



## **PLANNING COMMISSION MINUTES**

**Regular Meeting**  
**December 16, 2013 at 7:00 p.m.**  
**City Council Chambers**  
**701 Laurel Street, Menlo Park, CA 94025**

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**CALL TO ORDER** – 7:00 p.m.

**ROLL CALL** – Bressler (7:01p.m.), Eiref (Vice Chair), Ferrick, Kadvany (Chair), Onken, Riggs, Strehl – All Present

**INTRODUCTION OF STAFF** – Justin Murphy, Development Services Manager; Chip Taylor, Public Works Director

### **A. REPORTS AND ANNOUNCEMENTS**

#### **A1. Update on Pending Planning Items**

- a. Draft Housing Element Update Review – City Council – December 10, 2013

Development Services Manager Murphy said the City Council at their December 10 meeting reviewed the Draft Housing Element Update and authorized that it be submitted to the State, which began a 60-day review period by the State and City with an end date of February 10, 2014.

- b. General Plan – City Council – December 17, 2013

Development Services Manager Murphy said the following evening the City Council would begin the scoping for the General Plan update. He said if the Council agreed with the schedule staff had prepared, the General Plan update would come before the Planning Commission at its regular meeting of January 27, 2014.

Commissioner Bressler asked if there was an update on 1900 El Camino Real. Development Services Manager Murphy said staff has completed its review of the proposed tenant improvements and based on what was submitted found the work would require a use permit review by the Planning Commission. He said the applicant would need to decide whether to revise their proposal or come before the Planning Commission for a use permit.

Commissioner Bressler asked about the timing cycle on the traffic light at Middlefield and Willow Roads intersection noting a very long cycle for westbound traffic on Willow Road. Public Works Director Taylor said he would need to research as he was not aware of any significant timing modifications that had been made.

### **B. PUBLIC COMMENTS**

There were none.

## C. CONSENT

There were no items on the Consent calendar.

## D. PUBLIC HEARING

- D1. Use Permit/Robert Steinmetz/129 Bay Road:** Request for a use permit to remodel an existing single-story residence, including the addition of a second story, on a lot that is substandard with regard to lot area and lot width in the R-1-U (Single Family Urban) zoning district. The proposed project would exceed 50 percent of the existing replacement value in a 12-month period and requires approval of a use permit by the Planning Commission.

*Continued to a future meeting at the request of the applicant.*

- D2. Development Agreement Annual Review/Bohannon Development Company/101-155 Constitution Drive and 100-190 Independence Drive (Menlo Gateway Project):**  
Annual review of the property owner's good faith compliance with the terms of the Development Agreement for the Menlo Gateway (Bohannon Hotel & Office) project.

Staff Comment: Development Services Manager Murphy said there were no additions to the staff report. He said the general message of the report was that the applicant has been working diligently to procure a hotel operator and was now in negotiations with an entity whom the applicant believed would be able to finance, construct and operate the hotel. He said if the deal was secured in 2014 then construction could begin in 2015.

Commissioner Onken confirmed with staff that the Planning Commission would see the project again before building permits were sought.

Public Comment: Mr. David Bohannon, Bohannon Development Company, said he was available for questions.

Mr. Bohannon confirmed for Commissioner Ferrick that the proposed hotelier was of the same caliber as what had been originally proposed or a Marquis or Renaissance hotel.

Mr. Bohannon indicated in response to Commissioner Onken's question that there would be some changes to the original proposal for the hotel program notably as it related to the hotel and health club. He said the market has changed and they were now working with a different hotel developer.

Mr. Bohannon said in response to a question from Chair Kadvany that a hotel and sport club model such as was previously identified for the project had been built in Aliso Viejo. It was located in a newish business center which did not yet have the maturity to attract visitors. He said also Marriott had not done a particularly good job managing the sport club and were convinced to step away from the management. He said that additional hotel financing and construction has been extremely limited since 2008. He said even now, full service hotels, the type they agreed to deliver in their program, were not being financed. He said the types of hotels being financed, even in urban centers, were more focused service hotels. He said these types of hotels were viewed favorably by lenders and the type of developers that were not

typically long time holders. He said once they have a hotel deal he would begin marketing the office portion of the project.

Chair Kadvany closed the public hearing.

Commission Comment: Development Services Manager Murphy said in response to a question from Commissioner Eiref that the Facebook West Campus was under construction with a goal of occupancy in the spring of 2015. Commissioner Eiref said there was considerable development in that area.

Commission Action: M/S Riggs/Kadvany that the Planning Commission finds and determines upon the basis of substantial evidence that the property owner has, for the period between December 2012 and December 2013 complied in good faith with the terms and conditions of the Development Agreement.

Motion carried 7-0.

## **E. REGULAR BUSINESS**

### **E1. Review of Draft 2014-2019 Five-Year Capital Improvement Plan**

Staff Comment: Public Works Director Taylor said the Five Year Capital Improvement Plan (CIP) included all one time City studies and projects that would cost more than \$25,000 to accomplish. He said the CIP was a tool to forecast and allocate revenue for capital needs over a five year period. He said it worked to link the community infrastructure needs to the capacity to both fund and for the City to do the work. He said the CIP was integral to the budget process.

He said CIP Public Works staff for the harder infrastructure projects was down 40% and that was one thing affecting the City's capacity. He said they were hiring people but were still down staff-wise. He said the City has 59 funded projects, either funded this fiscal year or in prior fiscal years, which have lagged in some way or another. He said the Arillaga gymnasium, gymnastics center, and recreation center were not in the CIP and were moved ahead of other CIP projects. He said they need long term funding related to technology. He said they have funds in this fiscal year to do a technology master plan and to start implementing infrastructure such as the finance system. He said other regional projects have arisen over the past year such as the Willow Road 101 project. He said they do not have control of such projects and that created challenges. He said projects to support the Facebook improvements involved Caltrans and time was required for working with its processes. He said there were also a number of improvements moving forward on the San Francisquito Creek. He said one project that directly affected the City was the Pope Chaucer Bridge project.

Director Taylor said in December/January City Commissions would review the CIP and provide input. He said staff would then review the input and based on that there would be possible revisions to the CIP, which would then go to the Council in March 2014. He said any changes the Council might want made were then incorporated. He said the Council would consider the final CIP in April to be incorporated into the budget for the June budget adoption.

Chair Kadvany noted the start of downtown pilot sidewalk widening in 2014. He asked if there was the potential for a pilot paseo. Director Taylor said that would be in FY 2015-16.

Commissioner Ferrick noted under the Traffic Transportation section that the Caltrain Bike/Ped Undercrossing was listed. She said she was disappointed that it was not until FY 2017-18. Director Taylor said previously the project was listed in FY 2018-19 and it was moved up one year. He said if it's moved earlier in priority then some other project or projects would need to be moved back in priority. He confirmed for Commissioner Ferrick that this project was the Middle Avenue/Burgess Park connector. Commissioner Ferrick said her hope was that it would be accomplished as part of development projects occurring in that vicinity. She asked if the timing would change potentially to make the most efficient use of other development occurring there. Director Taylor said at a minimum Stanford would need to allow for future development of the undercrossing and might even do more than that but what that would be was unknown at this time. Commissioner Ferrick suggested the Florence/Marsh/Bay signal modifications might be moved out to allow for the undercrossing. Director Taylor said the signal modifications project was one that could easily be accomplished whereas an undercrossing project would require community outreach and working with multiple agencies.

Chair Kadvany asked about parking studies particularly for the downtown so that a decision could be made in 2015 as to what was needed. Director Taylor said the parking garage study was listed in the unfunded category. He said it was revamped somewhat to tie into the parking in-lieu fee. Chair Kadvany said a front-end study might be accomplished relatively inexpensively.

Commissioner Strehl questioned the funding for high speed rail noting that it seemed highly likely it would not happen in the near term. Director Taylor said that was the message staff gets and then the project resurfaces. Commissioner Strehl asked about alternative transportation marketing (ATM) for 2015. Director Taylor said transportation was the biggest sector for the City's greenhouse gas emissions. He said the intent of ATM was to get people out of their cars in a social marketing way and effect a behavior change. Commissioner Strehl asked about the heritage tree ordinance study. Director Taylor said the ordinance was dated and there was a desire on staff's part, which was supported by the Environmental Quality Commission (EQC) to make some changes to it and to have the community vet the proposed changes. Commissioner Strehl asked about the \$60,000 slated for the Pope Chaucer bridge replacement, and if that was to look at alternatives or for design. She asked if the City would pay for the bridge. Director Taylor said the Santa Clara County Water District has funding for the bridge. He said the process for bridge selection and community outreach had started. He said the funding listed was for City staff time and it was not known whether the City would be contributing more toward the project. Commissioner Strehl said she was pleased to see the overnight parking app under the technology improvements as that would ultimately save staff and the public time.

Commissioner Bressler asked about the dog park project. Director Taylor said there were two dog park projects. He said the Willow Oaks Dog Park renovation was being done to correct some design deficiencies to make it better for users and easier for Public Works to maintain. He said they would look at design alternatives the first year and move to construction in the second year. Commissioner Bressler asked about the Ravenswood Alma Pedestrian Bike Study. Director Taylor said residents and some Bike and Transportation Commissioners had concerns about that intersection, and the study would look at alternatives to remedy so there was a safe flow for all users.

Commissioner Riggs asked if the PG&E reimbursement for undergrounding of utilities was full or partial. Director Taylor said it would be close to full reimbursement. Commissioner Riggs

said there was merchant support for a lower parking structure on Lot 2 with some undergrounding. He asked if the undergrounding of utilities would coordinate with a potential design for that future structure. Director Taylor said that was a good comment to note but they had not gotten to that level of detail yet. Commissioner Riggs asked if Lot 7 would be reconfigured when it was rebuilt. Director Taylor said when they do parking plazas they bring them to the current standards for the parking space and aisle dimensions. He said also they have to deal with storm water requirements and potentially treat runoff. He said they also look at a better way of handling garbage dumpsters. Commissioner Riggs asked about undergrounding of utilities on side and collector streets and a fund toward that. Director Taylor said that was not in either the funded or unfunded CIP list.

Commissioner Eiref said undergrounding utilities was at the top of his list. He asked about Rule 20A and coordinating parking plaza improvements and undergrounding of utilities. Director Taylor said that community puts aside a certain amount in its Rule 20A account and that was for undergrounding of utilities. He said there was about \$5,000,000 for this and that the Council had decided to utilize those funds for the downtown area first. He said there could be a study to identify all utilities and develop the costs for undergrounding those. Commissioner Eiref asked about a traffic study for El Camino Real. Director Taylor said the traffic study would look at all of El Camino Real in Menlo Park and alternative designs. He said that was funded in FY 2013-14.

Commissioner Ferrick asked about the Belle Haven pool. Director Taylor said that the pool had not been used year round but now would be, so it to be examined as to possible deficiencies.

Commissioner Onken asked about the \$400,000 for the Library. Director Taylor said that the Library had raised \$90,000 for the study; there was also a landscaping project which would be designed this year and next year it would be constructed. Commissioner Onken asked about the restrooms proposed for Willow Oaks. Director Taylor said this had been requested by users and others in the community. He said there needed to be a community outreach process as to whether to construct those or not, noting neighbors might oppose.

Commissioner Bressler asked about the Burgess Park deck repair noting a comment made by Director Taylor that the lease agreement with the pool operator said any work exceeding \$25,000 was the City's responsibility. He asked if the City received any revenue from the lease agreement. Director Taylor said he would have to check with the Community Services Department. Commissioner Bressler said if the City was not getting any revenue from a very valuable facility that property taxes were supporting that he had to question the City spending that amount of money to repair that facility. He said there was a company Skytrans that put in a very interesting people mover system in Moffett Field. Director Taylor said they had not looked at that system but welcomed the Commissioner's comments. Commissioner Bressler said he would like to comment that this was an idea the City should look at noting substantial traffic problems in the City and issues of east/west connectivity.

Chair Kadvany said in the Commission's review of the Specific Plan there had been consensus on the recommendation for the City to initiate strategies for funding infrastructure needs such as downtown parking and the bike/ped tunnel. He said also with the Housing Element and Specific Plan the idea of transportation management associations (TMA) had been proposed. He suggested the City start looking at the alternative transportation models and identify preferred ones to use in discussions or negotiations with developers. He said related to planning for the Haven area that staff had indicated that would be part of the CIP process. Director Taylor said

the Planning Commission and City Council had put those recommendations into the CIP process. He said regarding an infrastructure fee that Planning staff would work with the City Attorney on the feasibility of such a fee for the Plan. He said that would occur over the next six months. He said Council in discussing TMAs decided it was important to look at those for all of the City not just the Plan area and also that the General Plan process was the best place to look at that. Chair Kadvany suggested that there could be elements that could be tested prior to the finalization of the General Plan update. Director Taylor said if it made sense the City could certainly take such an action. Chair Kadvany noted that Plaza 7 was part of the Plan area and there were specifics in the Plan related to its future development. He asked if that would come before the Commission. Director Taylor said that project was funded but the City was waiting on it until the utility undergrounding occurred. He said when that was done the parking plaza project would incorporate the features as specified in the Specific Plan.

Commissioner Strehl asked if the concept of creating a master checklist for developers suggested during the draft Housing Element review was something the City would pursue and whether that would be a CIP project or part of a General Plan element. Development Services Manager Murphy said it would not be part of this CIP process. He said the City has been working on the concept for awhile and flowcharting all aspects of the development review process to include planning, building, engineering and transportation. He said that would be taken before the Council at the end of January with the intent of streamlining the processes.

Chair Kadvany closed the public comment period.

Commission Comment: Commissioner Riggs suggested a Ravenswood/Ringwood realignment project should be in the CIP noting morning traffic congestion on Marsh Road. He said the pavement at the train crossing was very bad and also very challenging for bicyclists. He suggested using traffic guidelines with some flexibility noting mitigation for Marsh Road traffic congestion called for three lanes. He said although not marked it was already essentially three lanes and could be used as such rather than taking down a 40-inch trunk heritage tree to widen the lanes. He suggested also changing the solid red left turn signal to some other signalization to allow for drivers' discretion when there was little traffic. He said it was a great idea to move TMAs forward as a City effort. He suggested the City could coordinate with the County, Redwood City, East Palo Alto, and potentially Palo Alto to do surveys to determine where the nodes of need were and areas of potential growth. He said that if planning staff needed augmentation he could support that although he would prefer short-term employment. He said certain Council Members had suggested that two Planning Commissioner volunteers could develop a secondary unit amnesty program. He said he hoped the Commission supported creating a fund to support the undergrounding of utilities throughout the City.

Commissioner Onken commented on public benefit and the window of opportunity with development when some City infrastructure needs might be met by the developer. He noted the SRI Campus Renovation project was removing a public benefit of an easement right of way and he questioned why they could not be asked to do something in exchange, for instance donating other land.

Commissioner Strehl said she had familiarity with TMAs and it would be great for the City to look at models such as that at Moffett Park and in the City of Mountain View. She said the area of Haven Avenue and Bohannon Drive could be a TMA in itself. She said it was not uncommon for large developers to initiate a TMA and bring other property owners into it.

Director Taylor said an element in most TMAs was shuttles. He said the City has a robust shuttle program already in various areas of the City. He noted the Peninsular Congestion Relief Alliance serves businesses and communities up and down the peninsula by providing transit vouchers. He said the City has portions of TMAs already.

Chair Kadvany asked about residential design guidelines. Development Services Manager Murphy said it was listed but unfunded. He said it would be looked at as part of the General Plan update process. He suggested that elements of a TMA might be put into action sooner than the finalization of the General Plan update.

Commissioner Ferrick said she supported that 39.27% of funding for the FY 2014-15 CIP was dedicated to traffic and transportation. She said Commissioner volunteers have worked with staff on a second unit amnesty program and she would not like additional resources dedicated to that. She said she would support initiating studies for TMAs to determine what the needs were for in the CIP. She said she would like the Caltrain Bike/Ped Undercrossing Design to be moved earlier in conjunction with the timing of the development of the surrounding properties.

**COMMISSION ACTION:** M/S Ferrick/Strehl to move up the Caltrain Bike/Ped Undercrossing Design from Fiscal Year 2017-18 to a timeframe that would be in conjunction with the timing of the redevelopment of surrounding properties and create a new CIP item to study the potential for creating one or more Transportation Management Associations (TMAs) in the City.

Commissioner Strehl said she would like to further study the CIP list and have the item come back to the Commission for further comment. Director Taylor said that was possible and he asked that the Commission also consider in recommending projects for the CIP or prioritizing listed projects higher what projects might be removed or prioritized lower.

Commissioner Bressler said he would like to see prioritization of innovative technology to move people around the City. Commissioner Eiref said he could support that noting large developments occurring throughout the City. Commissioner Bressler said one of the City's goals was to make east/west connectivity better, noting how hard it was to cross El Camino Real. Commissioner Eiref said he had read that Caltrain ridership had increased 50% over the past three years and they had a limit on the number of trains that could run daily. Commissioner Ferrick said her motion could include moving up multi-modal transportation options with creating TMAs. Commissioner Bressler said he wanted people moving systems that were not vehicular.

Director Taylor said TMAs typically include existing options such as shuttles. He said projects that required more infrastructure such as a people mover system would need an infrastructure study. He said ultimately it could convert to a TMA or be part of a TMA through the distribution of passes. He suggested the items should be proposed separately.

**Motion carried 7-0.**

**COMMISSION ACTION:** M/S Riggs/Eiref to create a new CIP item to establish and make an initial deposit for a utility (overhead electric and communication lines) underground fund throughout the City.

There was discussion about being specific about the locations or keeping the recommendation general. Director Taylor said at some point a study would be needed but he thought creating a general fund for this purpose was doable.

**Motion carried 7-0.**

**COMMISSION ACTION:** M/S Bressler/Kadvany to create a new CIP item to investigate a people mover system or other innovative technology for east/west connectivity, safe routes to schools, and crossing El Camino Real.

There was discussion whether the need to do a study would have a favorable outcome or not. It was suggested to replace “study” with “investigate.”

**Motion carried 7-0.**

Commissioner Ferrick suggested there might be projects that could be explored for whether they could be lowered in priority to accommodate the Commission’s suggested priorities. She said that the Library landscaping, Corporation Yard storage cover, auto water meter reading and water rate study were lesser priorities in her opinion than what the Commission was recommending. Chair Kadvany said he also thought some individual project budgets could be trimmed to allow for projects now 'below the line.

Director Taylor said that the list might be better defined to indicate state mandated projects or items that could not be removed. He said the Library landscaping could be moved but the Corp Yard storage cover was needed to meet state storm water requirements. He said that hopefully the contractor would be able to install solar panels too. He said the auto water meter reading funds were coming out of the water company budget and did not have to be done but would result in greater efficiency. He said they have to do the water rate study as they were coming to the end of the existing rate study, and needed to let customers know future rates.

Commissioner Strehl suggested terminating the funding on High Speed Rail. Director Taylor said they would not spend time or money on it unless they had to.

Commissioner Bressler said he did not think the City should have to manage a project to repair the deck at the Burgess pool and that if the City did not it would get done for far less money. He noted that was \$135,000 in FY 2016-17.

Commissioner Ferrick suggested pushing back a year the auto water meter reading noting it was \$1.2 million for a period of two years, FY 2017-18 and FY 2018-19.

Chair Kadvany said it would be helpful to have a cost estimate for the items being recommended by the Commission. Director Taylor said the undercrossing was listed in future years for a study at \$500,000. He said he did not have a dollar amount for a TMA.

Commissioner Riggs said he supported what Commissioner Ferrick was doing in looking at possible projects to move out or not do. He said he supported the Library landscaping and space needs study but thought the cost estimates were high. He suggested that there were people who could do the work well and for much less. Chair Kadvany asked about the \$90,000. Director Taylor said this was funding provided by the Friends of the Library and there had been

an outreach process to the community. Commissioner Riggs said in that case the project should not be removed or reduced in priority.

Commissioner Ferrick said she would prefer to not review the CIP list again.

Commissioners Strehl and Riggs left the meeting.

There was discussion about use permits for hazardous materials use, storage, and waste, and streamlining that process. Development Services Manager Murphy noted the need for public outreach and proper CEQA review. He suggested it was not feasible to do in FY 2014-15.

## **F. COMMISSION BUSINESS**

There was no Commission business on the agenda.

## **ADJOURNMENT**

The meeting adjourned at 9:45 p.m.

Staff Liaison: Justin Murphy, Development Services Manager

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on January 27, 2014