



PLANNING COMMISSION MINUTES

December 17, 2007

7:00 p.m.

City Council Chambers

701 Laurel Street, Menlo Park, CA 94025

CALL TO ORDER – 7:00 p.m.

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

INTRODUCTION OF STAFF – Deanna Chow, Senior Planner; Megan Fisher, Associate Planner; Lorraine Weiss, Contract Planner

A. PUBLIC COMMENTS

There were none.

B. CONSENT

There were no items on the consent calendar.

C. PUBLIC HEARING

1. **Use Permit/Sprint/Nextel/300 Constitution Drive:** Request for the renewal of a use permit for existing wireless telecommunications panel antennas mounted on the tower of a building and an associated equipment shelter in a fenced area adjoining the building in the M-2 (General Industrial) zoning district.

Staff Comment: Planner Fisher said that staff had no additional comments.

Questions of Staff: Commissioner Bims said staff was requesting that the Commission consider a 10-year use permit as the antennas were not visible. He asked if staff believed that technological improvements would not be needed. Planner Fisher said the antennas were not highly visible in staff's opinion and if they were to make changes to the site the use permit would need to be reapplied for, and without that staff did not think it was appropriate to have the applicant return in just five years.

Commissioner Pagee said there were new homes being built in the area and if they were within the 300-foot radius and had been notified. Planner Fisher said she did not have the map with her that showed the homes notified. Commissioner Deziel said the

scale on the map the Commission received was 300-feet to the inch. Commissioner Pagee said her concern was whether the new homes' addresses had been entered into the City's databank. Planner Fisher said the addresses were pulled from the GIS system and this was updated every few months, and homes within the 300-foot radius had been notified of the use permit renewal request.

Commissioner O'Malley said his concern was the City had given other use permits for wireless services and yet some homes, including his, did not have any wireless coverage. He asked if the City ever confirmed coverage areas. Planner Fisher said they do not, but that it was to the company's best interests to provide coverage as indicated.

Public Comment: Mr. Larry Daniel said he was representing Sprint, and they hoped to get a renewed use permit for their existing site.

Commissioner Deziel asked if there was the possibility of installing more antennas as part of the sites had none. Mr. Daniel said normally when they zone for a site it was for the maximum use of technology and this was two sectors and one had only three antennas. He said if technology changed they would either increase or decrease the coverage depending what was being fed from other areas. Commissioner Deziel said the Commission had imposed five year renewals as they thought that would spur companies to replace with improved technology. He noted that coverage was still bad and asked how a longer term would provide better coverage. Mr. Daniel said Sprint and Nextel try to get the longer renewal period as a standard. He said the only technology changes were the antenna types and the radios themselves as these have all become smaller. He said the antennas could be smaller or taller depending on the coverage need. He said that technology could change in the next three to five years but it was not anticipated.

Chair Keith asked if it cost the company money to upgrade sites when technology changed. Mr. Daniel said they would need to make a request if the technology changed to make changes to the site.

Commissioner Pagee asked if there were any other cell phone sites other than Sprint and Nextel in this area. Mr. Daniel said he thought perhaps but he did not know. Commissioner Pagee said that the safety measurements were only for the Sprint and Nextel sites. Mr. Daniel said that was correct.

Chair Keith closed the public hearing.

Commission Comment: Commissioner Deziel moved to approve as recommended in the staff report. Commissioner Bims seconded the motion.

Commissioner Riggs asked if the approval was for the unlimited period for the use permit as opposed to a 10-year limit. Commissioner Deziel said that was correct. Commissioner Riggs said if technology significantly changed that there might come a

time when antennas would not be used or might be sublet for another purpose. He said with a five-year renewal period that these requests from about five cell carriers that could become somewhat of a nuisance. Commissioner Deziel said if technology advances beyond cell phones that the companies would retire antennas that were the harder to reuse. He said this was an industrial area and these antennas were nearly invisible. He said the market and competition would force the companies to upgrade. Commissioner Riggs said this building was one of the entry ways into Belle Haven.

Chair Keith said a time period of five years had been established and asked for the last requests like this if 10 years or five years had been imposed. Planner Fisher said there had been no time limit imposed. She said the antennas on those sites were not very visible.

Commission Action: M/S Deziel/Bims to approve the item as recommended in the staff report.

1. Make a finding that the project is categorically exempt under Class 1 of the current State CEQA Guidelines.
2. Make necessary findings, pursuant to 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 safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of the proposed use, and will not be detrimental to property and improvements in the neighborhood or general welfare of the City. *(Due to the Federal Communications Commission (FCC) preemption over local law regarding concerns over health where the proposed facility meets FCC requirements, staff has eliminated the standard finding for "health" with respect to the subject use permit.)*
3. Approve the use permit subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by CDG, LLC, dated November 29, 2007 consisting of six plan sheets and approved by the Planning Commission on December 17, 2007, except as modified by the conditions contained herein and the recommended mitigation measures described in the RF report. The plans are subject to review and approval by the Planning Division.
 - b. The applicant shall comply with all County, State, and Federal regulations that are directly applicable to the project.

Motion carried 6-0 with Commissioner Bressler absent.

2. **Use Permit, Architectural Control, Tentative Map, Environmental Review/1906 El Camino Real, LLC/1906 El Camino Real:** Request for a use permit, architectural control, tentative parcel map, and environmental review to demolish an existing one-story, 5,750 square-foot commercial building (formerly The Acorn Restaurant) and construct a new two-story, 9,825 square-foot office building for medical/dental office use and the related site improvements at 1906 El Camino Real located in the C-4 (General Commercial applicable to El Camino Real) zoning district. The applicant also requests 49 parking spaces based on the use-based parking guidelines where 59 parking spaces would otherwise be required in the C-4 zoning district. The proposed project would require the following approvals: 1) Use Permit for construction of a new building and the number of parking spaces based on the use-based parking guidelines; 2) Architectural Control for design review of the new building and related site improvements; 3) Tentative Parcel Map for the creation of four medical/office condominium units within the buildings; and 4) Mitigated Negative Declaration to analyze the potential environmental impacts of the proposed project. ***(The City Council has referred this project back to the Planning Commission for review and comment on the traffic study and associated Mitigated Negative Declaration, architectural detail of the exterior design at the corner of El Camino Real and Watkins Avenue, and sidewalk modifications along Watkins Avenue.)***

Staff Comment: Contract Planner Weiss said the Commission had now received corrected Attachments C, D, E, and F that had not been with the staff report previously distributed. She noted corrections to Attachment E, the Development Standards Table: the front yard setback should read eight-feet; the rear yard setback should read 72-feet; the side yard setback should read 71-feet; and the side right yard setback should read six-feet. She said the project had been reviewed by the Planning Commission on May 7, 2007 and recommended for approval with modified conditions and on May 15, 2007, the project was appealed. The City Council reviewed the appeal of the Planning Commission's action on July 17, 2007 and voted to make the finding that there was new material presented on traffic accidents and to return the project to the Planning Commission for a traffic study that would look at safety, volume, delay and stacking for the intersection including project specific and general mitigations; to also look at the corner elements of the building and related architectural detail; to increase the building's setback from Watkins Avenue to allow for the planting of street trees and an extension of the sidewalk to the City's boundaries. She said the staff report prepared focused on the direction received from the City Council, but the Commission might review the entire proposal. The Commission's action would be a recommendation to the City Council. She said the plan revisions would be addressed by the applicant's team. She said for the traffic study Mr. Chip Taylor, the City's Transportation Division Manager, and Mr. Raphael Rios, DKS, were present to answer questions about the study and any traffic and circulation issues. She said the traffic study was prepared by DKS for the project in accordance with methodology contained in the City's Transportation Impact Analysis (TIA) Guidelines. She said the study focused on the unsignalized intersection at Watkins Avenue and El Camino Real (ECR) located in the Town of Atherton. She said

the environmental review was based on the outcome of the traffic study and initial study for which a Mitigated Negative Declaration (MND) was prepared. The MND was published for public review and comment on November 15, 2007 and the review and comment period ended on December 14, 2007. The MND did not identify any environmental impact areas for which mitigation would not reduce any potential impact to less than significant level; it determined the project would have no impact on agricultural or cultural resources, mineral resources, population or housing, and recreation. The MND found that the project would have a less than significant impact without the need for mitigation on areas such as aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use planning, noise, public services and utilities and services. A potentially significant impact was identified in the area of transportation and traffic although with mitigation incorporated into the project the impact would be reduced to a less than significant level. Planner Weiss said these mitigations had been added as recommendations and conditions of approval as conditions 7.n and 7.o and were shown in the site plan Alternative Option 2. She said that three pieces of correspondence had been received: 1) letter from Caltrans for which Transportation Manager Taylor would be available to answer questions; 2) a letter from Mr. Thomas Coran in support of the project; and 3) a letter from Ms. Susan Basso expressing concerns about parking. She said the Planning Commission should consider all of the information before them and make a recommendation to the City Council on the proposed project.

Questions of Staff: Commissioner Bims asked if Mr. Taylor could address item #2 in the Caltrans' letter regarding restricting left-hand turns from Watkins Avenue onto southbound ECR and what his responses had been. Mr. Taylor reviewed with the Commission the issues raised in the Caltrans' letter. 1) Highway and Traffic Operations: This particular alternative was to restrict the left turn from Watkins Avenue onto ECR and as written there was only one u-turn location required. In the staff report under that alternative several intersections were listed as potential u-turns and this adequately addressed Caltrans' issue. Commissioner Riggs asked if these were u-turns from southbound ECR to northbound ECR that might conflict with the restricted left turn from Watkins Avenue. Mr. Taylor said if there was no left turn from Watkins onto southbound ECR a driver would turn right onto northbound ECR and then make a u-turn at one of the intersections listed to go onto southbound ECR. He said the Caltrans' letter used the word "required" and in the staff report the word "required" was not used but "allowed" traffic to make u-turns at the various intersections noticed. Commissioner Riggs asked whether the inclusion of Fair Oaks Avenue and its unsignalized intersection was an error on Caltrans' part. Mr. Taylor said that was correct. 2) This talked about Alternative #2 for a traffic signalization at the intersection and Caltrans' letter mentioned restricting westbound left turns. He said he was not sure what that was in reference to. He said Alternative #2 included a traffic signal only. He said it appeared that the letter writer had done a "cut and paste" from #1 and forgotten to delete this portion because they then asked about the signal warrants. He said the report addressed the peak hours signal warrant and that was not met, and typically that was the simplest of all of the signal warrants to meet. He said thus if it did not meet that

signal warrant it was highly unlikely to meet any of the other signal warrants. 3) Caltrans' statement that they would not prefer Alternative #5 that included restricting lanes to two lanes. 4) and 5) These related to Alternative #6 by which traffic would go to other intersections. He said Caltrans was requesting additional analysis of some of those other intersections that might have additional traffic because of that plan. He said in the letter Caltrans also allowed for the ability to do this during the permitting process so the City would address those issues during the permitting process as Council at this time had only requested analysis of the one intersection. 6) This related to the raised median island width in the center of the roadway for Alternative #3 as to whether it would be two or four feet. In some areas two feet was allowed. He said if Alternative #3 was selected the City would have to work with Caltrans anyway as part of the design process and the City would resolve the width issue with them at that time. 7) These were minor issues that could easily be corrected. He said related to the community planning piece that if the signalization or median options were implemented that Caltrans would request the incorporation of a pedestrian crossing. He said they would work with Caltrans through the permitting process if one of those elements were selected. He said Caltrans also requested that a crosswalk at ECR and Watkins be striped. He said they would work with Caltrans during the design process to stripe if it was appropriate to do so.

Commissioner Deziel asked whether Mr. Taylor thought Caltrans liked the idea of no left turn from Watkins Avenue during peak traffic hours. Mr. Taylor said it was too difficult to tell from the letter whether Caltrans preferred one alternative over any of the others. Commissioner Deziel said related to mitigation for significant impacts that the traffic study compared the proposed use to restaurant use and noted some increase; however, it compared the proposed use at 13,000 square feet rather than 10,000 square feet. He asked if it needed to be pared down. Mr. Taylor said for traffic analysis that the Institute of Transportation Engineers (ITE) manual was used and their trip generation calculation included some elements in square footage that might not necessarily be included in Planning's definition of square footage, such as the outdoor hallway under the building to outside the building was counted by ITE but not by Planning. Commissioner Deziel said that traffic for the proposed use was being compared to the restaurant use traffic but then arrived at the finding there were significant impacts with no credit for existing use. He asked why the analysis gave credit for the existing use but then made a finding that included no credit for the existing use. Mr. Taylor said as part of the typical analysis done through the City's TIA Guidelines there was some ability to give credit for existing uses, and historically that had been applied when there was use over the past year. He said if there had not been use over the past year then the baseline was set back to zero. He said it was fairly common practice in other areas to use the one year use for the credit. He said analysis had been provided early on with this application when it came through the Commission to show how this use might differ from the restaurant use. He said the applicant had also requested this additional information to provide to the Commission and Council, but it was not part of the official traffic study.

Commissioner Deziel asked in relationship to proposed Alternative #1 that would restrict left hand turns from Watkins Avenue s during peak traffic whether the City could allow two-way traffic from the project's driveway and curb cut on ECR. Mr. Taylor said that if turn restrictions were in place at the intersection during the a.m. and p.m. peak hours there would be no vehicles conflicting with the ECR traffic. He said they were not recommending outbound traffic from the project site onto ECR and inbound only and outbound on Watkins Avenue. He said that if there was an outbound to ECR from the project that in the hours other than peak hours, vehicles exiting Watkins Avenue to cross ECR and turn left on the southbound side would have to also be aware of traffic exiting the project site driveway, so staff tried to focus those vehicles on Watkins Avenue intersection rather than having Watkins Avenue and the project driveway so close together with exiting vehicles.

Commissioner Riggs noted in the Caltrans' letter in the lower third of page two that they indicated if the City selected Alternative #s 2 or 3 that a crosswalk would need to be incorporated which generated hope that Caltrans was open to Alternative #s 2 or 3. He asked regarding Alternative #1 whether that would even need Caltrans' approval. Mr. Taylor said it would need Caltrans' and the Town of Atherton's approval as it involved an intersection that fell within their jurisdictions.

Commissioner Pagee asked if there were to be a right turn onto Watkins Avenue only from the site how would people using driveways to turn around to return to ECR be mitigated. Mr. Taylor said that it would present a challenge to encourage people to continue down Watkins Avenue unless there was some type of physical median in the middle of the roadway. He said they did think people would be extremely likely to use driveways to turn around but unless there was a median, which would require Atherton approval, there was no way to guarantee that would not happen.

Commissioner Deziel said that the use permit findings stated the project would not be detrimental to persons residing in the neighborhood. He asked if the feed of commercial traffic into this residential neighborhood by the restricted right turn onto Watkins would have an impact on the residents. Planner Chow said the recommendation was inclusive of the mitigation measure pertaining to the right turn only out to Watkins Avenue and the use permit findings would be inclusive of that condition as well. Commissioner Deziel asked if it was the consultant who had done the traffic study who had determined that cars would continue up Watkins Avenue and then go left onto Station Lane, and left onto Fair Oaks and then out to ECR. Mr. Raphael Rios, DKS, said they thought that would be the easiest for drivers as they would go to signalized intersections rather than unsignalized intersections. Commissioner Deziel said that this would take drivers a mile out, that Station Lane had a crook and then went right through the Caltrain station. Mr. Rios said they thought that traffic would be distributed and that if the delays on Maple and Walnut were similar to Watkins there would be a travel time savings going to Fair Oaks.

Chair Keith said she agreed with Commissioner Pagee that drivers would use a driveway to turnaround to proceed back to ECR. Mr. Rios said they had assumed

proper enforcement of the right turn only restriction but it was conceivable that without barriers some would make that maneuver. He said they thought however that delay on Watkins to turn left onto ECR would also deter drivers from turning around on Watkins. Commissioner Deziel asked what the delay from Watkins to turn left on El Camino Real was. Mr. Rios said that this intersection was classified as a level service f which meant the typical delay was greater than 60 seconds. Commissioner Deziel noted that it was about a mile to take the route to Fair Oaks Avenue and that would mean a car would need to travel 60 mph if there was to be any time savings. Mr. Taylor said that the model for left hand turns from Watkins to ECR did not work well after 90 seconds delay so the delay might be much higher than 60 seconds. He said many people feel more comfortable using a signalized intersection and there were other intersections that might be used between Watkins and Fair Oaks for the same traffic maneuver. He said some other traffic might continue to Middlefield Avenue.

Commissioner Riggs said there were three key objections to the project that were tied together, and included parking availability, traffic delay and danger of the intersection. He asked if the intersection at Watkins and ECR was dangerous. Mr. Rios said based on historical data and information from Atherton it was found that there had been three to four accidents at the intersection over the past three years. He said that equated to .08 to .12 accidents per million vehicles, and Caltrans' average for similar intersections was 1.96 accidents per million vehicles; thus this intersection had 10 to 15 times less accidents than the Caltrans' average. He said the general criteria for determining whether a signal was needed at an intersection was five accidents per year. He said they did not consider this intersection to be dangerous.

Commissioner Pagee asked how long the Acorn had been closed. Planner Chow indicated she was not sure and indicated the applicant might be able to answer that.

Public Comment: Mr. Joe Colonna said he was representing the applicant. He said the restaurant had closed in June 2005. He reviewed a brief history of the project, noting that this was the sixth public hearing for the proposed construction of a 10,000 square foot office building in Menlo Park. He said the proposed development conformed in every way to the zoning regulations for the C-4 zoning district. He said that their first public hearing before the Planning Commission was December 18, 2006 and the seventh hearing for the project was scheduled for January 8, 2008 before the Council. He said they had submitted their plans to staff on August 30, 2006, and since that time had made at least 10 major revisions and several other technical revisions, including some just made the prior week, to respond to comments from staff, Commissioners, Council and others. He said throughout this process that they had consistently invited Commissioners, Council members and neighbors to meet with them and had adjusted the project in response to subjective opinions about building design and issues related to the ECR in general. He said he hoped the Commission had reviewed Attachment F which was the letter they submitted on December 10, 2007 regarding the revisions they have made to the project proposal and which detailed the changes they had made to respond to the Council. He said the changes made since the Commission recommended the Tentative Map and architectural control application for approval on

May 6, 2007 related to the focused traffic study and the comments of the former Mayor. He said the modifications focused on the Watkins frontage including adjustments to the sidewalk, landscaping and driveway. He said the trash enclosure had been moved from the north corner to the east corner to make room for the driveway alterations as well as to address previous issues related to the sidewalk and neighboring uses. He said Attachment C contained more detailed changes made since the Commission reviewed the project in May. He said as noted in the staff report that all traffic impacts associated with the project had been mitigated to an acceptable level with the latest changes in the revision. He said the environmental standard being used for the project had been changed several times since the project was first submitted when it was considered exempt because its size was less than 10,000 square feet as measured by the floor area standards being used at the time of the project application. He said it was then determined that the proposed use would generate significantly fewer trips than the restaurant and that a restaurant could still be operated in the existing building. He said that finally the project was compared to a vacant site as outlined in the current traffic study. He said even with that unrealistic standard applied to the project, it was determined that the only significant impact related to left turns at Watkins Avenue and the ECR intersection that would occur at the peak p.m. hours only. He said the mitigation measures proposed centered on the intersection and restricting turning movements thereby reducing added trips from that intersection. He said the plans had been revised to reduce the impacts to less than significant by restricting project related trips from that intersection. He said all of the mitigation measures were reviewed by the applicant and all the mitigation requiring approval by Caltrans and the Town of Atherton in particular were discussed. He said they met with the Town of Atherton regarding the signal and the recommended no left turn at Watkins Avenue and ECR. He said that neither of the two options was acceptable to the Town of Atherton. He said while their Council would be the final authority, the Town Engineer had stated that the Town did not in anyway consider this intersection to be dangerous, and they would not agree to the signalization or the restricted left hand turns even if only during p.m. peak hours.

Commissioner Deziel asked whether the Town's Engineer was informed that the alternative to the no left turn from Watkins to ECR might be the right turn only onto Watkins Avenue. Mr. Colonna said they did and the Engineer was much less concerned with the project traffic traveling down Watkins Avenue than changing the characteristics of the Watkins-ECR intersection. Commissioner Deziel asked from the applicant's perspective if there was a significant difference in the usefulness of the project whether a left turn from the project to Watkins Avenue was allowed or not. Mr. Colonna said that they did not want to restrict the movements of the patrons but this was not a show stopper, but they had to find a way to mitigate the traffic significant impacts onsite rather than leave it to the Town of Atherton's discretion. Thus they revised the project consistent with Alternative #6. Commissioner Deziel confirmed that they would continue to pursue the restrictions on the left hand turn. Mr. Colonna said they would also continue to pursue with Caltrans and would submit their encroachment permit application as soon as possible to identify any conditions that might bring. He said the condition written by staff was an either/or condition thus they had to pursue these options with the other jurisdictions. He said their preference would be to have

their project approved with conditions that they have control over onsite, which would be a right turn only out of the project onto Watkins Avenue. He said it would be ideal if left turns could be made from their project onto Watkins during non-peak times and thought signage could address that restriction. He said staff did not want that controlled by a sign only but wanted a physical barrier to turning left, which was why they had to adjust the driveway so that it curved toward the right onto Watkins Avenue. He said signage at Watkins-ECR and from the project to Watkins restricting left hand turns during the p.m. peak would be the best for them.

Commissioner Pagee asked whether there had ever been consideration made to having an ingress/egress driveway from ECR. Mr. Colonna said that staff had indicated early on that the driveway should be ingress only from ECR. He said they would prefer to have more freedom of movement on the site as long as it loaned itself to better traffic patterns. Commissioner Pagee said she thought the applicant's method of mitigating some of the problems by turning right onto Watkins Avenue from the site was great as opposed to turning left because of traffic coming from ECR around the corner there, but it would not resolve the problem as people tended to be in a hurry and for some people it would be hard to navigate through Atherton if they were not familiar with the area. She said those folks would want a quick solution and would make a u-turn to head back to ECR. She said the only way to deal with that would be to take the traffic off Watkins and onto ECR. Mr. Colonna said they would only be able to do what was in the traffic study. He said they were told they could mitigate everything onsite by utilizing Alternative #6 of the traffic study, which they chose, as it was the only option that could control onsite as opposed to obtaining approvals from other authorities..

Chair Keith asked what the distance was from the ECR driveway to Watkins Avenue. Mr. Colonna said it was very close to 150-155 feet and they would be happy to do a two-way driveway there. He said staff had determined the course they took with their parking lot based on the traffic study.

Commissioner Riggs asked whether the concern with having people exiting to ECR was that they would cross three lanes rapidly to position to make a u-turn onto southbound ECR. Mr. Taylor said that was part of the concern but there would also be conflict with the existing left turn from Watkins Avenue as an ingress/egress driveway would create another intersection that drivers would have to be aware of.

Mr. Steve Schmidt, Menlo Park, said the Watkins-ECR intersection and this site has been used as a commercial site for a long time, and it had been determined to be not dangerous. He said if the City Council wanted to deny the project that something could be found to hold it up, but this was not a dangerous intersection and people should have choices about getting in and out of the site. He said he hoped the project would be approved with the use-based parking as recommended by staff. He said it was a shame that a relatively small project should be subject to so much scrutiny.

Commissioner Deziel asked about the City's TIA Guidelines adopted in 2002 and whether the intent of it was to give sites zero credit for previous uses. Mr. Schmidt said

the analysis triggers were put into place so that all projects would be analyzed in a certain amount of detail so that egregious projects did not sneak through. He said his intention was not to create nightmares for small developers. He said the TIA Guidelines were useful if lawmakers acted responsibly. Commissioner Deziel said the issue did not seem to be the triggers but a policy that developed and was not in the Guidelines which set a year as the cutoff to give a project a traffic credit. Mr. Schmidt said it was a fair analysis to compare the restaurant use with this proposed use.

Chair Keith said they needed to look at the corner element of the building and asked if he had looked at that. Mr. Schmidt said that he had not. He said non-architects tended to have widely varying architectural opinions. He said the architect for the project had worked in Menlo Park for 36 years and had done very creditable work including Café Barrone and the Rosener House.

Mr. Ken Hoyle, Menlo Park, said he was a resident of Watkins Avenue and turned left onto ECR on a daily basis. He said he was excited to see progress in the project but he thought the traffic mitigations of drawing people from the site into the side streets of Atherton and forcing people away from ECR where they would prefer to be would create a nightmare. He said his driveway would be the perfect one to for pulling into for a u-turn. He said he would like consideration made to either have the entry site from ECR or for traffic from the site to be able to make a left onto Watkins. He said previously the restaurant had in and out privileges onto ECR. He encouraged the Commission to consider how to get people to where they want to go faster and more easily.

Commissioner Riggs asked if there was a parking issue with the Acorn Restaurant. Mr. Hoyle said it was problematic in the evenings and weekends but he worked during the day. He said his side of the street had no parking and there was very limited parking on the other side of the Watkins. He said granting this project with inadequate parking would be an impact on the neighborhood. He said the peak p.m. in the traffic study had seen parking problems with the restaurant. In response to Commissioner Bims, Mr. Hoyle said that the turn from Watkins to ECR southbound was difficult and he would love to see a traffic light. He said he turns right onto ECR when it seemed it would be too difficult to make a left. He said allowing the users of the site to use that intersection would not necessarily exacerbate the traffic situation as it was already difficult. Commissioner Riggs asked if Mr. Hoyle as an affected Atherton resident would consider writing a letter to the Town of Atherton supporting the “refuge” proposed in Alternative #3 if that looked like it was possible. Mr. Hoyle said that he would love to see more space there and that would be an improvement over what was in existence. Commissioner Deziel asked if he tended to turn right during peak traffic. Mr. Doyle said he tried to make a left to access southbound ECR as much as possible.

Chair Keith closed the public hearing.

Commission Comment: Commissioner Riggs said the way in which the mitigation measure condition was written supported the findings they needed to make by saying there was an impact but by manipulating exiting traffic it was mitigated. He said if the

Commission resolved to recommend one of the Alternatives other than that recommended by staff whether a finding could be substantiated. Planner Chow said the staff report reviewed the alternatives and staff was recommending Alternative #6 as that was within the City's control. She said if the Commission thought Alternative #s 1,2 or 3 were a better recommendation that could do so but those required approval of other agencies. . Commissioner Riggs asked if the Commission could substantiate a finding if they recommended something that required the applicant to get the approval of other jurisdictions. Planner Chow said she did not think they could make findings of less than significant impact based on the need for the approval of other agencies. .

Commissioner Deziel said he talked with the City Attorney about these issues that day. He said the City Attorney had said as long as there was potential significant impact that until the mitigation was in place there was no finding and there was the significance. Commissioner Riggs asked if they could approve a project with a significant impact and find that the impact was unavoidable. Planner Chow said in instances where this had occurred for projects in the City an EIR had been prepared and for the finding that there was an unavoidable impact a Statement of Overriding Considerations was adopted to accept the impact without mitigation, but this did not apply to a MND.

Chair Keith asked Mr. Colonna if he had already talked to the Town of Atherton. Mr. Colonna said they talked with Mr. Duncan Jones, the Public Works Director, about the mitigations. He said the proposed left turn restriction from Watkins to ECR was similar to another request the Town had for the Spruce intersection. He said the Town was not inclined to place restrictions on an intersection they did not consider dangerous. He said Atherton staff would not recommend a restricted left turn from Watkins to ECR, or signalization. Chair Keith said the Town would accept a left hand turn from the project onto Watkins Avenue. Mr. Colonna said if it was restricted to only right hand turns the Town was not concerned and was also comfortable with a left turn from the site to Watkins.

Commissioner O'Malley said considering what the applicant had gone through already the Commission had to consider whether the battle would be winnable if the Commission recommended something other than what the staff had recommended. He said he was in favor of accepting staff's recommendation so that the project would move forward. He said if the Commission was to recommend something else that might delay the project. Mr. Colonna said that they would prefer the staff's recommendation noting there had been five months spent working on the transportation issues. Chair Keith asked if there was a motion to allow a left on Watkins Avenue from the site whether that would require Caltrans approval. Mr. Taylor said it would not require Caltrans' approval but it would create a potential significant impact at that intersection. Chair Keith asked whether a Statement of Overriding Considerations could be made for adoption. Planner Chow said not with a MND, this would force the environmental review to an EIR. Mr. Colonna said that the quick traffic study directed by Council in July had turned into a five-month process.

Commissioner Riggs said it appeared they would need to discuss the intersection, the MND, parking and aesthetics. He proposed to allow the applicant to build per Sheet A1.1 of the plan sets. He said to resolve the impact, signage would be posted on the property indicating it was a right turn only onto on Watkins during the 4 to 7 p.m. peak hours as a matter of condition 7.p. He proposed also that the applicant begin the process with Caltrans to provide the left turn safety pocket in the median on ECR. He said with that he could make the findings. He said he was taking advantage of the project to require the applicant to make a good faith start on the process for the refuge turn.

Mr. Taylor said the significant impact was during peak p.m. hours and to put a restriction there would mitigate the impact at that point. He said signs might be ignored but it would technically satisfy as mitigation.

Commissioner Deziel said it did not make sense that an ECR commercial property would not be allowed to use ECR for egress. Mr. Taylor said that the traffic study looked at egress to ECR and those cars would fill up existing gaps for traffic from Watkins to ECR; additionally this property was at an intersection and egress to ECR would create yet another intersection. Commissioner Deziel asked if there could be a similar sign on ECR egress saying no exit during pm peak hours. Mr. Taylor said this would be difficult to enforce as it would need to be enforced through the use permit. Commissioner Riggs said the concern with an ECR exit was that it would cause a greater than 4-second delay at the Watkins intersection. Mr. Taylor said that was correct. Commissioner Deziel asked if staff had considered that this project was not in the central commercial area but at the end of the commercial area. Mr. Taylor said despite that there was an intersection and there was such a short distance from the front of ECR to the Watkins intersection. Commissioner Deziel asked if they considered that by collecting cars on Watkins this would back up traffic for the Atherton residents and he thought most drivers would prefer to egress from ECR. Mr. Taylor said that allowing egress onto ECR this would create an impact for cars trying to leave Watkins and go left onto southbound ECR.

Commissioner Deziel asked about the proposed design of the ECR driveway. Mr. Taylor said that staff would recommend Sheet A1.2. Commissioner Deziel asked if the Commission would be free to choose that site plan. Mr. Taylor said the Caltrans' letter questioned the width of the driveway and how traffic would be limited to ingress only so Caltrans would probably be looking at a driveway on the narrower side to allow people entry only. Commissioner Deziel said the Watkins driveway would be that shown on Sheet A1.1 and the ECR driveway would be that shown on Sheet A.1.2. Commissioner Riggs said he did not want to restrict the ECR driveway so that traffic would need to slow down unnecessarily on ECR to make a narrower turn, but he thought a 16-foot width was enough to make a fairly rapid turn. He said his only other issue was if a car was backing out of one of the first six spaces on the property then the car pulling in from ECR would have to stop. He said if yet another car entered that having two lanes in width would be more convenient for a car to go around the first stopped car. Mr. Taylor said they had some concerns related to that and that was why the first parking spaces

were laid out 20 feet from the property line and even a little bit further from the curb. He said that typically a vehicle was able to fit within 20 feet, so there would be enough room to queue at least one car in the driveway to allow those cars to make some maneuvers with probably at least 25-feet before they got to the curb of ECR. Commissioner Riggs asked if the Fire District had approved the 16-foot width for the driveway. Mr. Taylor said he believed that the Fire District had approved noting the applicant had been working with the Fire District. Mr. Colonna indicated that was correct.

Commissioner Pagee asked how vehicles would turn into the project site coming from southbound ECR and whether those cars would make u-turns off ECR. She said Sheet A1.1 provided for a left from ECR onto Watkins to enter the site. She said Sheet A1.2 had Watkins as an exit only from the site and with that southbound traffic coming to the site would have to make a u-turn at the signal at Encinal Avenue to get into the space. Commissioner Riggs agreed that traffic traveling from the direction of Redwood City would need to be able to enter from the Watkins side and if that was a two-way driveway, a restriction on left turns during peak hours could be posted. Commissioner Deziel said Watkins was planned as exit only on Sheet A1.2 and the Trans-1 mitigation defined Watkins as a right turn exit only. Mr. Taylor said that was correct. Commissioner Deziel asked if they could allow an entrance from Watkins and still use an MND. Mr. Taylor said unfortunately not as access from Watkins to the site would create a significant impact for vehicles making the left turn from Watkins to ECR. He said even one car making a left from ECR to Watkins created a significant impact and that was why it was designed as egress only. He said the traffic study indicated there were approximately two vehicles during the a.m. peak hours and three vehicles during the p.m. peak times that would make the u-turn maneuver so it was a very minimal number of cars that would need to make u-turns to get back to the site to enter it.

Commissioner Deziel said Menlo Park had created this traffic problem with the one-year cutoff so that this project was not getting any credit for an existing in-fill use. He said this policy of the one-year cutoff was the cause of a consultant recommending people go a mile out of their way to make a left-hand turn. He said the Commission should put something in the recommendation that provided relief for this problem created by the City. He said he thought the proper solution was to take the traffic study and add to all of the traffic counts the estimated traffic that would have been there with the restaurant use and then take credit for not having the restaurant. He said in the peak p.m. the restaurant would have generated 48 trips and this use would generate about 35 trips. He said the sentence in the TIA Guidelines was that the existing use if it would be replaced might be given credit. He said a policy had evolved to limit credit to one year. He said all of the discussion about significant impacts was created by this policy and it was allowing this project zero credit for a 25,000 square foot C-4 zoned property. He said the one-year cutoff was an inadvertent impact now driving the design of C-4 properties.

Commissioner O'Malley said he agreed entirely with Commissioner Deziel. He said it was a shame that the property had not received transportation credit. He said his

concern was if they started changing the recommendation that this might cause a delay at the Council level. He said he would be comfortable with stressing the point made by Commissioner Deziel in the recommendation as long as the Commission was able to make a recommendation that satisfied the mitigation and if the applicant was comfortable with that.

Commissioner Riggs said he was hoping the Commission could work a compromise as he understood the goals of the Transportation Division were much larger than the individuals and the City had a history of attempting to do more than other jurisdictions. He said he had not been aware that they would be prohibiting people on southbound ECR from making a left onto Watkins. He said as a first time user of the site if he were to miss the ECR driveway he would then assume he could turn onto Watkins and enter the site that way. However, he would then find out he would have to travel a one-mile loop to get back to ECR and then make a u-turn to go northbound. He said this was not a user-friendly configuration to sell Menlo Park as the right place to build office buildings. He proposed to accept the addendum letter to the traffic study as part of the Commission's consideration wherein it makes the very obvious conclusion that this project was adding no more a.m. or p.m. traffic and definitely less noon time traffic than its predecessor on the site, and to recommend to Council that this was the basis on which the Commission was able to make the findings. He said the other alternatives were undue hardship on the developers for this new Menlo Park building. Commissioner Pagee said dependent upon the option recommended there might be additional consequences to the residents as well.

Commissioner Deziel asked if the Commission could use the addendum to allow for a basis for an entry off of Watkins Avenue and still use an MND approach. Mr. Taylor referred to Table 1.A in the addendum called Project Trip Generation and for the p.m. peak hours for medical offices there were 13 trips into the site and 35 trips out of the site. If it went to a high turnover for a restaurant there were 38 trips into the site but only 24 trips out of the site. He said it was closer to a quality restaurant that would have 29 trips in and only 14 trips out. He said there had been no analysis to look just at those trips but there were 11 to 21 more cars leaving the site with a medical office use even if the credits were applied. Those vehicles would potentially go to Watkins if there was full movement access at Watkins and would more than likely, although the analysis had not been fully done, create significant impact as there could be five to 10 cars making the left turn at Watkins. Commissioner Riggs asked if that would be mitigated by a no left turn at Watkins. Mr. Taylor said it would be if there was no left turn allowed at the Watkins driveway. .

Commissioner Bims said he agreed with the idea that cars exiting would want to access ECR as soon as possible. He said he was concerned with southbound cars not being able to enter the site if they made a left onto Watkins and would then have to travel around the neighborhood. He said given that one car making a left turn from southbound to Watkins delayed cars on Watkins making a left onto southbound that increase would mean more cars would give up and go north and do a u-turn. Mr. Taylor

said it was hard to determine what amount of delay would cause people to go north and make a u-turn as there was no scientific way to quantify that.

Commissioner Bims said with the restaurant use this problem had existed, yet things seemed to work. He said he was struggling with why it was so challenging now for this proposed medical office use. Chair Keith said it seemed that if the applicant had applied three months prior to when he did that the Commission would not be having this discussion. Mr. Taylor said the one-year policy applied to the credit and for this project they might have gotten credit for the inbound traffic. Chair Keith asked where the policy was stated. Mr. Taylor said the City's TIA Guidelines provided for the ability to give credit but it was not stated as a requirement to give credit. He said historically this has been done within a year timeframe. He said the traffic analysis also included a car count and the count done for this project did not include the restaurant at all for consideration. Chair Keith said it sounded like this was not mandatory and as Mr. Schmidt had indicated the Guidelines were not intended to give applicants these kinds of issues. She said it sounded like the one-year was kind of an arbitrary thing and was not mandatory but a guideline. Mr. Taylor said that many times it was tied to the age of the traffic count so if the traffic was included in those traffic counts then historically you could look at how much traffic was coming from that site to do an analysis. He said many times they did not have that data as the use had already been out for more than a year and new traffic counts did not have that information. He said the one-year cutoff had been applied historically and he could not comment if that was what the Council had in mind when they developed the TIA Guidelines.

Commissioner Deziel referred to Table 1.A Project Trip Generation. He asked if the project had greater outbound traffic than the restaurant would it be concluded that even with the restricted left turn from the site onto Watkins Avenue there would be a significant impact and the credit would not be enough to avoid that. Mr. Taylor said that with full movement out of the site and no restriction that the credits would probably not mitigate the impact but with the restricted left hand turn the impact was mitigated. Commissioner Deziel asked what the significant impact was preventing ingress to the site from Watkins. Mr. Taylor said if vehicles were being added to the left turn from southbound ECR to Watkins it added more than four seconds of delay for the existing cars at Watkins trying to make a left onto southbound ECR. Commissioner Riggs said that would be offset in the addendum review as that allowed for direct comparison to the restaurant use. Mr. Taylor said it seemed with there being more incoming traffic with the restaurant use that if the credits were applied it was likely that would not be a significant impact for vehicles entering from Watkins to the site. Commissioner Riggs said if the addendum was used and credit applied for inbound, and if the left turn from the site onto Watkins was restricted then there was no potentially significant impact. Mr. Taylor indicated that was correct. Commissioner Deziel asked if that included allowing ingress from Watkins. Mr. Taylor indicated yes.

Commissioner Deziel said Mr. McClure the City Attorney had commented that the one-year cutoff was an established practice and changing that could raise legitimate challenges. Commissioner Deziel said this policy however was causing enormous

problems in particular that they could not allow cars to travel onto Watkins to access the site. He said he would like the project to move forward and thought the Commission might offer preferred options in order of preference. Commissioner Riggs said this was the right opportunity to press this issue of the one year cutoff to the Council. He said the practical issue was whether this project would make traffic worse than when the Acorn was operating for 30 years. He said this was a realistic argument. He said if the City did not get in tune with what was realistic, there would be problems and those would take up the Commission's time and then the Council's time. He said he felt confident about moving this forward as they had asked the right questions such as whether this was considered a dangerous intersection and specific questions about the flow of traffic and useful access to the property. He said the alternatives to access to the property did not increase traffic. He said he was sure the people on Watkins would end up wondering a month after the building was built how traffic was increased in trying to avoid traffic impacts.

Chair Keith said they would use the addendum letter to the traffic report. Commissioner Deziel said the restaurant trips would need to be added to the model to determine traffic load and then this project traffic trips would need to be analyzed against that to see if there were impacts. He asked if the addendum had done that. Mr. Taylor said the addendum only addressed if there was a restaurant there whether that would create a significant impact at the site. Commissioner Deziel asked how long it would take to update the addendum to do this comparison definitively with the no left turn out of the parking lot during peak p.m. hours and with the ingress off of Watkins. Mr. Taylor said it would theoretically take a few days but realistically probably a couple of weeks.

The Commission was in agreement that they would finish consideration of the other topics before making a motion. Chair Keith asked if the applicant would like to address the architectural changes.

Mr. Colonna said that through this process they found that the City did not have any coherent written standards for architecture. He said that they had received various opinions through meetings with numerous people and been through several public meetings. He said Mr. Bob Peterson, the project architect, had designed prominent buildings such as the Rosener House on Middle Avenue, the Menlo Center which the City featured on a recent brochure, and the planting pockets along Santa Cruz Avenue. He said that Mr. Peterson has consistently designed buildings with integrity and character and they believed this building he designed was fitting for the ECR corridor.

Mr. Bob Peterson, project architect, said he discussed with the Mayor about the specific issues related to the north corner of the building and landscaping, which included having large trees on that corner and a sidewalk down Watkins from property line to property line. He said his understanding was that the Mayor was satisfied with the solution they had arrived at.

Chair Keith noted on page 14 of the staff report that it indicated to delete "m," to add trees along ECR and to reduce sidewalk width to four feet to create a planting area of

three and a half feet. Mr. Peterson said that previously the sidewalk had been proposed for five feet with a two and a half planting area but that was not enough space for trees only shrubs. He said by narrowing the sidewalk and moving it a little from the curb that provided enough space to plant trees. Chair Keith asked what size trees would be planted. Mr. Peterson said they would use Gingkos the same as in the front landscaping except that on Watkins they would use a slightly smaller variety that would reach 30 to 40 feet in height. He said the initial box on all trees would be 36-inches. He said the Gingkos along ECR would probably grow 15 feet higher than the smaller variety. Chair Keith asked why two different height trees were selected. Mr. Peterson said there was a little less room on the Watkins side so they wanted a slightly smaller tree there. Chair Keith asked what the size of the planting strip on the ECR side was. Mr. Peterson said the planting strip on ECR next to curb was six feet and near the corner of the building was nine feet. Chair Keith said this was the gateway into the Menlo Park and the building appeared harsh to her. She asked why they would not want larger trees there to soften up the façade. Mr. Peterson said the sidewalk on Watkins precluded a taller size. Mr. Colonna said the trees on Watkins would be as tall as the building. Mr. Peterson said that his illustration was a rendition of how the site would look in five years, not 15 years.

Commissioner Pagee said the landscaping plan had an error and showed the three trees on Watkins Avenue and the first three trees on ECR being the same and the last four on ECR being different. Mr. Peterson said that was not what they intended. Commissioner Riggs said his understanding had been that those trees would be smaller because of their proximity to the building and that the other four trees were larger because they had more room to grow. He said Gingkos could grow almost as wide as they were tall. Mr. Peterson said they had a larger planting strip along ECR and he wanted to use as big a tree as possible and he would want continuity of the trees along ECR. He said that it was important how close the tree would be to the building so they would revisit that. Commissioner Riggs said in terms of continuity that the planting strip had to have a three foot offset along ECR and he thought having the smaller trees on the northern part of ECR would help justify and clarify the offset.

The Commission recessed for a short break.

Chair Keith reopened the meeting.

Commissioner Deziel moved that the Commission recommend that the City Council approve the project without delay with the following options in order of the Planning Commission's preference. Option A) ECR driveway entrance would be one-way as designed on Sheet A1.2 as this property is on a corner and exit traffic should be collected on Watkins Avenue before accessing ECR as this would create an orderly queue for users; at Watkins Avenue allow both ingress and egress with exit restricted to a right turn only onto Watkins Avenue during peak p.m. hours (4 to 7) as the Commission believes this is the best solution for Menlo Park and believe the MND conditions can be revised to allow this solution if the City Council uses discretion to credit the project with trip generation of an existing use which most recently was a

restaurant as per note "A" of the City's TIA Guidelines; and the practice of not crediting commercial properties after one year was a significant systemic problem that was having unintended consequences for commercial development as expressed by a former City Mayor at the Commission's hearing on this project. Option B) Accept staff's recommendation with the modification that the Watkins Avenue drive would be designed per Sheet A1.1 and would be marked with no left hand turn during peak p.m. hours (4 to 7); Option B would be modified so that instead of saying that the applicant "may" pursue a no left turn from Watkins Avenue to ECR during peak p.m. hours it would say "shall" pursue no left turn from Watkins Avenue to ECR as this would allow for ingress from Watkins Avenue.

Chair Keith asked if this was acceptable to the Transportation Division. Mr. Taylor said regarding Option A if the credits were applied as discussed that would eliminate the inbound traffic concern and with Option B that still had no left turn exit from the Watkins Avenue driveway during peak p.m. hours so that met the conditions of the MND.

Commissioner Pagee seconded the motion. Commissioner Riggs said the restricting left turns from Watkins Avenue to ECR was not desired by the community and people living on Watkins Avenue or in the Fair Oaks neighborhood who use Watkins Avenue to get to ECR. Commissioner Riggs said he could not make the findings that the project was not detrimental to the neighborhood with Option B. Commissioner Deziel said Option B should just be staff's recommendation. Commissioner Riggs said he could not make the findings for that option either.

Chair Keith said they basically wanted the Watkins driveway to be as shown on A1.1 and the ECR driveway as shown on A1.2. Commissioner Deziel noted that a couple days of analysis and two weeks of preparation time of the addendum would resolve the MND.

Commissioner Pagee suggested that the Commission recommend what it believes to be the best solution, or Option A.

Mr. Colonna recognized by the Chair said there would be signage only for the Watkins Avenue restricted right turn during peak p.m. hours with Option A. He said they needed the MND to go forward to Council without amendment.

Mr. Taylor said Option A allowed traffic into the site from Watkins Avenue but the MND only considered outbound traffic. Planner Chow said the Commission was looking at trip credits being used to allow for ingress from Watkins Avenue to the site. She said they would forward the recommendation to City Council and if the Council chose that recommendation then staff would review what was needed for environmental review.

Commissioner Deziel confirmed that the other Commissioners wanted to drop Option B. He thought that there should be additional language in Option A for explanation in that instance.

Commissioner Deziel withdrew his original motion, and moved to recommend approval of the project with the following modifications. 1) On the ECR driveway, it would be one-way access/ingress as shown on Sheet A1.2 of the plan set and this was recommended per staff's suggestion that the traffic be collected on Watkins Avenue in orderly queue; 2) at Watkins Avenue allow a two-way access for ingress and egress and constructed as shown on Sheet A1.1 of the plan set with signage as the mechanism to restrict to right turn only during peak p.m. hours (4 to 7) and this is being transmitted using the addendum analysis with the trip credit for the restaurant for the trip credit.

Chair Keith asked if they wanted something to point out that had the applicant applied three months earlier they would have received this trip credit. Planner Chow said the applicant had applied in August 2006 and the restaurant closed in June 2005. Mr. Colonna said the restaurant closed in June 2005 and they applied for this project on August 30, 2006. Commissioner Deziel said the date might be based on when the traffic study was done. Mr. Taylor said the policy did not say an applicant would receive the credit on the date of application, and this was open to interpretation. He said if they did a traffic study a year later there might be a two-year period between when the restaurant closed and the traffic study was done. Commissioner Pagee said it was significant to say that the use had not changed since the restaurant closed and this application was made, and there was no interim use.

Commissioner Deziel noted that Planner Chow had not finished the motion and that there was an additional paragraph stating that the significant impacts were being created by the ad hoc application of precedence in the City's TIA Guidelines that were not giving projects credit for any traffic at all after a year and that was a systemic problem.

Requested by the Chair, Planner Weiss said Commissioner Deziel had originally stated beginning with number two of the motion that at Watkins allow exit/entrance but allow restriction to only right turn during peak hours from 4 to 7 p.m. with signage as designed and shown on Sheet A1.1 and the basis for this is the MND conditions can be revised per Addendum Table 1.A of the traffic study to allow the credit project trip generation of existing building use as a restaurant in a C-4 zone site as shown in Note "A" of the TIA Guidelines. The practice of not crediting commercial properties after one year has unintentional consequences and is a systemic problem and should be addressed now. Commissioner Pagee seconded the motion.

Commission Action: M/S Deziel/Pagee to recommend approval of the project with the following modifications. 1) On the ECR driveway, it would be one-way access/ingress as shown on Sheet A1.2 of the plan set and this was recommended per staff's suggestion that the traffic be collected on Watkins Avenue in orderly queue; 2) at Watkins allow exit/entrance but allow restriction to only right turn during peak hours from 4 to 7 p.m. with signage as designed and shown on Sheet A1.1 and the basis for this is the MND conditions can be revised per Addendum Table 1.A of the traffic study to allow the credit project trip generation of existing building use as a restaurant in a C-4 zone

site as shown in Note "A" of the TIA Guidelines. The practice of not crediting commercial properties after one year has the unintentional consequences and is a systemic problem and should be addressed now.

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

Chair Keith opened discussion on the architectural control noting that Commissioner Pagee had noted a change for the landscaping plan. Commissioner Riggs asked if the revised project addressed the Mayor's concerns. Chair Keith said the architect had indicated that the Mayor's concerns had been addressed. Mr. Peterson said the elements directed by the Mayor were to plant trees on the Watkins Avenue side and extend the sidewalk to Watkins Avenue, which had required moving the trash enclosure and the transformer. He said that no changes were made however to the building. Commissioner Deziel said reading the Council's minutes it sounded like they had wanted a more prominent building for the entry into Menlo Park, but there was not enough height allowed to do anything like that. He wondered if the sunshades should be extended or made the color of the other roofs. Mr. Peterson said he would like to extend the depth of the sunshades and if that could be conditioned with staff approval. He said the shades were glass and the support was steel; glass was frosted. Commissioner Pagee asked if the building would have numbers on the side of the building or would they just use signage. Mr. Peterson said he would not like to do numbers on the building but he could enlarge the signage and show the number on that, all of which would require a sign permit.

Chair Keith moved to recommend approval of the architectural control and design and related site improvements to the City Council with a modification to allow the sunshades to extend a greater depth with review and approval by staff and to make all of the trees along ECR the same species.

Commissioner Riggs said in discussion with the architect it seemed more appropriate to keep the smaller species of Ginkgo at that north corner because of the proximity of the building. Mr. Peterson asked if that could be conditioned for them to review the final selection of the tree and type of species with review and approval by staff.

Commissioner Riggs asked if it was understood that condition 7.n would be deleted as it defined the Watkins access. Planner Chow said with the previous motion that would replace 7.n. Commissioner Deziel said it would need a "Trans-1." Planner Chow said the "Trans" would be the signage to restrict right turns from Watkins during peak p.m. hours. He said the revised analysis of the addendum would allow ingress from Watkins.

Commissioner Bims seconded the motion.

Commission Action: M/S Keith/Bims to recommend approval to the City Council of the architectural control and design and related site improvements with modifications for the applicant to review the final selection of trees and type of species subject to the review

and approval of staff and to allow the extension of the sunshades to a greater depth subject to the review and approval of staff.

Motion carried 5-1 with Commissioner Pagee opposed and Commissioner Bressler not in attendance.

It was the Commission's consensus to conclude the meeting at 11:30 p.m.

D. REGULAR BUSINESS

The Commission took items in the following order: D.3, D.5, D.1, D.2, and D.4.

1. **Consideration of minutes from the November 5, 2007, Planning Commission meeting.**

- Page 3, insert under Section 3, "The Commission directed staff to bring back two options for 110, one of which would be a simpler version of 110."
- Page 4, 10th line down, delete "light" before "well" and after "stair window."
- Page 19, 1st paragraph, "Commissioner Riggs said Mr. Blawie talked about the industrialized creep..."; replace "such has had occurred" with "this could occur with bay windows" and replace "other" with "over."

Commission Action: Unanimous consensus to approve the minutes as modified with Commissioner Bressler not in attendance.

2. **Consideration of Minutes from the November 19, 2007, Planning Commission Meeting.**

- Page 8, paragraph beginning "Commissioner Riggs," 4th line "that meant ~~the~~ ***no*** chimney ***is required***, and it could ***also*** be higher."

Commission Action: Unanimous consensus to approve minutes as modified with Commissioner Bressler not in attendance.

3. **Commission Discussion of City Council Project Priorities for Fiscal Year 2008-09 and Input Regarding Green Ribbon Citizens' Committee Proposals.**

In response to a question from Commissioner Pagee, Commissioner Riggs said that the Green Ribbon committee members met and distilled 130 recommendations down to about 32 recommendations.

Chair Keith said the City Council had indicated they had many ongoing long-term projects and would not be able to add much. Commissioner Deziel said he saw an opportunity to reshape things, noting the last page of the list was recommendations the Commission had been carrying forward. He said for instance there could be City

element to the creation of an M-3 District. He said there were three lists in the City Council Project Priorities the Commission could review: H1, the Commission's list, F1 through F7, and E1 through E3. He said there was also a review of the Green list.

Chair Keith noted that E1 was the El Camino Real Downtown Visioning was number one; and community engagement. Commissioner Riggs said "community engagement" did not have a subject matter.

Planner Chow suggested the Commission might want to review F1, the approved priorities for FY 2007-08, and to complement that was the attached ongoing project priorities.

Commissioner Deziel said that he thought many of the small projects would be done. Planner Chow indicated that G1 showed the status as of September 2007.

Commissioner Deziel suggested looking at H1 and review the Commission's priorities, and forwarding to the Council as input.

Commissioner Riggs said he hoped they would review the Green list and the Council's list on F.1 to plug into the Commission's list in H1.

Chair Keith opened discussion on F1, priorities for the current fiscal year. Commissioner Deziel said the El Camino study could be reaffirmed on the Commission's list. He said that the downtown visioning portion of the Commission's list 1.1 through 1.11. Planner Chow said the project description on F1 said that the downtown visioning project could be part of the El Camino study. The Commission consensus was to keep 1.1 through 1.11 on their list as a priority related to the downtown. The Housing Element Update was one of the Commission's priorities but it was on hold. Senior Housing Needs Assessment: Commissioner Riggs said that might be part of the Housing Element but it had to be looked at so that it was not clustered but within the City as more livable. Chair Keith asked if this should be added to the Housing Element Update. There was consensus to do that.

Planner Chow suggested the Commission next review G.2. Chair Keith asked why the Commission was skipping over F.3. Planner Chow said that these items would be considered by other Commissions. Commissioner Deziel said sidewalks should be under the Planning Commission's purview. He said he would like to add to the priority list a joint sidewalk bicycle path master plan. Commissioner Pagee said that planning for the sidewalks should come from the Planning Commission so that the City was walkable. Commissioner Deziel said there needed to be an off-street pedestrian and bicycle path master plan. Commissioner Bims said he would also like to include maintenance and cleanup with sidewalks as the City does not do so noting graffiti on the sidewalks.

Commissioner Deziel suggested that each Commissioner review H1 and develop any additions desired for the next meeting.

Commission Action: Continued to January 14, 2008 for further discussion.

4. **Selection of Planning Commission Representative to the El Camino Real/Downtown Vision Process Oversight and Outreach Committee.**

Commission Action: M/S Deziel/Pagee to select Commissioner Riggs as the representative.

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

5. **Chair and Vice Chair Selection for 2008.**

Commission Action: M/S Keith/Riggs nominated Commissioner Deziel for Chair.

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

Commission Action: M/S Keith/Deziel nominated Commissioner Riggs for Vice chair.

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

E. COMMISSION BUSINESS, REPORTS, AND ANNOUNCEMENTS

1. Review of upcoming planning items on the City Council agenda.

ADJOURNMENT

The meeting adjourned at 11:33 p.m.

Staff Liaison: Deanna Chow, Senior Planner

Prepared by: Brenda Bennett, Recording Secretary

Approved by Planning Commission on January 28, 2008.