



REGULAR MEETING MINUTES

Date: 8/3/2015
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

Chair Onken called the meeting to order at 7:01 p.m.

Present: Combs, Ferrick, Goodhue, Kadvany, Kahle, Onken (Chair), Strehl (Vice Chair)
Staff: Thomas Rogers, Senior Planner, Jean Lin, Associate Planner, Michele T. Morris, Associate Planner

A. Reports and Announcements

Senior Planner Rogers said the September 21 Planning Commission meeting would focus on the General Plan and the environmental impact review scoping session. He said the City Council would meet on August 25 and tentatively were scheduled to consider the El Camino Real Corridor Study and receive the Planning Commission's and Bicycle and Transportation Commission's recommendations on that with the expectation they would select a preferred alternative for action.

B. Public Comment

There was none.

C. Consent Calendar

- C1. Approval of minutes from the July 13, Planning Commission meeting. ([Attachment](#))

Commission Action: M/S Ferrick/Onken to approve the July 13 Planning Commission meeting minutes as submitted.

Motion carried 5-0 with Commissioners Kadvany and Strehl abstaining.

D. Public Hearing

- D1. **Use Permit/Gina Song/19 Nancy Way:** Request for a use permit to construct a new two-story single-family residence on a substandard lot in the R-1-U (Single Family Urban Residential) zoning district. Some elements of the existing structure may be retained as part of the project, but the proposal is considered a new structure. ([Staff Report # 15-007-PC](#))

Staff Comment: Planner Morris said staff had no additions to the staff report.

Public Comment: Ms. Gina Song, property owner, introduced her husband Steve and her daughter, and said they had been living in Menlo Park for five years. She said they had a growing family and wished to re-do their home to accommodate. She said they had shared their plans with their neighbors and received support from them.

Commissioner Kahle referred to the arborist report related it to the oak in the backyard. He said the report indicated the tree was healthy overall but referred to a live crown ratio of 20%. Planner Morris said staff had made a site inspection but arborist findings were not within their expertise.

Chair Onken noted that the design was built around the tree and asked the applicant about the health of the tree.

Ms. Megan Matthews, project designer, said the design pulled the home out of the original home footprint and that was based on conversations with the arborist to relieve additional pressure on the oak tree trunk.

Chair Onken asked if the tree would be pruned for the construction.

Ms. Matthews said as story poles were placed and during construction, the arborist would make recommendations on tree preservation and protection.

Commissioner Kahle asked about the two roof pitches and the height of the garage which appeared to be four foot higher than it was currently.

Ms. Matthews said the garage interior ceiling height would be the same and the ceiling height would increase two feet going into the main house.

Commissioner Kahle said the existing garage height was 14-feet, nine-inches, and the proposed height was 16-feet 10-inch. He asked if attic space was being created in the garage.

Ms. Matthews said the height was for aesthetics to tie it into the roof line with the upper building to create interest on the front elevation. She said the roof pitch changed from a 4 and 12 at the rear of the living room, dining room, and kitchen to keep below the five foot restriction for the attic space related to floor area ratio (FAR).

Commissioner Kahle said the existing roof over the first floor section was increasing from a 4 and 12 pitch to a 5 and 12 pitch and the other new roofs were at 4 and 1 pitches.

Ms. Matthews said the 4 and 12 roof was only at the level of the garage wrapping at the bottom of the second story.

Commissioner Kahle said he also saw a 6 and 12.

Ms. Matthews said the 6 and 12 was the primary and the 4 and 12 was to connect the garage and wrap around the front and then was reduced to 5 and 12 at the rear.

Ms. Sue Dahlkemper, Menlo Park, said she was a neighbor and was helping with the project site's landscape design. She said this project would add value to the street noting growth and new second story homes was the trend in the neighborhood.

Chair Onken closed the public hearing.

Commission Comment: Commissioner Kahle said he had minor issues with the design and he wanted to make sure the oak tree was healthy enough to justify offsetting the massing of the home to one side. He said a new foundation was going to be deeper than the existing and he thought that might have more impact on the tree. He said he would like a condition for a more detailed arborist report. He said he would like to see more consistency with the roof pitches noting there were three different ones. He said the garage seemed too tall and although it would reduce the massing of the second story, he would like the height reduced. He said he would like to see mitered corners on the Hardy boards rather than corner boards or at least painting corners the same color as the boards. He said regarding the eaves that unless it was a closed soffit he would like the detail to disappear and for the eave to become a regular large rafter detail.

Commissioner Kadvany said the adjacent neighboring property owners had written a critical letter. He noted that there were seven-foot side setbacks for the project however which was better than five-foot setbacks, the second story was set back, and with some modest landscaping the line of sight could be eliminated as the new building would not look in that property's backyard.

Chair Onken said in transitional neighborhoods such as this with residences redeveloping from one-story to two-stories that those built to the maximum second-story allowances could be jarring for neighbors. He said this design, which he found somewhat awkward due to the perceived need to design around the oak tree, was more of a story-and-a-half home than a two-story, which he appreciated. He suggested they might want to consider redesigning the home as if the tree was not there. He noted that the garage faced the street which was not preferable but given the site shape it was appropriate for this site.

Commissioner Kadvany said there was no basement and the tree was a distance from the house so he did not think an additional arborist report was needed. He said he liked the critique of the multiple roof lines and thought those might appear stronger when built.

Commissioner Kahle said the project was described as a California farmhouse. He said to accomplish that style the home needed more refinement around the entry. He said the roof over the playroom connected oddly to the entry and opposite a two-story wall with a staircase with a tall window in the powder room. He said if it was to be a California farmhouse it should have a porch or something that tied it all together and gave it more curb appeal.

Chair Onken moved to approve as recommended in Attachment A1 to the staff report, and to require the arborist clarify the health of the oak tree for staff. He said if the tree were less than completely healthy that the Commission should be informed of that. Additionally the applicant should make minor architectural details and simplify the roof pitches as outlined by Commissioner Kahle. Commissioner Goodhue seconded.

Commissioner Combs asked if the changes were required or needed to be considered. Chair Onken said considered and not mandated. Commissioner Goodhue said her second was based on a non-mandate motion.

Commissioner Ferrick asked what would happen procedurally if the applicant decided to make some of those changes. Chair Onken said those would be submitted to staff for review and approval, and the Commission would receive an email regarding their compliance. Commissioner Ferrick confirmed that the project would not come back for further consideration. She said that the project as submitted met the City regulations and standards, and as they did not have residential development guidelines she would be uncomfortable with mandating the design suggestions.

Commission Action: M/S Onken/Goodhue to approve the project as stated in Attachment A1 to the staff report with the following modifications.

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 Megan Matthews Design, consisting of 24 plan sheets, dated received July 20, 2015, and approved by the Planning Commission on August 3, 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.
4. **Approve the use permit subject to the following project-specific conditions:**
- a. ***Simultaneous with the submittal of a complete building permit application, the applicant shall submit a revised and more detailed arborist report with an additional evaluation of the health of tree number 1. The revised arborist report shall be subject to review and approval of the Planning Division. The Planning Division will send a report to the Planning Commission regarding the revised arborist report.***
 - b. ***Simultaneous with the submittal of a complete building permit application, the applicant may submit revised plans that address design suggestions made by the Planning Commission at the August 3, 2015 meeting, subject to review and approval of the Planning Division. The Planning Division will send a report to update the Planning Commission regarding any revisions. Suggestions included:***
 - i. ***Reducing the variety of roof pitches;***
 - ii. ***Reducing the height of the proposed garage;***
 - iii. ***Eliminating the fascia return of the eaves; and***
 - iv. ***Creating bargeboard or rafter detailing.***

Motion carried 6-1 with Commissioner Kahle opposing.

E. Regular Business

- E1. **El Camino Real/Downtown Specific Plan/Biennial Review:** Ongoing evaluation of the El Camino Real/Downtown Specific Plan, which was approved in 2012. As specified by Chapter G ("Implementation"), the Planning Commission and City Council will conduct an initial review of the Plan one year after adoption (2013), with ongoing review at two-year intervals thereafter. This review is intended to ensure that the Plan is functioning as intended, as well as to consider the policy-related implications of various Plan aspects. Depending on the results of the review, potential modifications may be formally presented for Planning Commission recommendation and City Council action at subsequent meetings. Any such modifications may require additional review under the California Environmental Quality Act (CEQA). ([Staff Report # 15-008-PC](#))

Staff Comment: Senior Planner Rogers said correspondence received had been sent to the Commissioners via email and hard copies were provided this evening for the Commission and

members of the public.

Planner Lin said this was a required ongoing review of the El Camino Real/Downtown Specific Plan (Plan). She said the initial one-year review conducted in 2013 has led into reviewing the Plan every two years. She said since the implementation of the Plan, several public space improvements had occurred or were in the process of being implemented such as the Off the Grid Food Truck events at the Caltrain station parking lot, the Santa Cruz Avenue Sidewalk Café Pilot program, the outdoor movie events on the Chestnut paseo, and an upcoming September action to activate the Chestnut paseo space. She said staff prepared a table of development projects approved, proposed and/or currently under review within the Plan area, which she briefly summarized. She said staff was recommending several changes to clarify and streamline certain aspects of the Plan: under Development Standards including a recommendation to clarify the rear setback making it at the boundary of Plan district parcel with an adjacent residential district parcel to create a buffer zone; to allow a variance to the maximum side setback requirement in excess of 50 percent of the requirement in order to address certain unique site conditions that staff saw in project reviews; and clarification of sidewalk standards along some of the side streets where there are no sidewalks currently. She said staff also was recommending some transportation-related modifications including establishing a lower required parking rate for limited services hotel uses; establishing a parking rate for personal improvement services; allowing parking reductions to be considered for mixed use projects in the Station Area Sphere of Influence and close to transit; formalizing the City's Transportation Demand Management (TDM) program criteria, and requiring electric charging stations for commercial projects. She said those stations were now only required for residential and residential mixed-use projects. She said the Commission was asked to review these recommendations and provide feedback on them to the City Council. She said the City Council would next review these recommendations and the Commission's feedback, and provide direction to staff. She said staff would prepare analysis on the proposed changes including any changes to the Plan document and prepare environmental review. She said this would subsequently be brought to the Commission for review and recommendation to the City Council after which the Council would review the proposed changes and the Commission's recommendations. She said the Plan documents would then be revised to include the approved changes.

Commissioner Kahle asked about the 50% limit regarding the maximum side setback. Senior Planner Rogers said under the City's Ordinance Code a variance from the side setback requirement might be requested but for only up to 50% of the required setback. He said the logic for that did not seem to apply well to what was more urban development in the Plan area, noting an instance where the 50% limit for side setback variance meant that half a healthy heritage tree would need to be removed if that limit were applied.

Commissioner Goodhue asked about the requirement for electric charging stations. Planner Lin said that mid-to-large-sized residential projects were required to have electric charging stations. She said these included new large commercial projects, 5,000 square feet or greater, new residential development, either single or duplex, new multi-family residential developments of three or more units, and new multi-building / one building development on one or more acres. She said they would also be required for significant alterations of existing buildings. She said at this time

they were merely identifying an omission in terms of not having an electric charging station requirement for commercial development and it would have to be analyzed.

Chair Onken asked about Calgreen requirements and electric charging stations. Planner Lin said that Calgreen required a certain amount of parking spaces for clean fuel vehicles. She said staff was made aware of recent legislation regarding electric charging stations. She said they had not yet had time to look at those items in detail but would explore those provisions and requirements as part of the recommendation being made.

Commissioner Goodhue asked about Ms. Patti Fry's correspondence and that there appeared to be a discrepancy in the project numbers. Senior Planner Rogers said similar comments had been submitted previously and had been reviewed with other staff. He said they looked at historical documents and discussed the topic with the City Attorney. He said staff's list of development projects was correct as far as could be determined. He said the key area of disagreement was with how the Derry mixed used project was counted. He said that project did not receive final approvals including CEQA and thus there were no credits to the current 1300 El Camino Real project from the Derry Lane portion. He said there was a credit for the Sand Hill Property Company's 1300 El Camino Real project that had been approved in 2009 with an approved environmental review. He said that was deducted from the current Greenheart Station 1300 project. He said they have reviewed the information multiple times and staff believed the information was correct as presented.

Commissioner Goodhue asked if the hotel on Glenwood Avenue was a limited service hotel without a restaurant. Planner Lin said it was limited service with most of its services geared toward their guests. She said although there was a restaurant, there were no extensive meeting or conference facilities.

Commissioner Strehl said she recalled that the hotel proposal included hosting weddings and attracting dining customers. Commissioner Goodhue said she thought there needed to be further investigation into the proposed hotel use at Glenwood and whether it was actually a limited service hotel.

Public Benefit Presentation

Commissioner Kadvany said he and Commissioner Onken had extensive discussions and emails about public benefit, and that he had spoken about this with local real estate brokers and developers. He noted that their presentation was attached to the staff report as Attachment B. He said they were suggesting in addition to the current analysis for determining public benefit another method of valuation to determine the cost of buildable square footage by right, and using that metric as a starting point for public benefit proposals. He provided an example of how this would be calculated. He said the suggested approach to use the buildable cost per square foot metric could be combined with a 50/50 sharing of FAR bonus value which represented the developer having a partner role with the city in the project. He said this method could also be used with leased property. He said this could be combined with the traditional method of determining public benefit, and was not meant as a decisive standard for determining public benefit but a starting point for benefit proposal considerations. He said the developer then might propose other things

about the project that provided public benefit such as hotel transient occupancy tax (TOT) and/or desirable retail frontage, affordable or senior housing, or companies providing tax/revenue benefits to the City. He said another question was whether Planning Commission architectural and design decisions would be made before, in parallel with, or after negotiated public benefit. He said the Plan EIR may have assumed a limited number of public benefit projects, and that too many benefit projects could exceed the caps, requiring a new EIR.

Chair Onken said he would like to see a model for the determination of public benefit whereby Planning Commissioners did not haggle about money with applicants as he did not think that was where Commissioners' abilities lie or what they had been appointed to do. He said ideally there would be a standard equation of some sort that staff was commissioned to use with the goal of a more transparent process for determining public benefit.

Public Comment: Ms. Patti Fry, Menlo Park, said she was a 24-year Menlo Park resident, had been involved in all stages of the Specific Plan development, and was a former Planning Commissioner. She said the community came together during the visioning for the Plan with a strong desire to vitalize the El Camino Real corridor and downtown community. She said the community accepted more height in exchange for more open space, and were willing to accept impacts that were not possible to mitigate because promises of benefits that included enhancing the public realm, creating a more active and vibrant downtown with a mix of retail, office and residential uses, and enhanced connectivity, walkability and healthy living were made. She said the Plan was developed in the depth of the recession and based on a sense that the public benefit threshold had to be high to encourage development. She said there was now a different economy. She asked the Commission to look at the Plan and how well it is working to the expectations of that time. She said there was a perception that the City has lost retail and that was something that needed to be looked at as part of the Plan. She said the open space offered by the Stanford project was balconies. She said the key points for TDM were to be able to have mechanisms to manage the real impacts of growth. She said many public improvements were expected in the first five years of Plan as part of the public benefit. She said those were not done so they needed to be looked at so the promise of the Plan might be realized.

Mr. Steve Pierce, Greenheart Land Company, said he appreciated the public benefit discussion. He said there was a desire for simplicity to determine public benefit and in other places that was a simple dollar amount. He said the City was using a pro forma approach that was a more fine grained analysis. He said what was being proposed by Commissioners Kadvany and Onken was somewhere in between. He said the current method was accomplished by an independent consultant who did in depth analysis and took into consideration costs and revenues to determine the profit from a project and the additional profit relating to public benefit. He said both the investors and the City were interested in that latter profit and how much value that created, which led to the question of how that would be split. He said he thought it would be good to establish what that split would be and that could reduce the number of negotiating points earlier in the process. He said the benefit of the more fine-grained analysis looked at the differences among projects. He said for 1020 Alma Street that analysis found that the value of the additional square foot was \$185 and in the same evening 650 Live Oak Avenue was considered and that dollar value went to \$28 per square foot. He said that was a huge difference because they were two very

different projects. He said the proposed method of determining public benefit included cost only for square footage at the base density. He said Station 1300 was a poster child for why that would not work. He said at their base density they would do an aboveground structure parking with about 20% open space on the site. He said at the public benefit density level parking would go underground with about 38% open space on the site. He said that was a public benefit with a price tag of about \$27 million to park the cars underground. He said if that cost was not included in the calculation of public benefit such a project became infeasible. He said the pro forma approach was really the only way to get at the wide variations.

Chair Onken closed the public hearing.

Commission Comment: Chair Onken suggested they review each item and close with the public benefit discussion.

Commissioner Kadvany said related to the recommended modifications for parking that he appreciated a more flexible approach to parking and suggested staff might look at parking even more broadly, noting that what was proposed to be modified for parking was in response to certain projects.

Rear Setback

In response to a query from Chair Onken, Senior Planner Rogers said that the recommended modification for rear setbacks was identified in 2013 and at that time they pursued a remedy using what was named "Clarification and Interpretation Memo" and which was like an overlay to the Plan. He said that route made sense if no other changes were being proposed to the Plan. He said the need to modify the rear setback came out of the 612 College Avenue project in that the lot was a much deeper than wide with the main frontage on College Avenue. He said the original applicant made the assumption that the rear setback, which was the largest setback at 20 feet, applied to the functional rear of the property. He said everything with the Plan including its EIR said the rear setback was where the Plan boundary touched a single-family or other sensitive residential property. He said for the 612 College Avenue project, they were able to work the rear setback out to provide buffer to the R-1-U property to the left, but that a diagram and/or other changes in the Plan would assist in relaying that information to all applications.

Side Setback

Commissioner Combs referred to the recommendation regarding side setbacks and variance request and asked why the maximum side setback could not be changed instead. Senior Planner Rogers said the maximum side setbacks were intended to create a consistent street presence of buildings. He said the change they were recommending was to assist in hardship situations such as a heritage tree taking up more than half of the side setback. He said removing the maximum altogether would run the risk of unnecessary gaps occurring.

Chair Onken said he was supportive of the two recommendations for setbacks. He suggested that they review each item and determine if there was consensus. He said if it was not clearly consensus they could vote. He said finally they could draft a motion of other recommendations.

Commissioner Goodhue said she supported both setback recommended changes.

Commissioner Ferrick said she agreed with determining consensus. She said she supported the recommendations and most important to her was establishing criteria for TDM.

Commissioner Combs said he agreed with the recommendations and establishing criteria for the TDM program.

Sidewalks

Chair Onken said he supported the recommended change to sidewalks.

Commissioner Goodhue said regarding sidewalks that it seemed reactive and piecemeal and they should look at areas not addressed or not clear in the Plan and provide clear guidance. Planner Lin said staff was recommending a comprehensive approach to look at all the streets.

Hotel Parking Rate

In response to a query from Chair Onken, Senior Planner Rogers said the proposed analysis of hotel parking rates was coming out of hotel development proposals that the Commission and City Council had considered: the Marriott Residence Inn at 555 Glenwood Avenue and the Mermaid Inn at 727 El Camino Real, which was transitioning to the Hotel Lucent. He said staff working on these two proposals realized that the 1.25 parking spaces per room required under the Plan was more for a hotel like Stanford Park that has extensive and independent conference facilities and restaurants. He said although they were able to work out a lower rate for those proposals under the Plan as written, they thought it would be better to have the rate shown so as not to unnecessarily discourage potential new development proposals.

Chair Onken said the 1.25 parking rate was standard for hotel use. He said people tended to be concerned about hotel parking rates due to the potential for hotel guests to park on side roads. He said Menlo Park's overnight parking restrictions lessened that concern. He said it was something to be careful about but noted hotels have arranged to share parking spaces with adjacent commercial sites.

Commissioner Kadvany asked if there would be a new use category for limited service hotels that would place restrictions such as the size of a wedding party. Senior Planner Rogers said that was something they would explore as part of a later analysis if the concept was supported.

Commissioner Kadvany said parking spaces were valuable and expensive to build and if parking spaces could be built at lower marginal cost as part of the project perhaps that should be encouraged. He suggested parking share or cost sharing as well.

Commissioner Goodhue said one of the tenets of the Plan was density and proximity to transit. She said density could not be achieved with the traditional parking ratios. She said it needed to be clear what was meant by limited service hotel use.

Commissioner Combs said he supported the reduced parking ratio concept as presented. He said that part of the parking requirement for the Marriott Residence Inn was met by the opportunity for guests to park along the railroad tracks. Senior Planner Rogers said that had been historically

allowed for the senior living facility and was not considered to have set a precedent, and would likely not be a pursuable option for other projects.

Commissioner Strehl said her concern was whether the Commission would have the opportunity to review and have discretion as to whether a hotel was really limited service use or not. Senior Planner Rogers said one of the architectural control findings the Commission makes was related to parking. He said as part of that there would need to be a set of findings related to limited service hotels which the Commission had discretion to direct changes to.

Commissioner Strehl said she agreed that they wanted to limit trips up and down El Camino Real but one of the objectives of the hotel proposal was to create vibrancy downtown. She said it couldn't do that and provide limited services and reduced parking. Senior Planner Rogers said he thought it better to frame the parking concept as finding the correct parking ratio for a particular proposal and not reducing parking.

Commissioner Ferrick said she would not want them to understate the parking need either. She noted that parking ratios had to include employee parking as well.

Commissioner Strehl suggested parking be considered on a case by case basis. She said she did not feel strongly that the parking threshold should be lowered.

Commissioner Kahle said he agreed with Commissioner Strehl. Commissioner Ferrick said she concurred also.

After further discussion, the Commission consensus was that the hotel parking minimum requirement should be kept as stated in the Plan, to remind developers of discretionary parking, and that parking could continue to be considered case by case as had been done with the limited service hotel proposals.

Senior Planner Rogers said the 1400 El Camino Real hotel proposal had a parking ratio of 1.19 spaces per room which was not a significant change from the 1.25 hotel parking ratio.

Chair Onken asked the Commission if they agreed with the recommendation that staff not modify the hotel parking ratio for limited service hotel use and to expect discretion about the parking when such developments come before the Commission. He noted that six Commissioners agreed and Commissioner Kadvanly abstained.

Personal Improvements Services Use

Planner Lin, replying to Chair Onken, said there was no established parking rate for personal improvements services use. She said staff needed to look carefully at the business model and operations of each proposal as it came in, and that these proposals required a great deal of staff time including the Transportation Division. She said having a use category and parking ratio would help reduce staff time.

Commissioner Goodhue said establishing a parking ratio seemed to be a more efficient use of staff

time. Chair Onken said the parking number might intimidate this group of applicants. Commissioner Goodhue suggested that the applicants would be able to talk to staff about the process.

Commissioner Kadvany asked if these parking rates if established would impact existing similar uses. Planner Lin said it would not be applied retroactively and would be applied to new businesses looking to locate or relocate.

Chair Onken said he would support staff establishing a parking rate for personal improvement services after analysis. He queried the other Commissioners, all of whom supported the concept.

Senior Planner Rogers said regarding Additional Parking Reductions for Mixed-Use Projects in the Station Area Sphere of Influence that projects had to provide exactly the parking listed in the table with one allowance for a shared parking reduction. He said this would allow for more case by case review for these projects and the area.

Commissioner Goodhue said she supported the concept. She said with density and providing public benefit that reduced parking coupled with a good TDM program supported the Plan.

Commissioner Ferrick said she agreed.

Commissioner Kadvany said he generally supported the concept but parking was needed downtown.

Commissioner Combs said he supported but noted the Station area was a large part of the Plan. Chair Onken said he was happy for staff to look at this and make proposals.

Commissioner Kadvany said he did not think this was a good use of staff time and was at cross purposes with an overall parking strategy.

Chair Onken asked which Commissioners supported the recommendation for staff to look at additional parking reductions for mixed-use projects in the Station Area sphere of influence.

Commissioners Combs, Ferrick and Goodhue supported the recommendation. Commissioners Kadvany, Kahle, Onken and Strehl did not support the recommendation.

Transportation Demand Management Programs

Commissioner Ferrick said she supported this noting the staff report statement:...."that to provide clarification on the implementation of Mitigation Measure TR-2, staff recommends formalizing the City's TDM program criteria as part of this mitigation measure."

Chair Onken said he was supportive. Commissioner Goodhue said she also supported. Chair Onken assessed that all of the Commissioners supported this recommendation.

Electrical Vehicle Recharging Stations

Commissioner Goodhue said she supported this and the City should be consistent with whatever agencies were leaders on this already. There was consensus on supporting this recommendation.

Public Benefit

Commissioner Kadvany said as he presented this was a negotiation process and something the developer could agree to. He said they were framing this from the perspective of the City and putting the burden on the developer to demonstrate why their project was different. He said he did not like rigid or algorithmic processes.

Commissioner Combs confirmed with Commissioner Kadvany that the method proposed by Commissioners Kadvany and Onken was not to replace the pro forma analysis but to provide another data set that could be added to the process.

Commissioner Strehl said she would like to have an expert consultant review and opine on the suggested model and the assumption of having a 50/50 split. She said she would like more public dialogue and review on it. She said the City Council had to establish priorities for the City and public benefits such as bicycle/pedestrian overpass or parking structure and where those should be located as part of the Plan.

Commissioner Ferrick asked if this methodology was being used in other cities. Commissioner Kadvany said he had not recently looked at other cities' methods for determining public benefit. Commissioner Ferrick said it would be helpful to have information on other cities' methodologies. She said she agreed with Commissioner Combs that it was good to have more information. She said having someone review the methodology and how it would work would be helpful.

Commissioner Goodhue said she concurred and she would like the Council to prioritize public benefit needs. She said it would be helpful if an expert could provide them with some guiding principles when considering public benefit merits. Chair Onken said the Commission does architectural control and that financial control was outside the Commission's scope, in his opinion. He said having a mechanism to determine value and corresponding public benefit would be helpful. He said the goal as for staff and Council to do something like what Commissioner Kadvany offered to make the process more transparent and understandable so that decisions on public benefit did not seem like backroom deals.

Commissioner Kadvany said he felt strongly about this as it seemed to be a detriment to development. He said they needed more input from Council and what this money would be for. He said it was a value and policy judgment.

Chair Onken said they were proactively requesting the City establish a model of benefit rather than each developer's individual model. Commissioner Kadvany said they have that with the pro forma and he was suggesting another way to look at determining public benefit.

Commissioner Ferrick said there seemed to be support to recommend the City Council to look at

this method of determining value and public benefit and consider putting resources to it. Commissioner Strehl said this needed more discussion and she wanted to include developers and others in that discussion. She said she found some of what Mr. Pierce said compelling and some of what Commissioner Kadvany was recommending compelling. Commissioner Goodhue said they were not proposing to hold up projects but rather to get the Council's direction and guidance.

Chair Onken asked if they could have a presentation at the Commission's September meeting by the consultant who did this analysis as to how public benefit was calculated and why, and an analysis of Commissioner Kadvany's model. Commissioner Strehl said the consultant for the General Plan was also looking at public benefit and models for that, and perhaps they would have some thoughts or models. Senior Planner Rogers said the September meeting would focus on the General Plan and was not applicable to the Specific Plan.

Commissioner Kadvany said the Stanford project was large but was just a base line project. He said if Greenheart reverted to the base level they could have all office project. He said the benefit process confounds the value issue of control and mixture of uses. He said a large project could come forward at the baseline level. He said he would like a middle area so that where a project goes to a scale such as two acres or an area of retail being replaced that the developer should know the City would want a discussion on the mix of uses in that project.

Chair Onken said the consensus of the Commission was to have further clarification of the financial side of public benefit, that there were a number of models possible, and putting those into motion. Commissioner Ferrick said she thought they were forwarding the recommendation that the City Council consider this information and consider recommending further study on public benefit models or calculations methods. Commissioner Kahle asked to add the notion of getting back from the City Council what they wanted to see. Commissioner Combs said this was discussed by Council during the development of the Plan and they had not expressed interest in changing the method. Commissioner Ferrick said it was a suggestion to provide the Council with another potential method to calculating public benefit and the interest to have a more transparent process for determining public benefit. Chair Onken said they were seeking to keep things open and continue the discussion. Commissioner Kadvany said he would like them to encourage the Council to discuss this and get some feedback one way or another. He said there were no obstacles to developers pursuing public benefit at this time. He said the Planning Commission was in ways body to address public benefit because they had more time to learn and discuss the issues, while leaving the Council to be the final arbiter.

Commissioner Ferrick recommended that the presentation be forwarded to the City Council with the request they consider re-opening discussion on public benefit methodologies and do that with public meetings. All seven commissioners supported this action.

Chair Onken said regarding the Specific Plan review that the total numbers of square footage of housing and non-residential indicated they were near the cap of non-residential development. Senior Planner Rogers said the Council could raise the caps with a new EIR or an applicant could approach the Council to increase the cap and accomplish the EIR.

F. Commission Business

There was none.

G. Informational Items

There was none.

H. Adjournment

The meeting adjourned at 10:30 p.m.

Staff Liaison: Senior Planner Thomas Rogers

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on September 21, 2015

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