that more facts should be included with the findings. He said his recommendation would be for a completion of the application and the project approval continued until then. He said traffic was an issue; he suggested as another condition of approval that the peak AM and PM trips be monitored and if there was a problem that the building not schedule appointments during those peak times. He recommended keeping the barrier at Santa Monica and Middlefield Road.

Dr. David Mullens, Palo Alto, said he was a physician whose practice was currently at 1101 Welch Road. He said he had been looking for office space in the immediate vicinity of Stanford for several years and the subject property offered the best hope for the doctors who practice at 1101 Welch Road. He said many of their patients were Menlo Park residents, who were happy to hear that they doctors might be able to relocate to 321 Middlefield Road. He said the population in the area was increasing and there would be a continued need for quality private practice. He said he hoped the Commission would approve the project.

Chair Bims closed the public hearing.

Commission Comment: Commissioner Sinnott said she was impressed with the design, traffic mitigation, bike racks and lockers, landscaping, sidewalk and the goal of keeping physicians in the area. She moved to approve as recommended in the staff report. Commissioner O'Malley seconded the motion.

Commissioner Riggs asked about the parking requirements. Planner Chow said that currently for the existing use there was a non-compliance situation and that if it continued as an office use an application for an Administrative Permit for parking reduction might be made. Commissioner Riggs said that in his experience some communities required more parking for medical office buildings as there was an overlap for medical appointments. He said that it seemed a very "green" project. He said the project was resolved to do onsite storm water control, which was admirable. He said regarding the Linfield Drive Streetscape Improvements that there could be a condition to require review by staff for staff fully understood there needed to be a benefit. He said the project provided financial benefit with the traffic improvements. He said the difference in parking needs between this use and its current office use would not require placement of a light at the intersection of Linfield Drive and Middlefield Road, but the residents would suffer from the traffic impact from the site. He said there was an opportunity for the City to get several thousand dollars closer to "intelligent" signalization and that was a benefit. He said the Commission also had to look City-wide and not just for the immediate neighborhood's need and the need for medical offices was there City-wide.

Commissioner Keith said it was a "green" project and it would use the existing building, which was terrific. She said however traffic was the problem. She said she liked the monitoring of the AM and PM peak hours to see if the project was adding to the traffic for possible adjustment of the appointment hours. She asked if this could be added as an amendment and suggested staff's input on this. Commissioner Riggs asked also for input on traffic patterns for medical versus office use.

Mr. Taylor, Transportation Manager, said that the only way to monitor trips would be from the driveway of the offices themselves to count the number of trips in and out during the peak AM and PM hours. He said it was difficult to follow vehicles to and from the sites to the intersections of concern. He said one way would be to put a condition related to the traffic at the site from the driveways so that it would not exceed office use during the AM and PM peak hours and be monitored that way. He said he did not know if some type of penalties could be applied if the site exceeded that amount. Commissioner Sinnott said that the traffic for AM and PM peak hours would be typical for office use. Chair Bims said for office use that the generation would be a spike in the AM and PM peak hours and that medical use would be more consistent throughout the day. Mr. Taylor said that the average was 1.55 trips per thousand square feet over one hour for office use and that medical would be an extra car per 1,000 square foot per hour. In response to Commissioner Keith, Mr. Taylor said the condition could be that the trips generated from the driveways during peak hours would not exceed the office trip generation as defined by the ITE Trip Generation Manual. Commissioner Keith asked if the maker of the motion and second would accept that amendment. Commissioner O'Malley asked what would happen if the trips generated were more than office use and if the building had to be closed then from 7 to 9 a.m. and 4 to 6 p.m. Commissioner Keith said that the number of appointments would need to be reduced during those times. Commissioner O'Malley question how with such a large building that the trips could be monitored and the number enforced. Commissioner

Sinnott said that she would prefer not to burden the project with this condition noting that there would be a ban on the right turn onto Linfield Drive, which would keep cut-through traffic down.

Commissioner Pagee said this project was the beginning of potential traffic problems in the area and the immediate problems were not being solved. She said the neighborhood residents were the victims of a summary of projects creating traffic in the area. She said a traffic light at Linfield Drive and Middlefield Road would not solve the problem. She said she wished there could be more mitigation for traffic. She said she liked the design and the landscaping.

Commissioner Keith said under the *Statement of Overriding Considerations* that the two significant issues were traffic and aesthetics. She said she could make those findings if there was something in the approval regarding the trip generation between 7 and 9 a.m. and 4 and 6 p.m. so to conform to the same number of trips as office use. Commissioner Sinnott asked if she would consider 5 to 6 p.m., as 4 to 6 p.m. would cut out hours useful for appointments for school age children. Commissioner Keith said yes.

Chair Bims said that for the C-1 Administrative and Professional District Restrictive there were no permitted uses so all conditional uses required a use permit. He said under that section of the ordinance "special uses" were allowed with a use permit.

Commissioner Riggs said the question was whether the findings could be made that there were overriding benefits because the idea that there would be commercial projects that would not generate traffic was unreasonable. He said there were clearly benefits from the project.

Commissioner Sinnott suggested calling for the vote without the amendment as it was not clear as how to establish and monitor daily trips. Commissioner Keith suggested that the limitation be between just 7 and 9 a.m.

Development Services Manager Murphy asked whether this was proposed as mitigation as it would first have to be determined that there was something in this time period that needed to be mitigated. He said if there was such a condition that this had to be agreed to by the applicant. He said staff would not be able to draft the precise condition at the moment and the item would need to be continued.

In response to a question from Commissioner Keith, Development Services Manager Murphy said in terms of impact there was one AM peak hour at the corner of Alma and Ravenswood and there was a mitigation identified for that impact. He said that what was being proposed had to be out of the realm of mitigation and had to be something the property owner was willing to accept.

Chair Bims said the traffic during the AM and PM peak hours already occurred from residents currently going to medical appointments in Palo Alto. He said there was a public benefit for Menlo Park from this medical office use as it would reduce the amount of time people would spend in their cars traveling to and from other medical offices elsewhere. He said there were alternative transportations available which also would positively impact traffic.

Commissioner Pagee asked if there was any sales tax benefit from the project. Planner Chow said perhaps from the supplies.

Planner Chow said that the items being presented were the certification of the Environmental Impact Report including the *Statement of Overriding Considerations*, the *Mitigation and*

Monitoring Program, the findings for architectural control approval, the findings for the granting of the use permit and the conditions of approval including the ones specified in staff's comments. She said there was not a specific condition limiting right hand turns from Middlefield Road to Linfield Drive.

Commissioner Keith said she would like some more creative ideas about traffic management from staff rather than for the Commission to be told that the item would need to be continued. Commissioner Pagee said she would like a condition that a right hand turn would not be allowed. Commissioner Sinnott said she thought that would create problems for locals.

Commission Action: M/S Sinnott/O'Malley to approve as recommended in the staff report as follows.

The proposed use permit and architectural control request to change an existing general office to medical office use is appropriate for the location and compatible with the surrounding land uses. The proposed architectural modifications would provide an updated façade without changing the footprint of the building. As indicated in the Draft EIR, proposed project would have a less than significant impact on all environmental impact areas except for traffic and aesthetics due to loss of trees. Staff believes that the benefits of the proposed project outweigh the potential significant and unavoidable impact. Staff recommends that the Planning Commission approve the certification of the EIR and Statement of Overriding Considerations, and approve the use permit, architectural control subject to the following findings, actions and conditions:

1. Adopt the Findings for Certification of the Environmental Impact Report, including the Statement of Overriding Considerations and Statement of Certification.
2. Adopt the Mitigation Monitoring and Reporting Program prepared for the project.
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.
4. 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.

5. Approve the use permit and architectural control request subject to the following conditions:

- a. Development of the project shall be substantially in conformance with the plans prepared by DES Architects, dated received October 18, 2006, consisting of 26 plan sheets and approved by the Planning Commission on October 23, 2006 except as modified by the conditions contained herein.
- b. Prior to building permit issuance, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility company's regulations that are directly applicable to the project.
- c. Prior to building permit issuance, the applicant 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. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
- e. Prior to building permit issuance, the applicant shall submit a detailed landscape and irrigation plan prepared by a licensed landscape architect subject to review and approval of the City Arborist and the Planning Division. The landscaping plan shall comply with the Water Efficient Landscape Ordinance (Chapter 12.44). Landscaping within the City right-of-way shall include City approved street plant materials. The landscaping shall be installed prior to final building inspection.
- f. Prior to grading permit issuance, the applicant shall submit a plan for construction safety fences around the periphery of the construction area for review and approval of the Building Division. The fences shall be installed according to the plan prior to commencing construction.
- g. Prior to grading permit issuance, the applicant shall pay the applicable Building Construction Street Impact Fee.
- h. Concurrent with the building permit submittal for site improvements, the applicant shall submit a parking lot stripe plan indicating one-way access from Middlefield Road and two-way access from Linfield Drive subject to review and approval of the Transportation Division.
- i. Prior to building permit issuance, the applicant shall use reasonable, best efforts, as determined by the Community Development Director, to negotiate an overflow parking agreement to allow residents of the 110 and 175 Linfield Drive project sites to use the parking facilities at 321 Middlefield Road before and after business hours (generally 7 a.m. to 6 p.m., Monday through Friday). If the applicant is unsuccessful in negotiating an agreement prior to building permit issuance, the applicant shall continue to use reasonable, best efforts to negotiate an agreement up to the time of final building inspection.

- j. If an overflow parking agreement is agreed upon between 321 Middlefield and 110 Linfield Drive and 175 Linfield Drive, the agreement shall be provided to the City and reviewed and approved by the Planning and Transportation Divisions prior to any parking being used by residents.
- k. Prior to building permit issuance, the applicant shall submit improvement plans for the right-of-way fronting the property. The plans shall include details for curbs, gutters, sidewalks, landscaping irrigation, lighting, etc. The plans shall be subject to review and approval of the Public Works Department.
- l. Prior to building permit issuance, the applicant shall submit revised plans demonstrating that the proposed peak flow rate for a 10-year storm is equal to or less than the existing peak flow rate. If necessary to meet this condition, the project plans shall be revised to integrate additional measures such as pervious pavers in the parking lot or other measures. If the Public Works Director determines that no other feasible options exist to reduce the peak flow rate, the applicant may propose a system that utilizes detention based on a dynamic hydrology analysis. The analysis must show that no adverse impact to the existing system or adjacent property occurs and that detention capacity is sufficient to reduce peak flows to pre-development levels. Any improvements to reduce storm flows that are deemed necessary by the Public Works Director shall be required as part of the conditions of approval. (MM Hydrology-1)
- m. Prior to grading or building permit issuance, the applicant shall submit detailed plans for the construction of a new 36 inch storm drain line in Linfield Drive from the proposed entrance to the 175 Linfield Drive site to a new connection point with the Middlefield Road storm drain system according to the study performed by BKF Engineers, dated March 1, 2006 as part of the 110 and 175 Linfield Drive projects. The storm drain shall be designed to City standards, and shall be subject to review and approval by the Engineering Division. The storm drain shall be constructed in conjunction with the on-site project improvements and completed prior to occupancy. The City shall enter into a non-recourse reimbursement agreement with the applicant, whereby the City shall agree to levy and use its best efforts to collect a storm drainage fee from all future development within the Linfield Drive drainage basin. The total amount of fees reimbursed to the applicant shall not exceed the total cost to design and install the improvements less the amount the applicant is required to contribute to the storm drain system based on their proportionate size of the project. The agreement shall be entered into prior to grading or building permit issuance. (MM Hydrology-2)

- n. Prior to grading permit issuance, the project applicant shall implement Best Management Practices for water quality treatment on the project site, per the City of Menlo Park Grading and Drainage Plan Guidelines and checklist, subject to review and approval by the Engineering Division. Specific guidelines that would apply to the project site include (but would not be limited to) #1 (use of on-site infiltration as much as possible as a means of handling roof and site drainage); #4 (Design of the site drainage so the storm water will flow to on-site lawn or pervious landscaped areas, or detention/retention and filtration systems through vegetated/grassed swales or underground pipes), #5 (drainage from roof downspouts to on-site lawn or pervious landscaped areas, or detention/retention and filtration systems through vegetated/grassed swales), and #11 (use of on-site infiltration, vegetated swales or other comparable BMPs prior to discharge). The BMPs shall be shown on the drainage plan and reviewed by the City prior to approval of the Tentative Map. (This mitigation measure is identified as Mitigation Measure 4.2 in the Initial Study.) (MM Hydrology-3)
- ~~o. Prior to occupancy, the City shall prohibit left and through movements from Alma Street during the AM peak period (similar to current operations during the PM peak period). The prohibition shall become effective prior to the occupancy of the first project completed in the Linfield/Middlefield/Willow (LMW) area, subject to approval by the Transportation Division. (MM Traffic 1-a)~~ ***Prior to building permit issuance, the applicant shall pay \$4,000 to the City to install signage to prohibit left turns and through movements from Alma Street during the AM peak period (similar to current operations during the PM peak period). The signage shall be installed prior to occupancy. The condition is only applicable if the improvement has not yet been funded by another project.***
- p. Prior to building permit issuance, the applicant shall pay fees as contributions to the following mitigations and/or improvements identified in the Linfield Middlefield Willow Area-wide Transportation Impact Analysis, performed by DKS Associates, dated March 2, 2006, or as subsequently directed by the City Council:
- Linfield Drive/Middlefield Road pedestrian improvements/traffic signal: \$62,000 with first priority for the use of the funds identified as pedestrian improvements at the Linfield Drive and Middlefield Road intersection. To the extent that funds are not used for that purpose, the City may use such funds for other transportation improvements in the Linfield Drive, Middlefield Road, Willow Road area or elsewhere in the City.
 - Adaptive signal timing improvements at the intersections of Middlefield Road and Willow Road, Middlefield Road and Ringwood Avenue, and Middlefield Road and Ravenswood Avenue: \$57,500. (MM Traffic-1c)

- q. Prior to building permit issuance, the applicant shall submit detailed plans for the construction of streetscape improvements along Linfield Drive from Waverley Street to Middlefield Road according to the Linfield Middlefield Willow Area-wide Transportation Impact Analysis, performed by DKS Associates, dated March 2, 2006 (if the improvement has not yet been initiated by another project). The streetscape shall include, but not be limited to, the following components: installation of new sidewalks where sidewalks currently do not exist; removal and replacement of existing curb, gutters and sidewalks that are currently cracked or damaged; and the installation of crosswalks, striping, signage, medians, and landscaping in the medians and parkways/planter strips. The streetscape shall be designed to City standards subject to review and approval by the Engineering Division. The streetscape shall be constructed in conjunction with the on-site project improvements and completed prior to occupancy. The City shall enter into a non-recourse reimbursement agreement with the applicant, whereby the City shall agree to levy and use its best efforts to collect a streetscape fee from all future development along Linfield Drive. The total amount of fees reimbursed to the applicant shall not exceed the total cost to design and install the improvements less the amount the applicant is required to contribute to the streetscape system based on their proportionate size of the project. The agreement shall be entered into prior to issuance of a grading or building permit. To the extent that the actual cost of the streetscape improvements is less than \$400,000, the applicant shall contribute the difference to the City for additional traffic mitigation at the time of final acceptance of the streetscape improvements. (MM Traffic-2)
- r. Prior to building permit issuance, the applicant/project sponsor shall implement the following air quality control measures, subject to review and approval by the Building Division:
- Water all active construction areas at least twice daily.
 - Cover all trucks hauling soil, sand, and other loose materials *or* require all trucks to maintain at least two feet of freeboard.
 - Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
 - Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites.
 - Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

In addition, the applicant/project sponsor shall encourage the implementation of the following optional measures:

- Install wheel washers for all existing, or wash off the tires or tracks of all trucks and equipment leaving the site.
- Install windbreaks, or plant trees/vegetative windbreaks at the windward side(s) of construction areas.
- Suspend excavation and grading activity when sustained winds exceed 25 mph.
- Limit the area subject to excavation, grading, and other construction activity at any one time. (MM-5.1)

- s. Prior to the commencement of grading, the applicant shall retain a qualified biologist (with selection to be approved by the City) to conduct nest surveys on the site prior to construction or site preparation activities occurring during the nesting/breeding season of native bird species (typically February through August). The survey area shall include all potential nesting habitat on the project site within 200 feet of the grading boundaries. If the 200-foot distance encompasses trees on adjacent properties, the biologist shall survey the trees using binoculars. The survey shall be conducted no more than 14 days prior to commencement of construction activities. The survey shall be conducted no more than 14 days prior to commencement of construction activities, and shall be subject to review and approval by the Planning Division. (MM-7.1) If active nests of bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code (which, together, apply to all native nesting birds) are present in the construction zone or within 200 feet of this area, temporary construction fencing shall be erected within the project site at a minimum of 100 feet around the nest site. This temporary buffer may be greater depending on the bird species and construction activity, as determined by the biologist. (MM-7.2) At the discretion of the biologist, clearing and construction within the fenced area shall be postponed or halted until juveniles have fledged and there is no evidence of a second nesting attempt. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests will occur. (MM-7.3)
- t. Prior to building permit issuance, the project applicant shall comply with the Menlo Park Heritage Tree Ordinance and the City's Heritage Tree Replacement procedures, and with the tree replacement ratios recommended by City staff. The final landscaping plans for the project shall reflect compliance with the ordinance and procedures, and the applicant shall demonstrate that the required number of trees have been planted prior to project occupancy. The final landscaping plans shall be subject to review and approval by the Planning Division. (MM-7.4) The project applicant shall adhere to the tree protection and preservation plan included in the Tree Survey Report prepared by Barrie D. Coate and Associates. The plan includes measures related to the tree protection zone (TPZ), pruning and brush clearance, fencing and signage, fertilization, pest and disease control, and tree health and maintenance (including root cutting). (MM-7.5)
- u. Prior to demolition permit issuance, the applicant shall survey the building for the presence of asbestos and lead-based paint. The survey shall be subject to review and approval by the Building Division. If asbestos is found, the applicant shall comply with Bay Area Air Quality Management District Regulation 11, Rule 2 (Hazardous Materials, Asbestos Demolition, Renovation, and Manufacturing) when renovating the building. If lead-based paint is present, the applicant shall determine whether paint must be separated from the building materials (e.g., chemically or physically). The paint waste shall be evaluated independently from the building material to determine its proper management. According to the California Department of Toxic Substances Control, if paint is not removed from the building material during demolition (and is not chipping or peeling), the material could be disposed of as construction debris (a non-hazardous waste). The appropriate landfill operator shall be contacted in advance or determine any specific requirement they may have regarding the disposal of lead-based paint materials. (MM-9.1)

- v. Prior to demolition permit issuance, the project applicant shall incorporate noise reduction measures into project construction activities, subject to review and approval by the Planning and Building Divisions. These measures may include, but shall not be limited to, the use of mufflers and other devices on equipment, locating stationary construction equipment away from sensitive receptors, shutting off idling equipment, notifying adjacent residences and businesses in advance of construction work, and installing temporary barriers around construction noise sources. (MM-10.1)
- w. If archeological resources such as chipped stone or groundstone, historic debris, building foundations, or human bone or any other indicators of cultural resources are discovered during ground-disturbing activities, construction activities will halt and a qualified archeologist shall be consulted to assess the significance of the find. If any find is determined to be significant, representatives of the City, construction contractor, and the archaeologist shall meet to determine the appropriate course of action. In the event that human remains are discovered, an appropriate representative of the Native American groups and the County Coroner shall be notified and consulted, as required by state law. All cultural materials recovered as part of the monitoring program would be subject to scientific analysis, professional museum curation, and report prepared according to current professional standards. (MM-14.1)
- x. ***Prior to building permit issuance, the project shall contribute shuttle fees in accordance with the proposed Transportation Demand Management Plan and the City's requirements. The shuttle fee is \$0.105 per square foot of commercial use paid on an annual basis.***

Motion carried 4-2 with Commissioners Keith and Pagee opposed and Commissioner Deziel not in attendance.

2. General Plan Amendment, Rezoning, Conditional Development Permit, Tentative Subdivision Map, Heritage Tree Permit, and Environmental Review/SummerHill Homes/75 Willow Road:

- 1) General Plan Amendment: Change from Professional and Administrative Offices land use designation to Medium Density Residential land use designation;
- 2) Rezoning: Change from C-1 (Administrative and Professional District, Restrictive) to R-3-X (Apartment – Conditional Development District);
- 3) Conditional Development Permit: Establish specific development regulations and architectural designs for the demolition of an existing 40,000-square-foot office building and the construction of 33 single-family residential dwelling units;
- 4) Tentative Subdivision Map: Create 33 lots and associated common areas;
- 5) Heritage Tree Permit: Remove 46 heritage trees, relocate 3 heritage trees, and plant new trees; and
- 6) Environmental Review of the proposed project.

Staff Comment: Planner Chow reported that the applicant was proposing to demolish an existing 40,000 square-foot office building and construct 33 single-family residential units on an approximate 4.5-acre site located at 75 Willow Road. She said the proposal required a recommendation by the Planning Commission to the City Council on a General Plan

Amendment, to change the land use designation from Professional and Administrative Offices to Medium Density Residential; Rezoning, to change from C-1 (Administrative and Professional District, Restrictive) to R-3-X (Apartment – Conditional Development District); Conditional Development Permit, to establish specific uses and development regulations and architectural designs; Tentative Subdivision Map, creation of 33 single-family lots and associated common areas and private street; and the environmental review, which included an adoption of the *Findings for Certification of the Environmental Impact Report* and adoption of the *Mitigation Monitoring and Reporting Program* prepared for the project.

Planner Chow noted that the Draft Environmental Impact Report (DEIR) concluded the proposed project would have less than significant impacts, with the exception of the topics of Aesthetics and Transportation, and those items, with proposed mitigation, would remain significant and unavoidable. She said as part of the Planning Commission's recommendation on the Finding for Certification of the DEIR, the Commission should also consider the *Statement of Overriding Considerations*, which was included as part of Attachment C. She noted that the City Council would be the final decision-making body.

Planner Chow noted that as part of the environmental process, the Planning Commission should consider the DEIR and the response to comments. She said one additional comment was received during the 45-day comment period that was inadvertently omitted from the *Response to Comments* document. She said that this letter and the responses to it were included as Attachment N. She said staff would extend the comment review period of the *Response to Comments* until November 13, 2006 at 5:30 p.m. to allow at least a 10-day review period.

Planner Chow identified several corrections and additions to the staff report and the conditions of approval. She said that the DEIR, the conditions of approval, the *Mitigation Monitoring and Reporting Program*, and the CEQA findings identified traffic mitigation at Ravenswood Avenue and Alma Street in items labeled Traffic 1-a and the first bullet under Traffic 1-c and that the proposed mitigation for this intersection was the prohibition of left turns at the intersection of Alma Street and Ravenswood Avenue during the AM peak hour. She said to clarify the proposed mitigation measure with the timing of the signage, the responsibility of the installation, and the cost, staff was recommending deleting the first bullet under item 5.22 and adding a new condition: *Prior to building permit issuance, the applicant shall pay \$4,000 to the City to install signage to prohibit left turns and through movements from Alma Street during the AM peak period (similar to current operations during the PM peak period). The signage shall be installed prior to occupancy. The condition is only applicable if the improvement has not yet been funded by another project.* She said the proposed change would be consistently modified in the conditions of approval, the *Mitigation Monitoring and Reporting Program* and the CEQA findings.

Planner Chow said that staff was modifying condition 5.23 or Mitigation Measure 3.1 regarding Soils. She said that the modified condition would provide more specifics on the items to be addressed in the Soils Report, which was consistent with the DEIR. She noted that the revised condition would read: *Concurrent with the building permit submittal for the first house, a soils report shall be prepared, detailing how expansive soils must be treated or replaced within forming the foundation support. (New Language) The report shall also incorporate all the recommended measures set forth in the Preliminary Geotechnical Investigation prepared by Lowney Associates. These recommended measures include: site specific preparation and grading techniques, specific foundation design (footings, post tension slab, drilled cast in place*

concrete piers), concrete slab-on-grade floors, a capillary moisture barrier, and adherence to the UBC seismic design. She said that the remaining section of the condition was as written.

Planner Chow said that staff was also recommending an additional condition to read: *Concurrent with the building permit submittal, the applicant shall submit color samples from the manufacturer for the proposed color palette of the development subject to review and approval of the Planning Division.*

Planner Chow said that there was also a correction on page C1-the CEQA Findings in that the number of trees removed should be 99 rather than 105. She said that the applicant had lessened the number of trees to be removed since the release of the DEIR. She noted that staff had received letters since the publication of the staff report from Mr. Frank Carney, Mr. Jonathan Prop, Mr. Stuart Soffer, Mr. Robert Payton, and Mr. Mark Drury.

Commissioner Keith said on page five of the staff report that it indicated one eucalyptus was to be preserved and asked if it was really one or two. Planner Chow said there were two proposed for preservation. Commissioner Keith asked about page seven, third paragraph down, regarding restriction of overnight parking, if that was firm or a proposal. Planner Chow said that it was a condition of approval and there would be no overnight parking on the private street. Commissioner Keith asked about page nine in which it was indicated the applicant would offer seven trees from 15 to 36-inch boxes and whether those were included in the other 50 replacement trees proposed. Planner Chow said the seven trees were proposed for 175 Linfield Drive and the other 50 replacement trees on Willow Road were separate. Commissioner Keith asked about page 13 and the list of "Mitigating Measures" if it should be D.2 not Attachment F. Planner Chow said that it should be attachment D. Commissioner Keith said regarding the mitigation of trees for aesthetic impacts that it was indicated that a number of years would be needed before the trees would be fully grown and how many years that would be. Planner Chow said that it would be 20 to 30 years.

Commissioner Pagee asked in regard to page 11, the first paragraph under Conditional Development Permit (CDP), regarding modifications involving room additions or other expansion construction or accessory structures if that required City Council or Planning Commission approval. Planner Chow said that modifications to the exterior and architectural details would be reviewed by the Planning Commission but anything that would require an amendment to the CDP such as a change to the footprint, square footage and/or additions and new accessory structures would be reviewed by the City Council.

Chair Bims asked Mr. Taylor, Transportation Manager, about the traffic impact as studied in the DEIR and how it analyzed the individual project impact as opposed to the cumulative impact. Mr. Taylor said the projects were considered together and suggested that Mr. Mark Spencer, DKS, could better address the specifics.

Mr. Mark Spencer, DKS Associates, San Jose, said in regard to the question of how this project was looked at independently of other projects in the area, that several months prior the *Linfield Drive-Middlefield Road-Willow Road (LMW) Traffic Analysis* had included the combination of this subject project, 8 Homewood Place and 321 Middlefield Road. He said subsequent to that report DKS Associates were asked to provide a separate independent analysis of the subject project's specific impacts. He said that they looked at the *Project Scenario* in their *Traffic Analysis Model* and removed the effects of 8 Homewood Place and 321 Middlefield Road to see what the effects of this project were and how those compared to the effects and traffic impacts of all three projects when taken in combination with one another.

Chair Bims asked what the highlights of the differences were when the overall and individual were compared. Mr. Spencer said in respect to the intersections that the same two intersections being impacted collectively would be impacted by this project alone as the additional delay could be triggered by not very much additional traffic. He said those two intersections would be impacted by anything that added traffic to the area. He said the difference was in the road segments that are based on daily traffic volumes. He said collectively there were six segments impacts but with just this project there were impacts to only two segments.

Commissioner Keith asked if it was correct that the subject project would not impact traffic on Willow Road from Willow Road to Hwy. 101. Mr. Spencer said independent of the other projects that this project alone would not result in an impact based on the standard impact threshold criteria for roadway segment impacts. He said the project would add traffic to the streets but did not trigger an impact by the definition of an impact. Commissioner Keith asked about the cumulative impacts on Middlefield Road to Willow Road to Hwy. 101. Mr. Spencer said regarding the LMW Traffic Report dated March 2, 2006 reviewed in a City Council Study Review and by staff that subsequently there was an addendum to the report for which they had been asked to look at a few additional intersections as well as two individual project memoranda. He said those memoranda were dated June 26, 2006 and from one of those he read that: *Individual Project EIR Analysis for the Proposed 75 Willow Road Project*. He said there was a table in that memorandum that compared the average daily traffic of the cumulative projects versus that just for 75 Willow Road. He said for the two roadway segments being impacted on Ravenswood from El Camino to Alma that this project would generate an additional 102 daily trips on that segment. He said currently there were almost 24,000 daily trips. He said with cumulative projects in the area that the number jumped from 24,000 to over 26,000 daily trips. He said Middlefield Road between Ringwood to Linfield currently carried a little over 21,000 daily trips and the number would jump to 22,400 daily trips with the cumulative effects of all of the projects. He said this project would generate 40 daily trips which was less than the 100 daily trip trigger of threshold criteria. He said it was also similar to the segment on Middlefield from Linfield to Willow. He said that they looked at Willow between Middlefield and Bay and between Middlefield and Laurel. He said the heaviest traffic on Willow was between Middlefield and Bay with almost 27,000 Average Daily Traffic (ADT). He said they expected that to grow to almost 28,700 with cumulative effects and the subject property would add 26 daily trips of that increase. He said they considered net change and this project also as a fully-occupied office site. He said of the three projects this project contributed the least traffic.

Chair Bims asked how the results done of the analysis of the site as a fully occupied office compared to previous results of study of the site when it was an office. Mr. Spencer said they looked at it two ways. He said they assumed 25 percent occupancy currently of the building based on discussions with staff. He said they subtracted out that 25 percent. He said there was a separate analysis they had done that assumed full occupancy as an office site and would generate 45 AM peak hour trips and 43 PM peak hour trips and a total of 322 daily vehicle trips. He said the current proposal for 33 single-family residences would generate 25 AM peak hour trips and 33 PM peak hour trips and a total of 316 daily vehicle trips.

Public Comment: Ms. Elaine Breeze, SummerHill Homes, Palo Alto, said they were in-fill builders and award-winning designers on the Peninsula. She provided a review of the discussions and outreach with the various City agencies and committees as well as outreach to the community. She said the notice area for the project was almost 1,200 resident households. She said the project had changed considerably based on the input including improving the tree

preservation, the pedestrian, bicycle and vehicular circulation and access of the site, the Linfield Oaks and Sunset Campus' architecture, Willow Road streetscape and the neighborhood context. She said through these collaborations they had developed a proposal that would provide high-quality housing, preserve the beautiful trees in the courtyard area and make them publicly accessible, and provide significant community benefits to the City of Menlo Park with its redevelopment. She said the 12 trees in the courtyard would be preserved with 11 remaining as the focal point of the community and one tree being relocated. She said since July 2006 they had determined that they could save additional trees, including five birch trees and one olive tree and would relocate one of the Heritage olive trees to the border of the Sunset property as desired by Sunset.

Ms. Breeze said that changes since the meeting in July included a reduction of tandem garage spaces and 13 different design plans. She said the pedestrian connection from Willow Road had been widened to five-feet in response to the Transportation Division's direction. She said they were able to add five additional parking aprons as well as one on-site parking space so that there were 4 parking spaces per lot. She said that a significant change was to the sewer in that West Bay Sanitary District suggested they try to connect to the 175 Willow line, an eight-inch sewer. She said they did that and that would eliminate sewer line construction on Willow Road and also allowed a lowering of the back of the site from a foot to a foot and a half, which would reduce the import of soil by over 20 percent and also eliminated the height of some retaining walls. She said the Below Market Rate Units had been absorbed into the site based on the Housing Commission's recommendations from September. She asked that the Commission consider modifying condition 5.15 to add a note at the end *except at Section B1 in order to preserve existing redwoods in passive park.*

Ms. Breeze summarized their tree replacement plan and heritage tree preservation plan. She provided an overview of the different design plans. She discussed their efforts to find someone to take the salvage from the demolition for recycled use. She said they were continuing to discuss with Peninsula Habitat for Humanity and the City about on-site BMR units or doing something different that might provide more value to the City. She said that they would be providing publicly accessible and visible parks and pedestrian/bicycle paths that would be maintained by the Homeowners Association. She said they would also be providing over a million dollars in park in-lieu fees that would fund offsite infrastructure. She said there would be an increased tax basis and the School District would receive \$185,000 in development impact fees. She said there would be about \$112,000 per year through parcel taxes for the Elementary School District. She said there would be \$56,900 in traffic improvements as identified in the DEIR. She said their current interest list was about 20 percent of the area residents.

Commissioner Sinnott asked if the builder had to provide the quality of materials that they had indicated they would use. Planner Chow said that was correct.

Commissioner Pagee suggested regarding the pathway around the center for most of the parking spaces there that the landscaping be low enough to allow passengers to get out of the car without having to step over a hedge. Ms. Breeze said there was a condition of approval for Planning staff to review the landscape plan. She said they would take that as a condition of the plan's review. Commissioner Pagee asked whether the roses and fence along Willow Road would be consistent with those along the Sunset property. Ms. Breeze said that was correct. Commissioner Pagee said she appreciated the decrease in tandem garages but she did not like them at all. She said they had mentioned having the fencing along Willow Road consistent to provide privacy and asked about lot 19 and 21. Ms. Breeze said the question about lot 19 was whether the side yard fence could be connected along the front of lot 19. She said they could

do that with a lattice. Commissioner Pagee said that she had asked about laying out the trees that go between the properties along Waverly and the project properties. She said she thought the applicant was going to verify that the trees would minimize the site lines from the second story of the new homes to the living area of the existing homes. Ms. Breeze said they could field site the trees in that way. She said she wanted to clarify about the fence discussion that their detail in the plans showed a three-rung fence but shorter than what was at Sunset. She said that they would like a two-rung fence that would connect with the two lowest rungs of the Sunset's fence.

The Commission's consensus was they would not continue past 11:30 p.m.

Commissioner Keith noted that if it was possible it would be desirable to preserve cedar tree numbered 208. She asked if they could hear from the arborist about possibly salvaging two of the trunks of redwood tree 201 and still have a house in that site. Mr. Walt Beemus, project arborist, said that the problem was there was one large trunk and tree; two relatively small trees that branch off. He said it was the combination that was keeping them from wanting those trees as that was where the building would be; he said to the left was a much larger and healthy redwood that would be preserved.

Commissioner Pagee asked how the City would determine the number if the builder was to not build BMR units but would contribute funds toward other BMR projects (as previously mentioned possibly with Peninsula Habitat for Humanity). Development Services Manager Murphy said that it would be a negotiated amount and would be based on the specific development.

Commissioner O'Malley said staff had requested 20-feet around the garage access and the developer was requesting that one small portion of that be allowed to be 18 ½ feet. He asked if staff would explain why they preferred 20-feet in that small area. Mr. Taylor, Transportation Manager, said staff had recommended 20 feet of travel width which was the asphalt travel width. He said the Fire District, to make the distinction, uses the curb to curb width. He said the 20 feet provided for two 10-foot lanes. He said that they felt they had reduced the requirement as much as possible at 20-feet and had even tried to reduce the sidewalk width for most of the project to four-feet to help mitigate some of the impervious areas and some of the other impacts. He said as a point of comparison the City standard for multi-family driveways was 24 feet. He said they continued to recommend the 20 feet.

Ms. Mary Boughton, Redwood City, Executive Director for Peninsula Habitat for Humanity, said her organization wanted to build 22 affordable ownership homes for families with very little income in Menlo Park. She said they purchased an adjacent parcel to the Terminal Avenue lot in 2001 for almost \$500,000 for the driveway to this project. She said that they had worked with City staff and invested a great deal of time in the project dealing with challenges such as vibration abatement, sound abatement, sewer mains, railroad tracks, toxins and many more. She said that she and City staff had found themselves stalled by a huge financial divide to resolve these issues, somewhere in the area of \$1.5 million for the 22 homes. She said that Ms. Elaine Breeze had met and worked with them and referred other experts to them. She said she was very grateful and if SummerHill Homes could transfer the BMR allowance to their project that would be wonderful.

Chair Bims closed the public hearing.

Commission Comment: Commissioner Riggs asked if the road narrowing might be accomplished by continuing the asphalt over the gutter to give the appearance of width. Mr.

Taylor said that was one of the recommendations from the developer. He said it was not just the concrete portion that people tended to shy away from in the concrete gutter but the curb itself and people tended to go toward the center. He said they did not feel comfortable recommending anything less than 20 feet. Commissioner Riggs said as this was a closed loop with a restricted amount of traffic and parking in pockets off the streets whether that could soften the standard. Mr. Taylor said that Commissioner Riggs was correct that there would be probably less traffic and less impact but he still needed to recommend 20 feet.

Commissioner Sinnott asked how many feet of roadway was it that the developer wanted narrower. Mr. Taylor said in Section B.1 there would be 18 ½ feet width and about 75 to 100 feet of roadway.

Commissioner Keith asked what the video detection devices were for. Mr. Taylor said that they were at signalized intersections to detect vehicles to change the signals. He said at these intersections there currently were videos for certain movements and in-pavement sensors that were not as reliable as the video detection especially for bicycles.

Commissioner Sinnott moved to recommend to the City Council approval as recommended by staff with the change to the condition regarding the narrowing of Section B.1, preserving cedar tree numbered 208, and to allow for a two-rung fence. Commissioner Riggs seconded the motion.

Commissioner Keith said page 6.0-6 of the DEIR discussed the daily trips and it was important to note with the curb proposal that it would be 25 trips in AM peak hours and 33 in PM peak hours, but if it was an office building there would be 45 in AM peak hours and 43 in the PM peak hours. She said that was better for the traffic impact in the area as opposed to 321 Middlefield Road. She said she doubted the figure of nine children in the new neighborhood.

Commissioner Riggs said it needed to be acknowledged that this was a project that was not a traffic issue. He said SummerHill Homes deserved commendation for the amount of interface they had had with various agencies and the community, including the bargaining to place a couple of eucalyptus trees in the right location. He said the project was an improvement from just about every angle even in the area of "Aesthetics," most of which had to do with the loss of 40 trees but 30 of which were eucalyptus. He said the addition of the park was like a found treasure by taking the courtyard and its trees to make it a feature for the neighborhood. He said the project was well-conceived, well-designed architecturally and good site planning.

Commissioner Keith said that she was happy to hear Ms. Boughton's comments about Habitat for Humanity and the support she had gotten from SummerHill Homes; she hoped that there might be a way to help Habitat get over the financial hump.

Commissioners Pagee and O'Malley indicated that the project was wonderful and they appreciated the applicant bringing it to Menlo Park.

Planner Chow asked for clarification whether the motion included the changes and conditions of approval made by staff earlier in the meeting. Commissioners Sinnott and Riggs said the motion included those items.

Commission Action: M/S Sinnott/Riggs to recommend to City Council to approve as recommended by staff and a recommendation to add "except for section B.1 at the end of condition 5.15, preserve cedar tree numbered 208, and allow for a two-rung fence.

Environmental Review

1. Adopt the Findings for Certification of the Environmental Impact Report, including the Statement of Overriding Considerations and Statement of Certification.
2. Adopt the Mitigation Monitoring and Reporting Program prepared for the project.

General Plan Amendment

3. Make a finding that the proposed General Plan amendment to change the land use designation of property located at 75 Willow Road from Professional and Administrative Offices to Medium Density Residential for the development of 33 single-family, detached residential units, associated common areas and a private street would be consistent with the adopted General Plan.
4. Approve a resolution amending the General Plan to change the land use designation of property located at 75 Willow Road from Professional and Administrative Offices to Medium Density Residential.

Rezoning

5. Make a finding that the proposed rezoning of property located at 75 Willow Road from C-1 (Administrative and Professional District, Restrictive) to R-3-X (Apartment – Conditional Development District) is consistent with the General Plan land use designation of Medium Density Residential.
6. Introduce an ordinance rezoning property located at 75 Willow Road from C-1 (Administrative and Professional District, Restrictive) to R-3-X (Apartment - Conditional Development District).

Conditional Development Permit

7. Make a finding that the proposed conditional development permit 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 planned development, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
8. Make a finding that the conditional development permit allows for development that provides opportunities for the City to increase and diversify its housing stock, provide five Below Market Rate housing units in compliance with the City's guidelines, provides open space within the development and pedestrian pathways to connect the neighborhood, and incorporates quality design and "green" building materials to promote sustainable development.
9. Approve the Conditional Development Permit for the construction of 33 single-family, detached residential units, associated common areas and a private street for property located at 75 Willow Road subject to the terms and conditions of the Conditional Development Permit.

Tentative Subdivision Map

10. Make a finding that the tentative subdivision map has been reviewed by the Engineering Division and has been found to be technically correct and in accordance with the State Subdivision Map Act and the City's Subdivision Ordinance.
11. Approve the Tentative Subdivision Map.

ATTACHMENT G

DRAFT **CONDITIONAL DEVELOPMENT PERMIT** *October 23, 2005*

75 Willow Road

1. GENERAL INFORMATION:

- 1.1 Applicant: SummerHill Homes
- 1.2 Nature of Project: General Plan Amendment, Rezoning, Conditional Development Permit, Tentative Subdivision Map, and Heritage Tree Permit to allow for the construction of 33 single-family residential units, including five (5) Below Market Rate (BMR) units.

- 1.3 Property Location: 75 Willow Road
- 1.4 Assessor's Parcel Numbers: 062-422-130
- 1.5 Area of Property: 4.52 acres
- 1.6 Present Zoning: C-1 (Administrative and Professional District, Restrictive)
- 1.7 Proposed Zoning: R-3-X (Apartment - Conditional Development District)

2. DEVELOPMENT STANDARDS:

- 2.1 Floor Area Ratio (FAR) shall not exceed 36 percent of the project site.
- 2.2 Lot coverage shall not exceed a 25 percent of the project site.
- 2.3 Minimum landscaping shall be a minimum 50 percent of the project site.
- 2.4 The maximum amount of pavement shall not exceed 25 percent of the project site.
- 2.5 Building height shall not exceed 28.5 feet from the finished grade (32 feet from existing grade).
- 2.6 Building setbacks and parking shall be in accordance with the approved plans.
- 2.7 The on-site circulation shall be installed according to the approved plans.

3. USES

- 3.1 Permitted uses in the R-3-X District: Single-family residences
- 3.2 Conditionally permitted uses in the R-3-X District: None

4. TERMS OF THE PERMIT

- 4.1 The Conditional Development Permit shall expire one year from the date of approval if the applicant does not submit a complete building permit application within that time. The Community Development Director may extend this date per Municipal Code Section 16.82.170.
- 4.2 Minor modifications to building exteriors and locations, fence styles and locations, signage, and significant landscape features may be approved by the Community Development Director or designee, based on the determination that the proposed modification is consistent with other building and design elements of the approved Conditional Development Permit and will not have an adverse impact on the character and aesthetics of the site. The Director may refer any request for revisions to the plans to the Planning Commission for architectural control approval. A public hearing could be called regarding such changes if deemed necessary by the Planning Commission.

- 4.3 Major modifications to building exteriors and locations, fence styles and locations, signage, and significant landscape features may be allowed subject to obtaining an architectural control permit from the Planning Commission, based on the determination that the proposed modification is compatible with the other building and design elements of the approved Conditional Development Permit and will not have an adverse impact on the character and aesthetics of the site. A public hearing could be called regarding such changes if deemed necessary by the Planning Commission.
- 4.4 Major revisions to the development plan which involve material changes in land use, expansion or intensification of development or a material relaxation in the standards of development set forth in Section 2 above constitute permit amendments that require public hearings by the Planning Commission and City Council.
- 4.5 Any application for amendment shall be made by at least one property owner, in writing, to the Planning Commission. The Planning Commission shall then forward its recommendation to the City Council for action.

5. PROJECT CONDITIONS:

- 5.1 Development of the project shall be substantially in conformance with the plans by Wilsey Ham and Dahlin Group, dated received by the Planning Division on October 18, 2006, consisting of 53 plan sheets, except as modified by the conditions contained herein.
- 5.2 Within one year from the date of approval of the tentative subdivision map, the applicant shall submit a Final Map for review and approval of the City Engineer. The subdivision map shall use a benchmark selected from the City of Menlo Park benchmark list as the project benchmark and the site benchmark.
- 5.3 Concurrent with Final Map submittal, 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. The CC&R's shall include language that:
 - 5.3.1. Prohibits all owners, tenants, and guests from parking any form of vehicle except in defined parking spaces.
 - 5.3.2. Prohibits parking on private streets overnight consistent with the Menlo Park Municipal Code Section 11.24.050.
 - 5.3.3. Requires that each homeowner maintain the garage to accommodate two vehicles.
 - 5.3.4. Requires the Homeowners Association to maintain the common landscaped areas within the subject site and in City's right-of-way along the entire property frontage.
- 5.4 Prior to Final Map approval, 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 value is \$1,056,000 (based on \$4 million value of acreage).

- 5.5 Prior to Final Map approval, the applicant shall submit improvement plans for all on-site and off-site improvements. The plans shall include details for utility systems, curbs, gutters, sidewalks, street lights, etc. The plans shall be subject to review and approval of the Public Works Department.
- 5.6 Concurrent with the improvement plan submittal, 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.
- 5.7 Prior to recordation of the Final Map, the applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
- 5.8 Prior to recordation of the Final Map, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
- 5.9 Prior to recordation of the Final Map, the existing structures shall be demolished after obtaining a demolition permit.
- 5.10 Prior to recordation of the Final Map, the applicant shall remove and replace all damaged, significantly worn, cracked, uplifted or depressed frontage improvements (e.g., curb, gutter, sidewalk) and install new improvements 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 prior to commencing any work within the right-of-way or public easements. If determined appropriate and subject to the approval of the Engineering Division, the applicant may enter into an agreement and provide a bond for the completion of the work prior to the recordation of the Final Map.
- 5.11 Prior to recordation of the Final Map, the applicant shall install new utilities to the point of service subject to review and approval of the City Engineer. All electric and communication lines servicing the project shall be placed underground. Each lot/unit shall have separate utility service connections. If determined appropriate and subject to the approval of the Engineering Division, the applicant may enter into an agreement and provide a bond for the completion of the work prior to the recordation of the Final Map.
- 5.12 Prior to grading permit issuance, the applicant shall submit a rough grading plan for review and approval of the Building and Engineering Divisions.
- 5.13 Concurrent with the submittal for a demolition permit and a rough grading permit, the applicant shall submit a plan for construction safety fences around the periphery of the construction area for review and approval of the Building Division. The fences shall be installed according to the plan prior to commencing construction.
- 5.14 Prior to grading permit issuance, the applicant shall pay the applicable Building Construction Street Impact Fee.

- 5.15 Concurrent with the building permit submittal for site improvements, the applicant shall submit a revised plan and street section, showing a minimum of a 20-foot travel lane and a four-foot sidewalk, for the proposed new private street subject to review and approval of the Transportation Division *except at Section B1 in order to preserve existing redwoods in passive park.*
- 5.16 Prior to building permit issuance for the first house, the applicant may propose an alternative approach to meeting the BMR requirements. The alternative approach would include dedicated funds and/or expertise equal to or greater than the value of the on-site BMR units to assist in and help ensure the feasibility of the Habitat for Humanity project proposed on Terminal Avenue. An alternative BMR agreement is subject to review and recommendation by the Housing Commission and review and approval of the City Council and would be in-lieu of some or all on-site BMR units and, if approved, would supersede the BMR agreement, dated _____.
- 5.17 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. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
- 5.18 Prior to demolition and building permit issuance, the applicant shall comply with the requirements of Chapter 12.48 (Salvaging and Recycling of Construction and Demolition Debris) of the City of Menlo Park Municipal Code.
- 5.19 Prior to building permit issuance for the first house, the applicant shall submit a detailed landscape plan, including the size, species, and location, and irrigation plan for review and approval of the Planning Division and the Public Works Department. The plan shall comply with the Water Efficient Landscaping Ordinance (Municipal Code Chapter 12.44). Landscaping within the City right-of-way shall include City approved street plant materials. The landscaping for each house shall be installed prior to final building inspection of the subject house.
- 5.20 Prior to building permit issuance, the applicant shall pay all applicable school impact fees associated with the project.

- 5.21 Prior to grading permit issuance, the project applicant shall implement Best Management Practices for water quality treatment on the project site, per the City of Menlo Park Grading and Drainage Plan Guidelines and checklist, subject to review and approval by the Engineering Division. Specific guidelines that would apply to the project site include (but would not be limited to) #1 (use of on-site infiltration as much as possible as a means of handling roof and site drainage); #4 (Design of the site drainage so the storm water will flow to on-site lawn or pervious landscaped areas, or detention/retention and filtration systems through vegetated/grassed swales or underground pipes), #5 (drainage from roof downspouts to on-site lawn or pervious landscaped areas, or detention/retention and filtration systems through vegetated/grassed swales), and #11 (use of on-site infiltration, vegetated swales or other comparable BMPs prior to discharge). BMPs shall include trash-collecting devices at storm drain inlets and regular maintenance of such devices. Prior to grading permit issuance the applicant shall also submit a grading and drainage plan, which includes BMPs subject to review and approval the City's Engineering Division. (MM 4.2)
- 5.22 Prior to building permit issuance of the first house, the applicant shall pay fees as contributions to the following mitigations and/or improvements identified in the Linfield Middlefield Willow Area-wide Transportation Impact Analysis, performed by DKS Associates, dated March 2, 2006, or as subsequently directed by the City Council:
- ~~Alma Street/Ravenswood Avenue right turn only restriction (if the improvement has not yet been funded by another project): \$4,000.~~
 - *Prior to building permit issuance, the applicant shall pay \$4,000 to the City to install signage to prohibit left turns and through movements from Alma Street during the AM peak period (similar to current operations during the PM peak period). The signage shall be installed prior to occupancy. The condition is only applicable if the improvement has not yet been funded by another project.*
 - Adaptive signal timing improvements at the intersections of Middlefield Road and Ringwood Avenue and Middlefield Road and Ravenswood Avenue: \$2,400.
 - Installation of video detection devices at the intersections of Middlefield Road and Ringwood Avenue, Middlefield Road and Ravenswood Avenue, and Ravenswood Avenue and Laurel Street: \$44,000.
 - Upgrades to the Caltrain station bike shelter: \$6,500. (MM TRAF-1c)
- 5.23 Concurrent with the building permit submittal for the first house, a soils report shall be prepared, detailing how expansive soils must be treated or replaced when forming the foundation support. *The report shall also incorporate all the recommended measures set forth in the Preliminary Geotechnical Investigation prepared by Lowney Associates. These recommended measures include: site specific preparation and grading techniques, specific foundation design (footings, post tension slab, drilled cast in place concrete piers), concrete slab-on-grade floors, a capillary moisture barrier, and adherence to the UBC seismic design.* If importation of off-site soils is required during construction, the project sponsor and its contractors shall avoid the use of expansive soils. The project sponsor's contractors shall keep soils moist at all times before and during construction by either covering exposed soil when construction is not active or regularly watering the exposed soil to maintain a consistent moisture level. The soils report shall be subject to review and approval by the Building Division. (MM 3.1)

5.24 Prior to demolition permit issuance, implement the following air quality control measures, subject to review and approval by the Building Division:

- Water all active construction areas at least twice daily.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
- Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites.
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
- Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- Limit traffic speeds on unpaved roads to 15 miles per hour (mph).
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Replant vegetation in disturbed areas as quickly as possible.
- Encourage the implementation of the following optional measures:
 - Install wheel washers for all existing, or wash off the tires or tracks of all trucks and equipment leaving the site.
 - Install windbreaks, or plant trees/vegetative windbreaks at the windward side(s) of construction areas.
 - Suspend excavation and grading activity when sustained winds exceed 25 mph.
 - Limit the area subject to excavation, grading, and other construction activity at any one time. (MM 5.1)

5.25 No earlier than 14 days prior to the commencement of demolition activities, a survey shall be conducted by a qualified biologist to determine if active bat roosts are present on the project site. If no bats are observed, then no further action would be required and demolition can proceed. Should an active roost be identified, a determination shall be made regarding whether the roost is used as a night-roost, day-roost, or maternity-roost. Should a night-roost be identified, the roost structure shall be removed during daylight hours while the roost is not in use. Should an active day-roost be identified, roosting bats shall be evicted through the use of humane exclusionary devices. Prior to implementation, the proposed methods for bat exclusion shall be reviewed and approved by the Planning Division and California Department of Fish and Game. The roost shall not be removed until it has been confirmed by a qualified biologist that all bats have been successfully excluded. Should an active maternity-roost be identified (the breeding season of native bat species in California generally occurs from April 1 through August 31), the roost shall not be disturbed until the roost is vacated and juveniles have fledged, as determined by the biologist. (MM 7.1)

- 5.26 Prior to the commencement of grading, the applicant shall retain a qualified biologist (with selection to be approved by the City) to conduct nest surveys on the site prior to construction or site preparation activities occurring during the nesting/breeding season of native bird species (typically February through August). The survey area shall include all potential nesting habitat on the project site within 200 feet of the grading boundaries. If the 200-foot distance encompasses trees on adjacent properties, the biologist shall survey the trees using binoculars. The survey shall be conducted no more than 14 days prior to commencement of construction activities, and shall be subject to review and approval by the Planning Division. (MM 7.2) If active nests of bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code (which, together, apply to all native nesting birds) are present in the construction zone or within 200 feet of this area, temporary construction fencing shall be erected within the project site at a minimum of 100 feet around the nest site. This temporary buffer may be greater depending on the bird species and construction activity, as determined by the biologist. Clearing and construction within the fenced area shall be postponed or halted until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. (MM 7.3)
- 5.27 Prior to building permit issuance for the first house, the project applicant shall comply with the Menlo Park Heritage Tree Ordinance and the City's Heritage Tree Replacement procedures, and with the tree replacement ratios recommended by City staff. The final landscaping plans for the project shall reflect compliance with the ordinance and procedures, and the applicant shall demonstrate that the required number of trees have been planted prior to project occupancy. The final landscaping plans shall be subject to review and approval by the Planning Division. (MM 7.4)
- 5.28 The project applicant shall adhere to the tree protection and preservation plan included in the Tree Survey Report prepared by Walter Bemis, Consulting Arborist. The plan includes measures related to the tree protection zone (TPZ), pruning and brush clearance, fencing and signage, fertilization, pest and disease control, and tree health and maintenance (including root cutting). (MM 7.5)
- 5.29 Prior to grading permit issuance, the project applicant shall remove the wells on the project site and properly abandon them prior to or as part of site redevelopment. The wells shall be abandoned according to the requirements of the Department of Water Resources and San Mateo County Environmental Health Services Division, and subject to review and approval by the Building Division. (MM 9.1)

- 5.30 Prior to demolition permit issuance, the applicant shall survey the building for the presence of asbestos and lead-based paint. The survey shall be subject to review and approval by the Building Division. If asbestos is found, the applicant shall comply with Bay Area Air Quality Management District Regulation 11, Rule 2 (Hazardous Materials, Asbestos Demolition, Renovation, and Manufacturing) when demolishing the building. If lead-based paint is present, the applicant shall determine whether paint must be separated from the building materials (e.g., chemically or physically). The paint waste shall be evaluated independently from the building material to determine its proper management. According to the California Department of Toxic Substances Control, if paint is not removed from the building material during demolition (and is not chipping or peeling), the material could be disposed of as construction debris (a non-hazardous waste). The appropriate landfill operator shall be contacted in advance or determine any specific requirement they may have regarding the disposal of lead-based paint materials. (MM 9.2)
- 5.31 Prior to demolition permit issuance, the project applicant shall incorporate noise reduction measures into project construction activities, subject to review and approval by the Planning and Building Divisions. These measures may include, but shall not be limited to, the use of mufflers and other devices on equipment, locating stationary construction equipment away from sensitive receptors, shutting off idling equipment, notifying adjacent residences and businesses in advance of construction work, and installing temporary barriers around construction noise sources. (MM 10.1)
- 5.32 Concurrent with the demolition permit submittal, the project construction contractors shall submit a plan designating haul routes for all hauling-related trips to and from the project site during construction. The applicant shall submit a plan with the intent of minimizing noise impacts by keeping truck traffic away from sensitive receptors, subject to review and approval by the Planning and Transportation Divisions. (MM 10.2)
- 5.33 If archeological resources such as chipped stone or groundstone, historic debris, building foundations, or human bone or any other indicators of cultural resources are discovered during ground-disturbing activities, construction activities will halt and a qualified archeologist shall be consulted to assess the significance of the find. If any find is determined to be significant, representatives of the City, construction contractor, and the archaeologist shall meet to determine the appropriate course of action. In the event that human remains are discovered, an appropriate representative of the Native American groups and the County Coroner shall be notified and consulted, as required by state law. All cultural materials recovered as part of the monitoring program would be subject to scientific analysis, professional museum curation, and report prepared according to current professional standards. (MM 14.1)
- 5.34 *Concurrent with the building permit submittal, the applicant shall submit color samples from the manufacturer for the proposed color palette of the development subject to review and approval of the Planning Division.*

Motion carried 6-0 with Commissioner Deziel not in attendance.

E. REGULAR BUSINESS

1. Consideration of minutes from the August 14, 2006, Planning Commission meeting.

Commission Action: M/S Pagee/Keith to approve as presented.

Motion carried 5-0-1-1 with Chair Bims abstaining and Commissioner Deziel not in attendance.

2. Consideration of excerpts from the September 11, 2006, Planning Commission meeting regarding 699 Central Avenue.

Commission Action: M/S Keith/Sinnott to approve as presented.

Motion carried 5-0-1-1 with Chair Bims abstaining and Commissioner Deziel not in attendance.

F. COMMISSION BUSINESS, REPORTS, AND ANNOUNCEMENTS

- **Review of upcoming planning items on the City Council agenda.**

Planner Chow provided the Commission with a review of upcoming planning items on the City Council agenda.

Chair Bims said the Town of Los Altos Hills has tried to cut its electrical use by 50 percent by use of solar panels.

Commissioner Pagee said that her company was pushing for all employees to be LEED certified to lessen the amount of materials that end in landfills and to improve the air quality within the homes and buildings. She said there was some information she would forward to the other Commissioners and suggested it was important for the Commissioners to learn the standards for "green" buildings and development and the expense associated before requiring of applicants.

Discussion ensued about possible training opportunities.

Chair Bims reported on the Commission's report to the City Council regarding 1981 Menalto Avenue. He noted that the vote was split.

ADJOURNMENT

The meeting adjourned at 11:30 p.m.

Staff Liaison: Justin Murphy, Development Services Manager

Prepared by: Brenda Bennett, Recording Secretary

Approved by Planning Commission on November 13, 2006.