



PLANNING COMMISSION MINUTES

Regular Meeting
May 18, 2015 at 7:00 p.m.
City Council Chambers
701 Laurel Street, Menlo Park, CA 94025

CALL TO ORDER – 7:01 p.m.

ROLL CALL – Combs, Ferrick, Goodhue, Kadvany, Kahle, Onken (Vice Chair), Strehl

INTRODUCTION OF STAFF – Deanna Chow, Senior Planner; Jean Lin, Associate Planner; Arnold Mammarella, Contract Planner; Stephen O’Connell, Contract Planner; Tom Smith, Associate Planner; Thomas Rogers, Senior Planner

A. REPORTS AND ANNOUNCEMENTS

A1. Update on Pending Planning Items

- a. Planning Commission Appointments – City Council – May 5, 2015

Senior Planner Rogers reported that the City Council at its May 5 meeting appointed Ms. Goodhue and Mr. Kahle and reappointed Mr. Onken to the Planning Commission.

- b. ConnectMenlo Workshop – May 2 and 7, 2015

Senior Planner Rogers reported on two workshops held on the General Plan update on May 2 and 7. He said the General Plan Advisory Committee (GPAC) would meet this week. He said a special Housing Commission meeting would be held the following week on the topic of the General Plan and that topic was scheduled to come to the Planning Commission on June 8.

B. PUBLIC COMMENTS #1

There was none.

C. CONSENT

C1. Approval of minutes from the April 20, 2015 Planning Commission meeting ([Attachment](#))

Commissioner Ferrick moved to approve the minutes of the April 20 meeting. Commissioner Kadvany said he would like the minutes continued as he was not able to review prior to the meeting. Commission Combs said he would abstain as he had been absent from the meeting. Vice Chair Onken suggested they continue the minutes. Senior Planner Rogers said these minutes had the Commission’s recommendations to the City Council on the El Camino Corridor, and the Council was scheduled to meet before the Commission would meet again. Commissioner Kadvany seconded the motion to approve the minutes as submitted.

Commission Action: M/S Ferrick/Kadvany moved to approve the minutes of the April 20, 2015 meeting as submitted.

Motion carried 6-0 with Commission Combs abstaining.

D. PUBLIC HEARING

D1. Use Permit/Natalie Hylund/810 University Drive: Request for a use permit to demolish an existing single-story, single-family residence and detached accessory buildings, and construct a new two-story, single-family residence on a substandard lot with regard to lot width and lot area in the R-3 (Apartment) zoning district. The project was previously reviewed and continued by the Planning Commission on March 9, 2015. The project has since been revised, with changes including a hipped roof and additional wall variation on the second level. ([Attachment](#))

Staff Comment: Planner O'Connell said there were no additions to the published staff report.

Public Comment: Mr. Bill Hyland, Hyland Design Group, said Natalie Hyland, the architect, was unable to attend. He said they changed the design from a modern contemporary to a bungalow contemporary with large windows and hip roof. He said they pulled walls in on the second floor and continued the hip roof, and added architectural screening in front. He said they worked with staff and provided several redesigns.

Vice Chair Onken closed the public hearing.

Commission Comment: Vice Chair Onken said the new proposal was very acceptable. Commissioner Ferrick moved to approve as recommended in the staff report. She said she liked the changes and that the design continued to stay within the setbacks and under maximum allowable standards. Commissioner Strehl seconded the motion.

Commissioner Kadvany said he liked the bungalow contemporary design and thought it was a great improvement within the neighborhood context over the original design.

Commissioner Combs said for the record as he had been one of the Commissioners who had expressed concern about the very contemporary design submitted previously that he supported the changes and project as now presented.

Commissioner Kahle said he liked the design and suggested doing a closed soffit, which he thought would be in keeping with the design and cost wise would not be significant.

Commission Action: M/S Ferrick/Strehl to approve as recommended in the staff report.

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current CEQA Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:

- a. Development of the project shall be substantially in conformance with the plans prepared by Hyland Design Group, consisting of eight plan sheets, dated received April 30, 2015, and approved by the Planning Commission on May 18, 2015, except as modified by the conditions contained herein, subject to review and approval by the Planning Division.
- b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
- c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
- d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
- e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
- f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
- g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.

Motion carried 7-0.

D2. Use Permit/Garrett Belmont/4020 Campbell Avenue: Request for a use permit to allow the storage and use of hazardous materials (diesel fuel) for an emergency generator associated with a data and control center located in the M-2 (General Industrial) zoning district. ([Attachment](#))

Staff Comment: Commissioner Smith said there were no additions to the published staff report.

Public Comment: Mr. Michael Ware, Senior Construction Manager for Parsons, said he was representing Beltrains. He said the company was a data control center and the application was for an emergency backup generator. He said diesel fuel was the hazardous material and they would have a 300-gallon diesel fuel tank with double containment.

Vice Chair Onken closed the public hearing.

Commission Comment: Commissioner Kahle said generators have to operate periodically to cycle through and asked how often that would occur and for how long.

Mr. Ward said it needed monthly testing and would last for an hour. He said they would typically do this on Friday during the day.

Commissioner Strehl moved to approve as recommended in the staff report.

Commissioner Ferrick asked about the noise level. Mr. Ware said that the generator at a distance of 50-feet ran at 72 decibels. He said the reading at the nearest residence was in the 20 to 25 decibel range, which was about the same loudness as his voice using a microphone.

Commissioner Ferrick seconded the motion.

Commission Action: M/S Strehl/Ferrick to approve as recommended in the staff report.

1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, "Existing Facilities") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by Parsons, consisting of five plan sheets, dated received March 12, 2015, and approved by the Planning Commission on May 18, 2015 except as modified by the conditions contained herein, subject to review and approval by the Planning Division.
 - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. If there is an increase in the quantity of hazardous materials on the project site, a change in the location of the storage of the hazardous materials, or the use of additional hazardous materials after this use permit is granted, the applicant shall apply for a revision to the use permit.
 - e. Any citation or notification of violation by the Menlo Park Fire Protection District, San Mateo County Environmental Health Department, West Bay Sanitary District, Menlo Park Building Division or other agency having responsibility to

assure public health and safety for the use of hazardous materials will be grounds for considering revocation of the use permit.

- f. If the business discontinues operations at the premises, the use permit for hazardous materials shall expire unless a new business submits a new hazardous materials business plan to the Planning Division for review by the applicable agencies to determine whether the new hazardous materials business plan is in substantial compliance with the use permit.

Motion carried 7-0.

D3. Use Permit, Architectural Control, and Sign Review/German-American International School/475 Pope Street: Request for use permit, architectural control, and sign review to allow a private school to operate on an approximately 3.9-acre portion of an existing public school site in the P-F (Public Facilities) zoning district. The proposed educational program would include pre-school through 12th grade, where the high school program (grades 9 through 12) would be phased in over a four-year period. The applicant is also proposing a student enrollment of up to 400 students, with an enrollment of up to 315 students during the first school year and increases in enrollment of up to 400 students phased in over a multi-year period. The proposed site improvements include six new portable buildings, new play areas, storage sheds, and a new freestanding sign. ([Attachment](#))

Commissioner Strehl recused herself noting her home was within 500 feet of the subject property.

Staff Comment: Planner Lin said there were no additions to the published staff report and a color chip board for the exterior was being circulated. She said staff person Ms. Christiana Choi, Transportation Division, was also present.

Public Comment: Mr. Dominic Liechti, Head of School for the German-American International School, said their school featured an International Baccalaureate (IB) program and they used applied context and conceptual learning. He said the lower grades featured German language immersion and upper grades have French and Spanish language study available. He said their school was founded 25 years prior and they currently had 350 students. He provided an overview of the construction they planned at the subject property. He said they were requesting to increase their enrollment to 400 students but planned to keep the traffic trips at the current cap of 974. He said they were striving to improve their already strong traffic and parking policy by adding more concepts to it. He said concerns were raised at neighborhood meetings for the new site which they addressed. He said since that meeting there had not been any additional concerns raised by neighbors.

Commissioner Kahle said he worked for DES, this project's architect, many years prior but was advised it was not an issue requiring recusal. He asked if the bathroom shed could be used by teams using the play area after school hours. Mr. Liechti said that there were restrooms they could open for the teams which would be better facilities for them to use.

Commissioner Kadvany said neighbors had expressed concern about areas next to fences that might be hideouts. Mr. Liechti said they had addressed that concern noting it was a fence at the end of the gym that was a blind spot. He said they added a fence and a camera, and there was

no more graffiti and much less litter. He said in meeting with the neighbors they were asked to call or email the school if they noticed any suspicious activities there so the recordings could be given to the police.

Ms. Kathleen Daly, Menlo Park, said she was a small business owner at the corner of Menalto and Gilbert, and over the past seven years had the joy of meeting members of the German-American School community. She said she felt they were an integral part of the diversity found in the Willows neighborhood. She said the school community did their homework and knew how to be part of the neighborhood.

Ms. Faith Hornbacher declined to speak and gave her time to Ms. Rocchio.

Ms. Judy Rocchio, a Walnut Street and Laurel Avenue resident for 20 years, said she agreed with Ms. Daly's comments. She said she had some concerns with process. She said the School had not received use permit approval yet but they were already moving into the site. She said she felt the project was being moved faster than the analysis was happening. She said she loved the school but questioned the impact of 924 car trips a day on Pope Street not to mention her street, Walnut or Elm Streets, or Laurel Avenue. She said there was an elementary school on the other side of her property and asked whether the impact of trips to and from both schools had been considered. She said with that number of cars there would be air and noise pollution, and at night, light pollution. She said this school would operate year round, which meant there would be no break from the associated traffic and noise. She said activities at the school were from 6 a.m. to 6 p.m. and there was school on Saturdays as well. She said she would support bicycling and walking to the school. She asked if the school could be accessed from Willow Avenue, noting access was proposed from Elm and Pope Streets, which was currently a very quiet corner. She encouraged thorough analysis and as many mitigations as needed.

Ms. Carol Schultz, Menlo Park, said she lived on Pope Street, between Walnut and Elm Streets. She said originally she felt very supportive about the school relocating to her neighborhood but then heard about additions to the campus. She said she would like the school to coordinate activities with the Ravenswood School District so the neighborhood was not burdened with traffic and noise from both sites. She said she was concerned with pickup and drop off traffic jams.

Ms. Christine Cummings, Menlo Park, said she had the same concerns about traffic and thought the school project was too ambitious for the neighborhood. She said she was concerned with the early and long use of the school property through Saturday year round as that would remove play space the neighborhood had enjoyed historically.

Ms. Katherine Strehl, Menlo Park, said she was fully supportive of the school application noticing the school has been a great neighbor. She said the new school access was much improved over what occurred at their other site. She said this was a school site and if not this school, another school would use it.

Mr. Joe Junkin, Menlo Park, said he was very concerned with the school outreach, the hours of use, the year-round use, and the number of students planned. He said it was uncertain how long the school would be at the location. He said he did not see how they could increase to the

enrollment figure of 400 students and keep the trip cap the same. He said he would like to see a stop sign installed at the corner of Elm. He said he was concerned there was no traffic study.

Ms. Shannon Thoke, Menlo Park, said she was concerned with traffic and school enrollment increases. She said a parade of moving vans from the old school site accessed this site over the weekend. She said the access for the school should be from Willow Avenue and not from the residential neighborhoods.

Vice Chair Onken closed the public hearing.

Commission Comment: Commissioner Ferrick asked about the lease and the moving traffic over the weekend.

Mr. Liechti said that the move involved the field as there was still construction on the site. He said the first phase of their move was administration; the next phase had been the past Friday when they brought and stored all their school material in gym. He said they currently have a two-year use agreement. He said on May 28, there would be a public bidding for the site held by the Ravenswood School District. He said they would have to wait until then to know if they have the bid award. He said that lease would be for five years with a right to renew another five years.

Commissioner Ferrick asked if the playing fields would still be available after 3 p.m. for the public and sports leagues. Mr. Liechti said there was a shared use agreement they needed to talk to the City about but noted that they did not use the fields after 3 p.m. Commissioner Ferrick asked about students being there until 6 p.m. She said it seemed to be a fraction of total population with 20 students from the Palo Alto school and 40 from the French School. Mr. Liechti said that was correct. He said the majority of their students leave at 1 or 3 p.m.

Commissioner Combs asked about student population during the summer. Mr. Liechti said these were summer camps and included some of their students and others from the local area. Commissioner Combs confirmed that the student population number was the same year round.

In reply to Commissioner Kadvany, Mr. Liechti said that a stop sign had to be installed as mentioned by one of the speakers. Commissioner Kadvany said the driveway was wide, and asked about traffic exiting onto Pope Street. Mr. Liechti said they have someone monitoring at the corner. He said that this site is much better than their current site in regard to traffic congestion. Commissioner Kadvany asked about traffic patterns exiting the site. Mr. Liechti said they did not have any data yet on whether the cars would go to Willow Road or not.

Replying to Commissioner Kahle, Mr. Liechti said they had received a building permit and have a license to operate the preschool. He said it was possible they would not win the bid for the longer use of the site, and might have to leave the campus in two years.

Commissioner Ferrick said that when the school was on Elliott there had been an extraordinary Traffic Demand Management (TDM) program. She noted the trips for this school were much lower than if there were a public school on the site. Mr. Liechti said they have a website for their parents to go to and locate families close to them for carpooling. He said they have 60% carpooling but they could improve on that. He said non-carpoolers are not allowed to park. He said they stagger the pickup times on the half-hour starting at 1:30 and continuing until 4:00

p.m. He said they were putting in staff incentives to encourage carpooling and public transit use. He said they were under the traffic cap with the current plan. He said they would not have 400 students right away and student enrollment would increase gradually. He said they worked with the City to do trip measurement and submitted that information three times per year. He said the weeks they measure are shared internally with teachers and not with parents.

Vice Chair Onken asked staff about the TDM program. Planner Lin said the TDM program had been augmented for the Pope site. She said the City required monitoring of the O'Connor site twice a year to insure compliance with the daily trip cap. She said the school has submitted the information diligently and has been in compliance. She said with the new school site the school would be under the trip cap requirement. She said the City has the option to do its own monitoring and there were mechanisms to limit the enrollment or require additional TDM measures if the site was not in compliance. Vice Chair Onken asked about the use permit. Planner Lin said the use permit, architectural control and sign review were both for the physical improvements to the site including the portable buildings, site improvements and the private school use including the proposed educational program. Vice Chair Onken asked if the sign was illuminated or static. Planner Lin said they were relocating the sign from the previous site to this site and it was not illuminated.

Commissioner Combs asked about the construction beginning before the use permit was granted. Planner Lin said improvements made at the site prior to the issuance of the use permit were made at the applicant's own risk. She said the improvements thus far had been minor including refurbishing fire alarms, installing a fire hydrant, repainting buildings, some interior improvements, and bringing restrooms to code. She said all of those improvements were something that would be required at the site whichever school operated there. She said school operation could not occur until issuance of the use permit.

In response to Commission Kahle, Mr. Liechti said they would meet twice a year with neighbor to address concerns.

Commissioner Ferrick asked about the repercussions should the school fail to meet their trip cap. Planner Lin said should that happen the school would have a chance to remedy the situation. She said if they did not remedy the situation, they would not be allowed to increase enrollment the following school year. She said based on the extent of the noncompliance they might be required to reduce enrollment or further improve their TDM program.

Vice Chair Onken noted that the City has more control since the school use was private and that would not be the case if there was a public school there.

Commissioner Ferrick said she thought the neighbors would be relieved and find this school use to be a good neighbor as they had proved at their prior location which was a much more constrained site than this one.

Commissioner Combs said that this was a school site and would be used as a school. He said with the private school use the City had more ability to mandate compliance with traffic requirements and use. He said generally speaking that all who spoke whether they expressed concerns or not viewed the German-American International School positively.

Commissioner Ferrick moved to approve the architectural control and use permit as recommended in the staff report. Commissioner Combs seconded the motion.

Commissioner Kadvany said he supported the project noting the students and their families who had to endure being ousted from the O'Connor site by the Menlo Park School District.

Commission Action: M/S Ferrick/Combs to approve as recommended in the staff report.

1. Make a finding that the project is categorically exempt under Class 14 (Section 15314, "Minor Additions to Schools") of the current CEQA Guidelines.
2. Adopt the following findings, as per Section 16.68.020 of the Zoning Ordinance, pertaining to architectural control approval:
 - a. The general appearance of the structure is in keeping with the character of the neighborhood.
 - b. The development will not be detrimental to the harmonious and orderly growth of the City.
 - c. The development will not impair the desirability of investment or occupation in the neighborhood.
 - d. The development provides adequate parking as required in all applicable City Ordinances and has made adequate provisions for access to such parking.
 - e. The property is not within any Specific Plan area, and as such no finding regarding consistency is required to be made.
3. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
4. Make a finding that the sign is appropriate and compatible with the use as a school, and is consistent with the Design Guidelines for Signs.
5. Approve the architectural control and use permit, subject to the following **standard, construction-related** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by DES Architects + Engineers, consisting of 13 plan sheets, dated received on May 11, 2015, and approved by the Planning Commission on May 18, 2015 except as modified by the conditions contained herein, subject to review and approval of the Planning Division.

- b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval of the Planning, Engineering and Building Divisions. All utility equipment that is installed outside of a building and that cannot be placed underground shall be properly screened by landscaping. The plan shall show exact locations of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
 - e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
 - f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans for any off-site improvements. The plans shall be submitted for review and approval of the Engineering Division, and the improvements must be completed prior to the start of the 2015-2016 school year.
 - g. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.
6. Approve the architectural control and use permit subject to the following ***project-specific*** conditions:
- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans for a covered roof structure for the existing trash enclosure/dumpster area, subject to review of the Planning, Building, and Engineering Divisions.
 - b. A stop sign shall be installed on eastbound Elm Street at the intersection of Pope Street, subject to review of the Transportation and Engineering Divisions, and the improvements must be completed prior to the start of the 2015-2016 school year.
 - c. Prior to building permit issuance, the applicant shall pay the transportation impact fee (TIF) per the direction of the Transportation Division in compliance with Chapter 13.26 of the Municipal Code. The current estimated transportation impact fee for all nine proposed classrooms is \$91,756.28, although the final fee shall be the fee in effect at the time of payment. The TIF can be paid in installments based on the timing of the construction of the classrooms, calculated at 3.44 peak hour trips per classroom.

7. Approve the use permit revision subject to the following **ongoing, project-specific** conditions:

- a. All student instruction and regular school activities shall be allowed to operate within the parameters identified in the table below:

Operator	Days of Week	Months of Year	Hours of Operation	Maximum Student Enrollment
<i>German-American International School</i>	Monday through Friday	August to June	8:20 a.m. to 3:00 p.m., and extracurricular activities after school would run until 6:00 p.m.	400*
<i>German-American School of Palo Alto</i>	Saturdays	September to June	9:00 a.m. to 12:00 p.m.	110
	Monday through Friday	Mid-June to Mid-August	9:00 a.m. to 2:00 p.m.	90
			2:00 p.m. to 6:00 p.m.	20
<i>Palo Alto French Education Association</i>	Tuesdays and Thursdays	September to June	4:00 p.m. to 6:00 p.m.	40

*Note: The maximum enrollment of 400 students shall follow the enrollment phasing schedule outlined below, provided that the applicant has demonstrated compliance with the daily trip cap and parking demand is effectively managed on the subject site, as specified in conditions 7e and 7f below, prior to embarking onto the subsequent enrollment phase.

	Enrollment Phasing					
	Phase 1	Phase 2	Phase 3	Phase 4	Phase 5	Phase 6
Total Students	280	315	330	355	385	400

Any increase in student enrollment and/or changes to the hours of operation shall require approval of a use permit revision by the Planning Commission.

- b. Activities held during the hours of operation on a school day are permitted and are not considered special events regulated by this permit. The following school activities are allowed to occur outside of normal school hours and days, and shall end by 10:00 p.m.:

Event	Frequency/ Day(s)	Hours	Anticipated Attendance
Open Classrooms	Annually in August	10:00 a.m. to 3:00 p.m.	50 people, staggered
Parents Evening (kindergarten to 4 th grades)	Annually in September	5:00 p.m. to 9:00 p.m.	80 people, staggered
Parents Evening (5 th to 8 th grades)	Annually in September	5:00 p.m. to 9:00 p.m.	80 people, staggered
Community Meeting	Annually in September	7:30 p.m. to 9:30 p.m.	60 people
PS Game Night	Annually in October	5:00 p.m. to 9:00 p.m.	30 people
St. Martin's Parade	Annually in November	5:30 p.m. to 9:00 p.m.	200 people
Open House	Annually in November	1:00 p.m. to 5:00 p.m.	50 people, staggered
Winter Fest	Annually in December	2:00 p.m. to 5:00 p.m.	200 people
Open House	Annually in January	1:00 p.m. to 5:00 p.m.	50 people, staggered
Pizza and Game Night	Annually in April	6:00 p.m. to 8:00 p.m.	30 people
Community Meeting	Annually in May	7:30 p.m. to 9:30 p.m.	60 people
Summer Fest	Annually in June	3:00 p.m. to 7:00 p.m.	200 people
Dance	Twice a year, in January and May	6:00 p.m. to 8:00 p.m.	60 people
Graduation	Annually in June, not anticipated until 2021	Evening	TBD

Special Event permit for any major events that are not listed above.

- c. The applicant shall submit a copy of the student enrollment roster to the Planning Division for the purposes of verifying the student enrollment. The roster shall be submitted annually three months from the first day of the school year. The Planning Division shall return the roster to the school after completion of review. The City shall not make copies of the roster or disseminate any information from the roster to the public to the extent allowed by law.
- d. To the greatest extent possible, GAIS shall continue to promote and encourage families to carpool to school. GAIS shall implement the carpool program and monitor its progress.
- e. Normal operation of the school shall not exceed 920 daily trips. The applicant shall monitor the driveways accessing the site (i.e., primary driveway on Elm Street, and secondary driveway leading to GAIS campus from Willow Oaks Elementary School's rear parking lot) over three (3) weekdays (Tuesday, Wednesday, or Thursday) in October and March of each school year, excluding holiday periods. The daily trip count shall be the average of the three weekday

counts. The data from the traffic counts shall be submitted to the City of Menlo Park Transportation Division in a report for review. The City may also choose to conduct its own monitoring if desired. If the monitoring shows that the trip cap is exceeded, then the applicant will have 60 days to prepare a revised Transportation Demand Management (TDM) program that incorporates additional TDM measures, and an additional 60 days to implement the revised TDM program in order to bring the site into compliance with the daily trip cap. A subsequent monitoring will be conducted by the City after 60 days. If the subsequent monitoring indicates that the site still exceeds the daily trip cap, then the applicant will not be allowed to increase student enrollment for the subsequent school year and may also need to reduce student enrollment accordingly to bring the site into compliance with the daily trip cap. Non-compliance may also result in review of the use permit by the Planning Commission. Any proposed changes to the daily trip cap and/or enrollment cap will require a revision to the use permit.

- f. Based on the limited parking supply, the applicant shall manage the parking demand so that the parking of school-related vehicles will not overflow into the surrounding neighborhood. Staff observations and resident complaints will be used to determine if parking is impacting the neighborhood. If an overflow of parking is found to occur in the neighborhood, then the applicant will have 30 days to implement measures to reduce the school's parking demand and prevent parking in the neighborhood. If overflow parking continues to occur in the neighborhood after the 30 days, the applicant will not be allowed to increase student enrollment and may also need to reduce student enrollment in order to reduce the parking demand. Non-compliance may also result in review of the use permit by the Planning Commission.
- g. The existing pedestrian path from Willow Road to Pope Street that traverses through the subject site's parking lot shall continue to remain open and unobstructed.
- h. During normal operation of the school, school-related vehicles are not permitted to park on any public street or the Willow Oaks Park parking lot. During school events, the applicant shall minimize any parking overflow into the surrounding neighborhood.
- i. All student drop-off and pick-up shall occur within the subject site's parking lot. No students shall be dropped off or picked up along any public streets or the Willow Oaks Park parking lot.
- j. No outdoor sound amplification shall be directed towards the adjacent residences.
- k. The Community Development Director shall review any complaints received by the City regarding operation of the German-American International School or its sublessors. The Community Development Director and her/his designee shall work with the applicant and the neighbors to try to resolve such complaints, when

possible. The Community Development Director shall have the discretion to bring complaints to the Planning Commission for review.

- I. The applicant shall comply with the relevant provisions of the Joint Use Agreement between the City and the Ravenswood City School District regarding the use of the playing fields.

Motion carried 6-0 with Commissioner Strehl recused.

Commissioner Ferrick said she would need to recuse herself as she was doing work for Midpeninsula Housing.

In response to Vice Chair Onken, Senior Planner Rogers suggested that all items for MidPen Housing be opened at the same time and the applicant allowed to make their presentation.

D4. Right-of-Way and Public Utility Easement Abandonment/MidPen Housing/1221-1275

Willow Road: Consideration of an abandonment of public right-of-way (ROW), sidewalk easement, and public utility easements (PUE) to determine whether the proposed abandonments are consistent with the City's General Plan. The request is associated with the development of a new 90-unit senior residential complex at the site. ([Attachment](#))

Staff Comment: Planner Mammarella said on page 6 of Item D4 the recommendation should state Willow Road and not Hamilton Avenue.

Public Comment: Ms. Lillian Lu-Hayler, Director of Development, MidPen Housing Corporation, said 40 percent of senior residents in Menlo Park were at a low and very low income level, and were the population MidPen would serve with this proposed project now named Sequoia Belle Haven. She said seniors who lived or worked in Menlo Park, and met the income requirements would be eligible for the units. She said there had been many public meetings over the last two years about the project. She said input was to increase the supply of affordable senior housing in Menlo Park, to improve site security and circulation, complement the surrounding neighborhood with the building design and landscape, protect and preserve community bonds, and allow seniors to age in place. She said the project would create 90 homes, 48 of those would replace the apartments on site, and 42 would be new units.

Ms. Kristen Belt, Mithun, project architect, said the project had been designed to comply with the R-4-S zoning district standards. She said the access to the site would be primarily from Ivy and secured by a property boundary fence. She said the building was a two- and three-story elevator served building with a variety of outdoor spaces provided. She said the three-story element was pulled away from the homes on Carlton to protect neighbors' privacy. She said the design supported healthy living by encouraging walking through and around the site. She noted architectural elements used to give the building human scale and create visual variety.

Ms. Belt said in regards to the right-of-way and public utility easement abandonment that technically the project would work with the abandonment of existing right-of-way. She said a challenge with the site was a clear definition between the public and private areas. She said pedestrians along Willow Road have to cross frontage road to access the sidewalk adjacent to the buildings. She said vehicles passing through the site occasionally park in spaces designated for residents. She said loitering and garbage dumping also occurred along the

frontage road. She said there was 59-feet, three-inches of existing frontage road and the proposal was for 25-feet, three-inches to be retained as public right-of-way. She said the new right-of-way would be landscaped with a public sidewalk and the other 34 feet would be dedicated to internal circulation and landscaping for the project site.

Ms. Belt said they were requesting a use permit for the construction of a boundary fence that was a critical component in providing security for both residents of the development and pedestrians using the landscaped sidewalk in the proposed right-of-way. She said the regulations for the R-4-S district would allow only for a maximum four-foot fence in the setback, and both neighbors and residents felt a four-foot fence would not create the security they wanted. She said the proposed boundary fence would secure the Sequoia Belle Haven property and help delineate between the public and private realms along Willow Road. She described the fence material proposed and showed a rendering of the proposed pattern. She said the transparency of the proposed fence pattern would provide a visual connection from the public right-of-way to the property boundary and would allow the residents to occupy the area between the building and fence.

Vice Chair Onken closed the public hearing.

Commission Comment: Responding to questions from Commissioners Onken and Strehl regarding public outreach, Mrs. Lu-Hayler described their efforts to meet and inform the neighbors including additional outreach to the neighbors on Carlton Avenue. She said some of the neighbors on Carlton Avenue were quite involved in developing the design. Commissioner Strehl asked about landscaping between the site and the neighbors' rear yards on Carlton Avenue. Ms. Lu-Hayler said that there would be some screening but noted restrictions on planting near the public utility easement (PUE). Vice Chair Onken asked about a masonry wall that was proposed to remain. Ms. Belt said it was about eight-feet tall and noted some residents had extended it to 12 feet in an informal way. She said there were a number of mature trees in the backyards of the Carlton properties, which helped with screening.

Commissioner Combs said the Council voted to give the project a grant of \$3.25 million and asked how the Commission's review was supposed to fit within that. Senior Planner Chow said MidPen was the first recipient of the City's notice of Below Market Rate funding availability. She said with that there were requirements and steps the applicant needed to meet.

Commissioner Kahle asked about the difference between vacation and abandonment, noting this was an interesting piece of property. He asked what was being abandoned to whom, and whether there was any compensation. Senior Planner Chow said that vacation and abandonment were essentially the same thing. She said the property was accessed through public alleys and there were various portions of right-of-way to be abandoned and Exhibit 1 attached to the staff report for item D.4 showed the areas proposed for abandonment. She said the portion of right-of-way perpendicular to Willow Road was owned in fee by the City. She said that would need to be transferred or sold and there was discussion about potential compensation for the City. She said the right-of-way parallel to Willow Road had been given to the City by Caltrans, and when abandoned would revert to the closest adjacent property owner.

Commissioner Combs said all of the right-of-way proposed for abandonment was being abandoned by the City and would become private property. Senior Planner Chow said that was correct. She said there was also a PUE and private easement for sidewalk that would also have

to be abandoned. She said the sidewalk would be relocated so it was officially in the public right-of-way. She said beyond the property boundary that a new PUE would be established for the existing utilities located there.

Commissioner Kadvany asked about the General Plan update and the proposed right-of-way and PUE abandonment. Senior Planner Chow said the proposed abandonment would align with an abandonment on the left that occurred in the 90s. She said Facebook has a mitigation measure to create another through lane to Hwy. 101 and would stop right in front of this property. She said this abandonment would potentially allow for the extension of the through lane. She said the City abandoned the full right-of-way in 2006 to the property to the right of this site. She said although the alignment did not match exactly that the retention of this 25-foot, 3-inch right-of-way by the City was consistent with that of the property to the left. Commissioner Kadvany said there was a notation about the continuation of a sidewalk down to Newbridge. Senior Planner Chow said the applicant was planning frontage improvement and there were discussions with the applicant to continue the sidewalk around the corner on Newbridge to the market.

Vice Chair Onken asked about the parking indicated by herringbone. Ms. Belt said that parking was created at staff request to demonstrate this project would be able to accommodate an approved plan for the adjacent property. She said that project however had been stalled for several years in its construction. She said the referenced parking was to serve the corner lot on Ivy and Willow, which was not part of their project. She said it was currently a landscaped area and if it remained so it was irrelevant to this project.

Commissioner Strehl asked about emergency vehicle access. Ms. Belt said the alley was the access for emergency vehicles. She said they met with the Fire District just that day to confirm that their revised truck radius turnaround diagram for their revised plan would work. She said the Fire District suggested some tweaks to some curb diameters.

Commissioner Combs asked about the rationale for the seven-foot high fence. Ms. Belt said that Planner Mammarella had discussed the history for the requirement of a four-foot fence as an encouragement for buildings to hold the street edge. She said in this instance the 45-foot distance from the building to the property line did not hold the street edge which created a different condition. She said they wanted the plaza area to be an activated space and they felt having a taller fence in that area would allow for activity and encourage use of the space. She said they felt a seven-foot would inhibit scaling over the fence and hiding behind the fence. She said the variations in the fence would allow for visual connection with the site noting that the frontage would create distance from the fence. Commissioner Combs said the choice of seven-foot height was so that someone could not launch over it but asked if there was such a problem currently with outsiders coming in to do harm to the residents. Ms. Lu-Hayler said that residents and community members very much wanted a more secure fence. She said that the current one was very solid and provided a good hiding place. She said the public sidewalk, which currently runs behind the fence, creates a mixed public-private use. She said they have onsite security that patrols each evening and cameras to monitor as there have been a number of incidents wherein non-residents were doing things the residents didn't want to have happening on their property.

Commissioner Goodhue asked about the four-foot fence requirement along Santa Cruz Avenue. Senior Planner Chow said there was a four-foot height fence requirement in front setbacks but noted some regulations for Santa Cruz Avenue that allow for different heights and setbacks through an administrative permit process. Commissioner Goodhue asked about an average height. Planner Mammarella said height was allowed to increase as the setback increases.

Commissioner Kahle said 22 out of 28 heritage trees were proposed for removal and asked if more could be kept and if there were replacement trees. Ms. Belt said that the majority of trees fell within the footprint of the building or the drive aisle. She said the constraints were the numerous PUEs and setback requirements that constricted where they could put the drive aisle and the building footprint. She said to save more of the trees would result in significant parking or unit reductions. She said staff had asked them to look more closely at some trees and there was one of those they thought they could preserve. She said they would provide two-to-one replacement trees and it appeared they would be able to do all of those on site. She said the tree removal permit was contingent upon a tree placement drawing they would finalize with staff.

Senior Planner Chow said in the zoning ordinance there were specific requirements for fencing facing Santa Cruz Avenue. She said the maximum height of fence in the front setback of less than two feet should be four feet, maximum height of fence in the front setback of more than two feet but less than six feet should be five feet, and starting at a six-foot setback, the height of the fence was based on a gradient from a maximum of six feet at a six-foot setback to seven feet at a 20-foot setback.

Vice Chair Onken said the architecture would be a nice addition to Willow Road. He said the fence was interesting but it might be helpful to have a fence that provided acoustic separation. He said there was concern about losing width along Willow Road. He said this stretch of Willow Road was messy now and this design would bring definition.

Commissioner Kahle said it was a handsome project. He said he would like to see more articulation of the lobbies as they did not seem to read well from a guest's perspective. He said regarding the fence that seven foot height was fine and attention had been paid to its materials that would be an interesting addition to the streetscape.

Commissioner Goodhue said she liked the fence and the material both. She said the design worked very well and she hoped future development in that area would take a cue from this project with the landscaping on either side.

Commissioner Strehl said it appeared there was one lobby. Ms. Belt said that there was on main lobby from the northern parking area. She said there was a secondary lobby not intended for visitors as much as just for residents noting there was another elevator at that location.

Commissioner Combs said he was supportive of the project. He said he had concerns about the fence. He said it was their project and they should design it as they wished but as part of the General Plan Update there had been a great deal of discussion about opening up the Belle Haven community and putting it on property owners to do projects that open up to the Belle Haven community.

Commission Action: M/S Onken/Strehl to approve the item as recommended in the staff report

1. Make a finding that the proposed abandonment is categorically exempt under Class 5 (Section 15305, "Minor Alterations in Land Use Limitations") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Adopt Resolution No. 2015-01 determining that abandonment of the public utility easements and emergency access easement on 1221-1275 ~~Hamilton Avenue~~ **Willow Road** is consistent with the General Plan (Attachment C).

Motion carried 6-0 with Commissioner Ferrick recused.

D5. Use Permit/MidPen Housing/1221-1275 Willow Road: Request for a use permit to increase the fence height from four feet to seven feet within the required five-foot front setback along Willow Road. The request is associated with the development of a new 90-unit senior residential complex at the site. ([Attachment](#))

Commission Action: M/S Onken/Goodhue to approve the item with the following modification.

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current CEQA Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City as modified by conditions of approval.
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 Mithun and approved by the Planning Commission on May 18, 2015, except as modified by the conditions contained herein, subject to review and approval by the Planning Division.
 - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
 - c. Prior to building permit issuance; the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance.
4. Approve the use permit subject to the following **project-specific** conditions:
 - a. ~~Concurrent with the submittal for a building permit, the applicant shall revise the plans to reduce the maximum height of the fence to six feet within the front setback. Some height variation, up to a maximum height of seven feet, may be allowed around the front entry gate and other strategic and/or focal points.~~

- a. The design of the fences along the side property lines shall be compatible in design and materials with the fence along the frontage of the property, as determined through the R-4-S compliance review by staff.
- b. An updated lighting plan to enhance the aesthetics and security of the property shall be considered during the R-4-S compliance review by staff.
- c. The subject fence may only be installed if the associated project right-of-way and easements are abandoned, and a lot merger is recorded.

Motion carried 5-1 with Commissioner Combs in opposition and Commissioner Ferrick recused:

E. STUDY SESSION

- E1. R-4-S Compliance Review/MidPen Housing/1221-1275 Willow Road:** Request for R-4-S(AHO) study session to review a new 90-unit affordable senior housing development relative to the development regulations and design standards of the R-4-S (High Density Residential, Special - Affordable Housing Overlay) zoning district. The Planning Commission's review is advisory only and will be taken into consideration as part of the Community Development Director's determination of whether the proposal is in compliance with the R-4-S (AHO) development regulations and design standards. The proposal includes application of the Affordable Housing Overlay, which provides a density bonus for providing on-site affordable units and allows modifications to development standards, a request for abandonment of a portion of Willow Road public right-of-way and public utility easements, and the removal of 21 heritage size trees, in generally good condition, where the majority would conflict with the proposed development. ([Attachment](#))

The Planning Commission conducted a study session on the proposed senior housing development. The study session was considered along with agenda items D4 and D5. The applicant's team presented an overview of the proposal, which was followed by an opportunity for public comment (none received), and Commission questions/comments on the proposal. The overall commentary was positive, with Planning Commissioners indicating that the project complies with the R-4-S development regulations and design standards.

- E2. Study Session/650 Live Oak LLC/650-660 Live Oak Ave:** Request for a study session for the Public Benefit Bonus proposal associated with the architectural control request to demolish an existing commercial building and two dwelling units and construct a new mixed-use project with office and residential uses on two sites in the SP-ECR/D (El Camino Real/Downtown Specific Plan) and R-3 (Apartment) zoning districts. The proposed development would be at the public benefit bonus level, which would exceed the Base level floor area ratio (FAR). The public benefit bonus proposal includes a community garden and gathering space, as well as the provision of a full Below Market Rate (BMR) housing unit, where only a partial unit is required. No actions will take place at this meeting, but the study session will provide an opportunity for the Planning Commission and the public to become more familiar with the proposal and to provide initial feedback on the applicability of the Public Benefit Bonus. ([Attachment](#))

Staff Comment: Senior Planner Rogers said the El Camino Real/Downtown Specific Plan (Specific Plan) set up two tiers of development. He said the base level was meant to achieve inherent community goals encouraging redevelopment of underused parcels, activating the train station area, increasing transit use and enhancing downtown vibrancy. He said those projects

require a detailed architectural control process. He said the public benefit bonus development level has a case-by-case negotiated review process informed by a fiscal economic review. He said the City looked at the benefit to the developer to have the bonus density and also the value of the proposed public benefit to the City. He said for the two remaining study session items, staff had prepared questions to guide the Commission's consideration and discussion.

Public Comment: Mr. Dan Minkoff, lease hold owner for the next 96 years of the property at 650 and 660 Live Oak, which included the former mortuary and three residential homes on an R3 lot, said a community garden at this location would serve residents in the area that did not have yards. He said they also planned to offer Below Market Rate (BMR) housing. He said they have started their public outreach.

Mr. Rob Zirkle, Brecht Architects, said the site was very proximate to the downtown core and Caltrain station. He said being near transit was a driver for their request for more density. He provided visuals of the surrounding neighborhood noting that there were apartments and a general dearth of public green space. He said thinking about the public benefit their project could provide led them to think about the spaces between the buildings. He said their proposed public benefit was a 3,000 square foot community garden with 16 elevated planter beds, outdoor community dining area, and small outdoor kitchen. He noted the increased front setback to create a sidewalk space that would spill into the site. He said they were looking at a 16,800 square foot office building facing Live Oak Avenue, 10 apartment units in the rear of the site and shared outdoor amenities, and five single-family residences at the back of the office building facing the apartment building in the back. He said there were two attached, 3 and 4 bedroom homes on the R3 parcel adjacent to the community garden, shared courtyard space between the apartment homes and the office building, with their own yards as well. He discussed their LEED platinum goal.

Mr. Ben Feschman, Menlo Park, said he owned the property on El Camino Real next to the subject property. He said he was concerned about the impact of this major construction on the retail tenants and residents in the area, noting the noise and amount of time the project might take. He said he would like to see before and after photos to get a sense of how this project would relate to his property. He said his parking was already full and he did not want contractors parking there. He said there was limited street parking.

Commissioner Combs referred to the 90-year lease and asked who the property owner was. Mr. Menchoff said it was the Carol Johnson Trust, a descendent of the person who built the mortuary about 55 years prior.

Vice Chair Onken closed public comment.

Commission Comment: Vice Chair Onken said they were considering the proposed public benefit of the community garden and the one BMR unit as well as the design. He said public benefit consideration looked at whether a defined project feature was desirable and offset the increased density, or whether financial remuneration should be the exchange. He said he did not know if this would be the best site to have a community garden and asked others what they thought about having a community garden pretty much next to El Camino Real.

Commissioner Goodhue said she was thinking similarly about a community garden. She asked if Belle Haven was the only other site of a community garden, which Senior Planner Rogers

confirmed. Commissioner Goodhue said the applicant indicated they would do neighbor outreach about the community garden. She said she supported community gardens but wondered if this was the right site and whether it was needed. She said her experience with community gardens, and referred to Johnson Park in Palo Alto, was they worked best when they were part of a larger park where people gathered anyway. She said garden plants don't look so nice after their peak growing period and at that time the elevated planters might not look attractive and might detract from the overall project.

Mr. Tom Lansing, Krall Landscape Architecture, said they were working with a community garden expert who did the restaurant garden for Sons and Daughters in San Francisco and who would help them plan the types of plants. He said part of the garden would be a demonstration garden and the consultant would help manage the garden. Commissioner Goodhue asked if they had considered a pocket park. Mr. Lansing said they had looked at pocket parks or maybe creating a plaza, but they thought the latter was too urban for the site. He said urban agriculture was a big movement, sustainable and was very good in bringing the community together, creating education and promoting health. Commissioner Goodhue asked about their community outreach to determine interest. Mr. Lansing said they started the process in January working with their design team and garden consultant, and talked with Glen Rojas about the Belle Haven community garden. He said Mr. Rojas indicated more community gardens were needed in Menlo Park. He said they reached out to other community gardeners in the South Bay, all of whom indicated there needed to be more community gardens. He said they prepared a report on the benefits of community gardens and talked with 20-some people in Menlo Park, held a quick informal meeting at Kepler's Bookstore talking with customers and employees. He said people were excited about the idea and provided feedback. He said they would continue the outreach. Vice Chair Onken asked about water. Mr. Lansing said they had not determined that yet but would look into reclaimed water or using rain barrels to harvest rain from the buildings. He said vegetable gardens did not use a tremendous amount of water as they were small.

Commissioner Kadvany said that he also questioned whether this was the right place for a community garden. He suggested there might be a playground or more traditional park there. He said the community garden was very expensive to create and maintain. He said the increased development value was the office space noting an increase of 4,500 square feet and the base development value was already much higher than the previous zoning. He said he thought the public benefit numbers should be significantly higher than what was proposed.

Commissioner Kahle said he liked that a park was being proposed and thought where it was located it would be used. He said he would however like a smaller community garden and more tables and chairs in the space. He said the City's Parks and Recreation Division was trying to get more space in the downtown area and suggested the applicant talk to them. He asked about the amenities and how the open space would be used including at night. Mr. Menchoff said lighting was needed at night for safety but they would not be inclined to have the space used for night time parties. He said talking to Parks and Recreation was a good idea. He said that financial remuneration was always possible to the City. He said carving out space for community space was important to them, and noted that land was scarcer than money.

Vice Chair Onken said there was obvious need for money to support services in the City but he thought most people would prefer a bike tunnel over \$10,000,000 from Stanford. He said he was not sure the City needed a community garden, however. He said he agreed with the

applicant that having land and an activity coming out of that rather than paying a fee to the City had a benefit that went beyond the actual value of the number.

Commissioner Kadvany said the point about the land was a good one. He said his question was whether community garden was the right thing.

Mr. Minkoff said buildings last a long time. He said the 3,200 square feet of open space was adaptable over time and perhaps in the future a playground was needed or some other thing. He said the economic value of this project did not include a calculation for the land to be kept open, but there was a value to that.

Commissioner Combs said initially he thought the community garden was kind of different. He said after thinking about it he decided he was willing to support the concept. He said he liked that the applicant approached it differently to create an active area rather than a passive park.

Commissioner Goodhue asked regarding public benefit where they should next go. She said she liked the park concept and the way the buildings were broken up with private and public place. She said she would like to see how the applicants came up with their valuation to offer the community garden. She said her concern was the area might become the public area for the office and hoped that the gardens would not be considered to be for the elite only.

Mr. Lansing said from a visibility standpoint and pursuant to the question about the space serving the office building they considered ways to advertise the availability of these garden plots to residents. He said their first instinct had been to put a park there, but it would be a small park. He said with its proximity to the office building there would be a propensity to consider it a park for those tenants. He said the community garden idea came out of this discussion as it would be a designation use. He said it was its programmatic element that took it out of the domain of the office building or just the houses there.

Commissioner Kadvany asked about the R3 lot and the open space, and if it could be used for anything else with the proposed project. Senior Planner Rogers said the R3 had different limits including the dwelling unit limit, which the applicant was proposing to the limit accommodated on this site or two units. He said there was building coverage limit and a landscaping requirement of 50% so the garden would contribute to that. He said they would provide the parking for the R3 units in the underground garage so the driveways could be combined. He said if the City did not support the community garden the design could include parking on the site for those units.

Mr. Minkoff said the requirement for both lots was 4,483 square feet of open space or 20% and they were proposing 16,445 square feet open space. He said if they did not seek the public benefit density they would have a traditional driveway and detached homes rather than attached homes.

Commissioner Kahle said the community garden concept was worthy of looking into and he thought residents would be the primary users and that might inform what it should be in the future.

Commissioner Kadvany said they should not look at programming. He said if they thought it was worthwhile to have this plot of land to be used for some potential range of valuation that

was okay, but if that range was not a good range, they should forget it. He suggested they look at land value. He figured this community garden plot might be worth \$500,000. He said a starting point was whether the City wanted to buy that land for some use. He said they should consider how much a year the applicant would make annually on the extra office space square footage they were allowed with the public density benefit. He said they needed to establish a paradigm to assess public benefit and value.

Vice Chair Onken suggested rather than a paradigm that a calculation method be established and rather than leaving the determination of what public benefit was through an open-ended creative process. He said the community could provide the Council with their opinion on what the right direction for public benefit was and whether this was an acceptable example of what a public benefit was.

Replying to Vice Chair Onken, Senior Planner Rogers said there was not a clear answer on public benefit, which could be the recommendation for the Council to consider.

Commissioner Combs said the financial analysis was important and the value contribution to the City was important. He said however they could run in circles trying to identify the exact value in the exchange of higher density for public benefit. He said he wanted what was most valuable for the City and he did not know if they could assign a specific dollar amount to that. He said they had not gotten consensus at the Commission level on this and he expected the same at the Council level. He said looking at these projects he wanted something that provided a community benefit of value and was less interested in making sure the City got its fair cut of whatever value the extra density would bring the developer.

Commissioner Ferrick said she appreciated the Commissioners' comments. She said she liked the urban design concepts and the provision of an amenity rather than an ingress/egress driveway in the proposed open space. She said she wasn't sure if a community garden was what the community needed or wanted. She said the BMR unit was a valuable thing but she wouldn't want to assert to have two BMR units rather than the community garden. She suggested the applicants stay for the next study session whose applicants were offering a different set of things for public benefit.

Commissioner Kadvany said he agreed with Commissioner Combs but thought that value should be considered. He said the City of Palo Alto recently stated that they could have received more value for the extra density they allowed and they were now overdeveloped, and had shortchanged themselves.

Vice Chair Onken said regarding architectural control that this was a good project. He said he would like to see it on El Camino Real because of its urban quality. He suggested they needed to be careful about the porcelain tile noting they had shown buildings in Menlo Park where it was used and did not work. Mr. Menchoff said they showed those buildings as contextual within the neighborhood. Vice Chair Onken said if this was before the Commission for a use permit he would want a condition to see exact material samples.

Senior Planner Rogers noted that procedurally the Commission concluded its meetings at 11:30 p.m. unless at 10:30 p.m. the Commission voted by a three-quarter majority vote to continue past 11:30 p.m. He also said there were some references to the Council seeing this project, but clarified it would only be seen by the Council if it was appealed.

Vice Chair Onken said he thought they could wrap up by 11:30 p.m. Commissioners Ferrick and Strehl agreed. Commissioner Kadvany said he thought they should vote to go past 11:30 p.m. if needed.

Commissioner Ferrick said she really liked the overall design of the project but also was wary of using the porcelain tiles. She said she liked the mixed use and adding more housing in the area. She said her concern was the homes would be very expensive. She said she liked the articulation and inside and outside spaces.

Commissioner Strehl said she agreed with other Commissioners' comments about the architecture. She said she also liked the mixed use, the housing, and that they were providing parking for the two townhomes. She asked if the public benefit discussion would come back to the Commission. Senior Planner Rogers said if the applicant elected to proceed with the public benefit density project the Commission would need to approve the building and the benefit together.

Commissioner Goodhue said it was a good use of the space. She said she had same thought as Vice Chair Onken about having the project related more to El Camino Real. She said the proposal was a great illustration of what the Specific Plan was calling for, and she wanted to encourage it.

Commissioner Kadvany said this was a good application of the Specific Plan ideas. He said to relate it to the valuation issue that a project which achieved many Plan goals had intrinsic benefit in itself. He said he didn't understand how privacy was provided for the units in the rear noting their bedrooms facing the common patio area and the big windows looking over to the office building. He said there was a project downtown with big windows that they approved but now the windows are always screened with drapes. He said there were mixed uses in Palo Alto with residences in the back and office building in the front and the residences felt like they were in the back of a big parking lot.

Commissioner Kahle said he was generally supportive of the design but had some concerns with the massing and the monolithic appearance of the northern corner, noting the porcelain tile. He suggested more of an offset there. He said there seemed to be a lot of deck space on the third floor and thought maybe it was too much. He suggested using some of the roof space for solar.

Summary: Planning Commission conducted a study session on the proposed mixed-use development. The applicant's team presented an overview of the proposal, which was followed by an opportunity for public comment (one speaker), and Commission questions/comments on the proposal. Topics discussed included:

- Community garden need in this area, and its potential management/operations
- Possible alternate public space proposals, such as a playground or general plaza/park
- Whether public benefit should generally be a monetary contribution, a physical improvement, or a combination of elements
- Potential alternate valuations for public benefit
- Generally positive comments on the mix of uses and design, with some questions/caveats
- Need to see exact material samples when project is next reviewed

E3. Study Session/Lane Partners/1020 Alma Street: Request for a study session for the Public Benefit Bonus proposal associated with the architectural control request to demolish two existing commercial buildings and construct a new three-story office building with two underground parking levels on a site (currently addressed 1010-1026 Alma Street) in the SP-ECR/D (El Camino Real/Downtown Specific Plan) zoning district. The proposed development would be at the public benefit bonus level, which would exceed the Base level floor area ratio (FAR) for office uses on the subject site. The public benefit bonus proposal includes the provision of public plazas along Alma Street, a small pavilion for a cafe, and a financial contribution to the City. No actions will take place at this meeting, but the study session will provide an opportunity for the Planning Commission and the public to become more familiar with the proposal and to provide initial feedback on the applicability of the Public Benefit Bonus. ([Attachment](#))

Staff Comment: Planner Lin said staff received two additional pieces of correspondence, one from Clem Maloney and the other from Greg Alvin, both of which expressed support for the proposed project and the public benefit bonus.

Public Comment: Mr. Scott Smithers, founder and managing partner for Lane Partners, said his company was headquartered in Menlo Park, and he was a resident as well. He asked the architect to provide an overview of the project.

Mr. Chris Haglan, BAR Architects, said the site was flanked on both sides by streets, Alma Street and Alma Lane. He said there were a number of trees and they were looking at preserving the trees. He said they looked at office and residential mix use but realized if they were going to keep the trees they could only do the office use. He said also the site is near the Caltrain tracks and an office use was probably a better use than residential. He said they were proposing a 25,000 square foot, three-story office building with two levels of underground parking and surface parking spaces on Alma Lane. He noted the heritage oaks that their plan worked around as they considered them a huge amenity for the building. He said they would make street improvements along Alma including wider sidewalks, enhanced landscaping, bicycle parking and outdoor spaces. He said there were 20 surface parking spaces to the rear of the lot which were an existing condition and they were proposing to improve upon that with permeable paving, bio-swale, and a series of landscape elements to break up the parking into smaller elements. He described the design and materials. He said they looked at the design guidelines with staff and spent time to follow those. He said they would pursue LEED gold for the project.

Mr. Smithers said for the public benefit they considered what they would like to see from the perspective of a resident. He said they came up with a coffee pavilion and an outdoor area to energize and create vibrancy. He said there were pockets of this area that needed upgrading including this parcel. He said they were proposing this pavilion and \$180,000 contribution to the City as public benefit. He said the value of the pavilion was about \$200,000 for costs and square footage associated with that. He said the \$180,000 contribution was a 6% value of the extra 5,700 square feet. He said in addition to those two things there was an area that fronts their project and Jan's Deli where they would provide more outdoor seating.

Ms. Klara Turner, business owner, on Alma expressed her concern that the retail on this street was being lost. She said Iberia was moving to Belmont. She said right now the parking was

really good. She said an office building would not bring vibrancy on the weekends. She said Alma Lane was not the safest place and she thought it would be even less safe without the hubbub of retail and service use.

Mr. Jon Mueller, Menlo Park said this project was exciting and he thought it would add vibrancy in this location. He said he would take advantage of having a coffee place on this side.

Mr. Easton McAllister, Menlo Park, said his residence was immediately behind Iberia and dead center in the middle of this project and he supported it. He said for medical reasons he needed to walk and part of his route took him up Alma Lane. He said it was very discomfiting for anyone with physical challenges as there were no sidewalks or lights. He said this project would provide parking and a sidewalk across the street. He said regarding security that currently there was an industrial look to the back of the lane, a Laundromat with parking that was used at all hours of the day, and criminal activity. He said the project looked great and he appreciated the public outreach they had conducted. He said regarding the public benefit that there was a need for a coffee place and an outside gathering area for people getting on and off the train.

Vice Chair Onken closed the public comment.

Commission Comment: Vice Chair Onken said this project would have all of its traffic on Alma Lane and asked about traffic impacts on the intersection of Ravenswood. Planner Lin said the traffic was being studied and there had been some studies of potential impacts due to the access through Alma Lane and how it would turn into Alma Lane from Ravenswood. Vice Chair Onken asked if people would be turning left out of Alma Lane onto Ravenswood. Planner Lin said she would have to check with the Transportation Division.

Commissioner Strehl said the Council was looking at putting temporary barriers to prevent left turns from Alma Street onto Ravenswood at certain times.

Commissioner Kahle said the coffee kiosk was a great idea. He said the depth of it was 14 feet and he wasn't sure about the artisan fence. He said he would like it pushed back to open the space more so the oak tree was part of the public space or to get rid of it all together. He said he thought the 700 square foot plaza on the east side would be under-utilized. He said retail use on the ground floor would be desirable.

Commissioner Goodhue said she had similar reactions to the project design as Commissioner Kahle. She said the coffee kiosk was dwarfed by the scale of the building, and there was a beautiful oak tree that the public would not have access to. She agreed with the idea of having retail use on the first floor noting that would have more use and activity on the weekends.

Commissioner Combs said he liked the project but regarding value he saw a shallow public space and an enormous private courtyard. He thought the public plaza should be greater and he liked the coffee kiosk.

Vice Chair Onken said if they were open to have retail on the ground floor that having 1,000 square feet there next to the public space with retail would help the public space.

Commissioner Kadvany said he was pro-retail but he was not sure about foot traffic on Alma Lane, and whether it would work there. He asked if they had thought about stacked parking or alternatives. Mr. Smithers said they had looked at stacker, carousel and puzzle parking solutions and came to conclusion that 96 cars would be best served by the two level underground parking. Commissioner Kadvany said there were suggestions on valuation inherent in the development proposal. He said the valuation was conservative on the low side for this project. He suggested that a negotiation team representing the City was needed. He said he agreed with the comments about the oak tree.

Vice Chair Onken said regarding public benefit this project was providing revenue to the City and an amenity. He suggested that perhaps this blended type of public benefit was desirable.

Commissioner Goodhue asked if they had looked at how the coffee kiosk would relate to people getting on and off of the train, if it was safe and how many people could get through. Mr. Smithers said there was a raised dome connection both north and south of their project. He said they would cross Alma Street.

Commissioner Ferrick said she liked the coffee kiosk and moving the screening fence to allow access to the oak tree. She said the parking requirements for this project were high and she thought it was excessive noting nearby train station parking and availability. She said underground parking was very expensive and she asked if it would be possible to trade off some of the underground parking costs with shared public benefit and help the applicant save some money.

Commissioner Strehl said she agreed with Commissioner Ferrick's comments regarding parking. She said if there was a TDM program for the building they would not need as much parking. She said she agreed with opening the area by the oak tree by removing the fence. She asked if the 20 surface parking spaces were restricted use or open to anyone using Alma Lane. Mr. Smithers said it was part of the parking requirement and as it stood now was restricted for their tenants.

Commissioner Kadvany said that the project might give the City some spaces for local workers to use.

Commissioner Ferrick said she liked the design. Commissioner Kahle said he was concerned about the massing and decks. Vice Chair Onken said it was a big building and a positive new street presence on Alma.

Summary: The Planning Commission conducted a study session on the proposed office development. The applicant's team presented an overview of the proposal, which was followed by an opportunity for public comment (three speakers), and Commission questions/comments on the proposal. Topics discussed included:

- Location of all off-street parking along rear (Alma Lane), and possible effects of Alma/Ravenswood trial changes
- Relatively small size of left side public plaza, in relation to private courtyard behind; whether public plaza could be enlarged to include oak tree
- Opportunity for additional retail space
- Parking requirements and whether those could possibly be adjusted
- Potential alternate valuations for public benefit

- Generally positive comments on the building design, with some questions/caveats

F. REGULAR BUSINESS

F1. Selection of Planning Commission Chair and Vice Chair for May 2015 through April 2016 ([Attachment](#))

Commissioner Ferrick nominated Commissioner Onken for Chair and Commissioner Strehl for Vice Chair. Commissioner Combs seconded the nominations.

Commission Action: M/S Ferrick/Strehl to select Commissioner Onken as Chair.

Motion carried 6-0 with Commissioner Onken abstaining.

Commission Action: M/S Kadvany/Onken to select Commissioner Strehl as Vice Chair.

Motion carried 6-0 with Commissioner Strehl abstaining.

G. COMMISSION BUSINESS

There was none.

H. INFORMATION ITEMS

There were none.

ADJOURNMENT

The meeting adjourned at 11:28 p.m.

Staff Liaison: Thomas Rogers, Senior Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on June 29, 2015.