



REGULAR MEETING MINUTES

Date: 9/21/2015
Time: 7:01 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

Chair Onken called the meeting to order at 7:00 p.m.

Present: Combs, Ferrick, Goodhue, Kadvany, Kahle, Onken (Chair), Strehl (Vice Chair)

Staff: Justin Murphy, Assistant Community Development Director, Leigh Prince, City Attorney, Nikki Nagaya, Transportation Manager, Deanna Chow, Principal Planner, Tom Smith, Associate Planner

A. Reports and Announcements

Senior Planner Chow said that the City Council on October 6, 2015 would conduct its biennial review of the Specific Plan and consider the General Plan and M-2 Area Zoning Update. She said that comments from tonight's meeting on the General Plan and M-2 Area Zoning Update would be provided to Council.

B. Public Comment

Ms. Pamela Jones, Menlo Park, said she received the notice about the General Plan and M-2 Zoning Update, but the notice did not indicate it would affect the area where she lived.

C. Consent Calendar

Commission Action: M/S Strehl/Goodhue to approve minutes as listed in C1 and C2 to include the comments on those minutes submitted by Commissioners Goodhue and Kadvany prior to the meeting.

C1. Approval of minutes from the August 3, 2015 Planning Commission meeting. (Attachment)

C2. Approval of minutes from the August 17, 2015 Planning Commission meeting. (Attachment)

Motion carried 7-0.

Chair Onken asked if the Commission wanted to approve under consent or pull item C3 for discussion. He said if the latter he would need to recuse himself due to the proximity of his property to the subject property. Commissioner Strehl said her motion was meant to include all three items on the consent calendar with the modifications to the minutes as submitted by Commissioners Goodhue and Kadvany.

Chair Onken asked if the other Commissioners understood the motion had been for the entire consent calendar, to which he received positive responses. Senior Planner Chow asked Chair Onken about his vote to approve considering the inclusion of C3. Chair Onken asked if the Commission could take a separate vote on C3 as he could not vote on that item.

Commission Action: M/S Strehl/Ferrick to approve consent calendar Item C3 as recommended by staff and recognizing that Chair Onken was recused from consideration of the item.

- C3. Architectural Control/Anthony Chau/132 Stone Pine Lane: Request for architectural control for exterior modifications to the front façade, enclosing the existing second floor balcony to enlarge the existing kitchen and creating an addition on the third floor to expand the existing master bedroom to the edge of the existing third floor deck of a townhouse located in the R-3 (Apartment) zoning district. (Staff Report # 15-013-PC)
1. Make a finding that the project is categorically exempt under Class 1 (Section 15301, “Existing Facilities”) of the current CEQA Guidelines.
 2. Make 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. 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 Anthony Chau & Partners LLC, consisting of eight (8) plan sheets, dated received September 17, 2015, and approved by the Planning Commission on September 21, 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 applicant shall comply with all Sanitary District, Menlo Park Fire Protection District, San Mateo County Health Department, and utility companies’ regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval 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.

Motion carried 6-0 with Commissioner Onken recused.

D. Public Hearing

- D1 Use Permit/CardioKinetix, Inc./1360 O'Brien Drive: Request for a use permit for the storage and use of hazardous materials related to the development and manufacture of cardiovascular implants and catheters to treat heart-related conditions, in an existing building in the M-2 (General Industrial) zoning district. All hazardous materials would be used and stored within the existing building. (Staff Report #15-014-PC)

Staff Comment: Planner Smith said staff had not updates to the written staff report.

Public Comment: Mr. Brett Hale, CFO, CardioKinetix, showed the Commission the medical device, an implant to treat heart failure, that his company had developed, noting they were currently on Hamilton Avenue, and were pleased they could keep their business in Menlo Park at 1360 O'Brien Drive to continue their development of this heart treatment.

Chair Onken closed the public hearing.

Commission Comment: Chair Onken said they had received the hazardous materials list all of which met codes and guidelines per the authorizing agencies. Commissioner Ferrick said she liked the suggestion of the addition of another emergency number in their emergency response plan as recommended by the SFPUC. She confirmed with the applicant that was acceptable to include that additional phone number. She moved to approve to approve as recommended and with that addition. Chair Onken seconded the motion.

An individual in the audience asked to speak. Chair Onken explained he had closed the public hearing but reopened it to allow the person to speak.

Ms. Bridgit Louie, Menlo Park, said that this property is immediately adjacent to the City of East Palo Alto and asked if residents in that city had been noticed about this project.

Chair Onken asked if this project had been noticed to the City of East Palo Alto. Planner Smith said notices were sent to all properties within a quarter-mile radius of the subject property including residents within that radius in East Palo Alto.

Commissioner Ferrick thanked the speaker for coming forward and noted that this application had a short list of hazardous materials and those were used in small quantities.

Chair Onken closed the public hearing.

Commission Action: M/S Ferrick/Onken 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 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 provided by DES Architects/Engineers, consisting of seven plan sheets, dated received September 3, 2015, and approved by the Planning Commission on September 21, 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 applicant 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 applicant shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project. 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.
 - 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 information form and chemical inventory to the Planning Division for review by the applicable agencies to determine whether the new hazardous materials information form and chemical inventory are in substantial compliance with the use permit.
4. Approve the use permit subject to the following **project-specific** conditions:
 - a. The emergency response plan shall include the phone numbers of the San Francisco Public Utilities Commission's Millbrae Dispatch, West Bay Sanitary District, Silicon Valley Clean Water, and all other standard relevant agencies in the event of an accidental spill or discharge.

Motion carried 7-0.

Chair Onken noted that Commissioner Combs would need to recuse himself from the consideration of the General Plan and M-2 Area Zoning Update. Commissioner Ferrick asked why as all of the

Commissioners owned property within the General Plan area. Commissioner Combs said it related to the change in zoning for the M-2 area in which his employer was one of the largest landowners. He said that could relate to a financial impact for his employer, and he could then be considered to have a financial interest. He said for other parts of the General Plan update and other zoning areas he may be able to participate.

E. Scoping Session

- E1. City of Menlo Park General Plan and M-2 Area Zoning Update – The proposed General Plan provides an update to the City's Land Use and Circulation Elements, which focuses on potential land uses changes in the M-2 Area (the business parks generally located between Highway 101 and Bayfront Expressway) and the overall citywide circulation system. The associated M-2 Area Zoning Update would implement specific programs in the proposed General Plan Update to help guide future development in the M-2 Area. (Staff Report # 15-015-PC)

The City has prepared a Notice of Preparation (NOP) for this project and will be preparing an Environmental Impact Report (EIR). The Scoping Session allows for input from Planning Commissioners and the public on specific topics that they believe should be addressed in the environmental analysis.

Staff Comment: Senior Planner Chow introduced City Attorney Leigh Prince, Transportation Division Manager Nikki Nagaya, and consultant Charlie Knox, PlaceWorks. She said they would do one presentation on both items related to the General Plan and M-2 Zoning Update.

Mr. Knox made a PowerPoint presentation. He briefly reviewed the Council's directives for the project and the project schedule. He said the land use policy outline looked at topics, part of which were carryover from the existing General Plan with goals of orderly development related to neighborhood preservation and serving neighborhoods, business development and economy, a largely referential goal from the General Plan to the Downtown/EI Camino Real Specific Plan, and the emphasis on the importance of open space and sustainability. He referred to the maximum development map prepared for the environmental impact report and noted that it did not mean everything shown would be developed in the Bayfront area but showed what was being analyzed for the environmental impact report so some level of development within that might be mitigated appropriately for the various subjects covered by the California Environmental Quality Act (CEQA). He showed the draft of the zoning framework that would allow for that to happen and proposed new districts: Office, Life Science, Residential/Mixed Use, and carryovers from some existing commercial and industrial districts. He said those containing the notation –B would allow developers additional density / intensity beyond what the General Plan currently allowed specifically in exchange for the provision of community benefit subject to approval of the Planning Commission and City Council. He said unique about this General Plan was the movement toward a mix of uses to create a live/work/play environment in and around the Belle Haven neighborhood and M-2 area through single-use districts that would allow certain amounts of the other types of uses. He said the idea was to create the live/work/play environment along or as close to Willow Road as possible and put services into the Chilco/Jefferson Drive/Haven for day and night time activities to make these areas vibrant places.

Mr. Knox said the circulation element was looking at a more modern approach to traffic/road assessment beyond the traditional approach of looking at roads just serving automobiles. He said this included safety, complete streets, sustainability, health and wellness through biking and walking, support of transit, transportation demand management options, and controlling parking. He noted

the traffic classification map differed from the existing one in that it looked at the best routes dependent upon the travel mode being used.

Mr. Knox said there had been three General Plan Advisory Committee (GPAC) meetings since June and two well-attended public workshops in September. He said comments most recently received said it was great new traffic was being mitigated but asked what was being done with existing traffic. He said there was a comment to establish an affordable housing requirement so even in the residential / mixed use portion of the Bayfront area they were looking at what percent of housing should be required to be below market rate or somehow otherwise be restricted for people who already work in Menlo Park or have contracts to work in Menlo Park such as teachers, police and fire/emergency personnel. He said stronger voices about the needs for more parks and open space in Belle Haven had arisen more recently. He said they heard a consistent comment about community benefits that emerged more strongly in the last several months related to people's desire to know what benefits could be and how much things cost as that was important for them to know before they could think about how much more development should or should not be allowed. He said they also received a specific comment about needed bicycle parking at Tinker Park to serve Hillview School students.

Mr. Knox said CEQA required the City to disclose the effects on the environment of any project. He said a General Plan was programmatic and in itself did not result in any development. He said the Program EIR for the General Plan described what could potentially happen in the years until 2040. He said a benefit to property owners was if approved and additional development was included it would allow for the possibility of streamlined environmental review for projects that comply with the zoning in the General Plan update. He said scoping was another chance to weigh in on what the EIR should address in addition to the 30-day comment period in June/July on the Notice of Preparation (NOP). He said all of the comments received will be considered in the draft EIR, but the comments received during the 45-day comment period for the draft EIR would be responded to in writing. He said there were six to eight more chances to comment on the Program EIR and the Plan update and zoning. He noted the topics for consideration under CEQA and that economics was not one of them. He said they had tried to self-mitigate environmental impacts as much as possible in the development of the General Plan and M-2 Zoning Update.

Public Comment: Ms. Patti Fry, 24-year Menlo Park resident and former Planning Commissioner, said when she served on the Commission from 2000 to 2004 the 1994 General Plan was already fully built out, and that had been achieved before the year 2000. She said the amount of development possible under those zoning rules has never been studied. She said the potential growth using the existing zoning rules for the rest of the City that was not part of M-2 was included in the no development project alternative. She said it would be important to determine whether those 1994 zoning rules still worked for the City. She suggested an alternative would be to analyze what development exists and what has been approved so far as a base line and then to have an alternative to look at the increment that was possible in the City using the current rules and see what that means. She said part of the reason she made this suggestion was the concern of Suburban Park residents about increased traffic hampering their ability to get out of their neighborhood. She noted the Menlo Gateway Project that was not built but approved; very large projects under the Specific Plan emerging; and the Ravenswood/Alma intersection project and those indicated the pressures of having a built out City. She said it was important to evaluate the existing increment for development specifically and then look at what the proposed changes in the M-2 would do additionally. She said the City needed to be comfortable that all of the parts of the General Plan would work including the 1994 zoning, the M-2 and policy goals and programs.

Chair Onken said that comments should be held to three minutes or less.

Ms. Adina Levin, Transportation Commission and GPAC, said she was representing herself. She said the staff report discussed how typically EIR scenarios cover a greater amount of development plus a lesser amount of development that would have lesser impacts. She said another dimension important to both Menlo Park and the greater region was the relationship between jobs and housing and transportation impacts. She said she thought that staff and the consultants could analyze scenarios on what the traffic impact was when there were more jobs and less housing or a closer balance wherein more people would have the option of not driving to work.

Mr. Steve Van Pelt, 32 year City resident, said he wanted to amplify some of the comments included in Attachment H. He said one from Ms. Levin asked for an analysis of the traffic and circulation impacts on Willow Road and another from the Fire District Chief to look at traffic and circulation impacts upon the Fire District's response times, and from the City Manager of East Palo Alto to look at the impacts on that City. He suggested that landing zones for helicopters be established in conjunction with the Fire District in the area toward 101 and beyond noting the traffic congestion that inhibits emergency response. He said a heliport sounded expensive but what he meant were landing zones for helicopters. He said the pedestrian/bicycle crossing discussed for Middle Avenue with the proposed graded separation needed to be expanded to allow for emergency vehicle access, and this needed to be included in the General Plan update.

Ms. Eileen McLaughlin, Citizen's Committee to Complete the Refuge, said they had previously sent in a letter but she would like to emphasize the need to consider sea level rise. She read from a document prepared by the Coastal Commission on sea level rise noting that BCDP did not yet have an equivalent document. She read: *The notion of stable, predictable geography in which we live, work and build permanent buildings will be off the table in decades ahead (Little Hoover Commission 2014). Locations that might have seemed relatively safe from flooding 20 to 30 years ago may now be shown to have greater vulnerability due to sea level rise. Sites that might have seemed safe 80 to 100 years ago might only be safe for another 40 to 50 years. As coastal change accelerates it will become more apparent that development close to the coast cannot be treated in the same way as more inland development where hazardous conditions may be less dynamic. Coastal dynamics have long been a part of land use planning and considerations in project design. However, a focus on this change will grow in importance with the rise in sea level. This may mean as properties are evaluated for a proposed development the type and density of the proposed development may need to change to address the dynamic nature of the property and the changing nature of hazards.* She said they hoped that the General Plan Update EIR process would have a very thorough analysis of what kind of planning process as that the Coastal Commission had developed might be suitable for Menlo Park.

Mr. Tim Tosta said they were moving away from a congestion model and level of service (LOS) measurements to a vehicle miles traveled (VMT) measurement that refocused attention from traffic delay to the air quality impacts that arise from people traveling either longer or shorter distances. He said the difficulty with the LOS model was that it was a car focused model and did not look at other traffic impacts. He said the state put out VMT information last year for comment and there had been a furor as to what was appropriate VMT calculation and the methodologies, and so much so that the state withdrew their guidance. He said CEQA has always had an overlying methodology that if something works, and it can be proved, use it. He said Menlo Park should get ahead of the curve and start helping people understand the more complex traffic relationships that come out of using a VMT model and opening up occasions and methodologies of looking at traffic through a different lens. He said CEQA was not very helpful in telling what the underlying conditions were in the region. He

said cities were in competition with another through the traditional congestion model to be the first and the biggest as the more a city could build out and use the available capacity of the roads, the greater advantage it had. He said with this phase of the EIR and with Facebook projects and others coming that he hoped for an intelligent conversation about what was possible inside Menlo Park. He said other cities would be very happy to use the capacity left by this City and that would severely reduce the number of projects in Menlo Park. He said where they were in the traffic analysis and traffic conversation was not where they needed to be to make intelligent long term decisions.

Commission Comment: Chair Onken thanked the GPAC for all of the work they had done on the General Plan and M-2 Zoning Update. He asked if Mr. Knox or staff would like to address any of the comments made by the public.

Mr. Knox said in reference to the no project alternative and studying the available development potential under the current General Plan as another project alternative that very early in the process they had done a rough calculation and found there was about as much citywide development available now as what was proposed in just the M-2 area or about 2,000,000 square feet. Assistant Community Development Director Murphy said that the round number of 2,000,000 square feet citywide equated to approximately 1.6 million in the M-2 and approximately 400,000 square feet in the rest of the City. Mr. Knox said there was about as much development that could occur citywide as what was being potentially looked at in this maximum development potential under the EIR just for the M-2. He said the tools available that would be required to be put in place for development were very different from what existed for development that would be allowed under the existing General Plan and zoning. He said traffic impact mitigation, traffic demand management, parking maximums instead of minimums, and requirements for employees to not drive to work at all or not during commute times were things that could be placed on new development being allowed by the changes to the General Plan and planning. He said he thought Ms. Fry was saying that not everything that could be built under the 1994 General Plan had been and suggested they explore that alternative in detail. He said the scope of the General Plan update called for them to analyze in detail the proposed project and did not call for that detailed level of analysis for the no project alternative.

Commissioner Ferrick said Ms. Fry had indicated the build out under the 1994 General Plan had occurred by 2000 which indicated there was no developable square footage remaining. Mr. Knox said he understood that when the General Plan was last updated in 1994 that whatever the estimate had been for what could be built was less in Ms. Fry's view than what had been built and there was still potential for more development under existing Plan. He said they had characterized what could happen as part of the project under CEQA in the Bayfront area, and although they had looked parcel by parcel in the rest of the City, they had not been charged with comparing what could be built in the rest of the City to what had been characterized 21 years ago. He said there was approximately 2,000,000 square feet that still could be built under the 1994 General Plan.

Commissioner Kadvany said he thought Ms. Fry wanted a base line of what was here now and what was the remaining base level of development. He asked if they were being told this simple request could not be done under CEQA.

Mr. Knox said the answer to Ms. Fry's question was that there was about 2,000,000 square feet of non-residential development that could happen in Menlo Park under the existing General Plan zoning. He said he thought Ms. Fry got that but she would like to see that increment of growth evaluated in detail as the project itself would be evaluated under CEQA and add that to the EIR. He said what he thought was wanted was to analyze the remaining square footage of build out under the existing Plan and develop mitigations for them. Commissioner Kadvany asked if there could be

some higher level aggregate analysis and whether the project scope and budget might be amended to include that if it was helpful to the City.

Commissioner Strehl said she appreciated Ms. Fry's comments. She said going from the 1994 level to what was now being proposed did not account for what could occur already and did not account for all the potential trips and impacts on the City. She said she lived near Willow Road and experiences the traffic impacts every day. She said there was some merit in Ms. Fry's suggestions. She said it was not to look at mitigations citywide but to understand what the impacts were from that increment allowed under the existing General Plan as that was not being studied.

Mr. Murphy said the additional development that was a potential under the existing General Plan would be analyzed in the traffic analysis and the water analysis as part of what was termed background. He said he thought Ms. Fry was asking for some of that to be discretely reported as opposed to being aggregated into the background. He said the basic analysis would factor in that other background growth.

Commissioner Strehl said in terms of the background people might assume that it was the traffic that existed today but potentially there could be much more traffic. Regarding Mr. Tosta's comments that there was a lot of discussion at the GPAC about VMT and using that analysis versus LOS, she said people were not comfortable having both methods and reporting that in an environmental document or traffic impact reports. She said together they were important. She said LOS at an intersection was LOS at an intersection and there were many levels of VMT but it did not necessarily tell what was happening on the ground.

Commissioner Kadvany said he agreed with Commissioner Strehl that it was not just LOS or just VMT that should be used. He said traffic was a multi-dimensional study with multiple outcomes. He said there were problems with LOS metrics but there was a well-established nexus through decades of how mitigations were funded through traffic analysis. He said it would be difficult to re-establish that. He said it was critical that the City not give up its leverage to have developers help fund roadways and all kinds of transit improvements because of the changing background in CEQA. He said it would be helpful for all the decision and policy makers, and residents in the City to understand all of the outcomes of transportation. After comments by Chair Onken regarding the breadth of scope and topics considered under the EIR, Commissioner Kadvany said as mentioned by one of the speakers there were traffic impacts related to emergency response and that might be included in the EIR scope.

F. Study Session

- F1. City of Menlo Park General Plan and M-2 Area Zoning Update – The proposed General Plan provides an update to the City's Land Use and Circulation Elements, which focuses on potential land uses changes in the M-2 Area (the business parks generally located between Highway 101 and Bayfront Expressway) and the overall citywide circulation system. The associated M-2 Area Zoning Update would implement specific programs in the proposed General Plan Update to help guide future development in the M-2 Area. (Staff Report #15-015-PC)

The Study Session allows the Planning Commission and public to become more familiar with aspects of the project. In addition to the EIR, the City will also be preparing a Fiscal Impact Analysis (FIA) to analyze the fiscal impacts of the project on the City and other public agencies. The General Plan and Zoning Ordinance Amendments and associated environmental and fiscal documents will be reviewed by the Planning Commission and reviewed and acted on by the City Council at

subsequent public hearings.

Mr. Knox said Attachments I, J and K were the public review draft of land use and circulation elements that were presented to the GPAC on August 24 and were part of the community workshops on September 2 and 9. He said Attachment L contained staff and consultants' recommended changes to those elements with strikeouts showing, which captured everything from the August 24 GPAC meeting and the two public meetings.

Public Comment: Mr. Jon Johnston, Fire Marshall, Menlo Park Fire Protection District, said he had brought copies of a letter for each of the Commissioners from Fire Chief Schapelhouman. From the Fire Chief's letter: He said they had been happy to work with City staff to make sure their comments and considerations were received. He said they appreciated provisions under life and safety related to the District's needs. He said on page 135 in addition to their primary response routes K5 they would like to add a single page map of all of the traffic control devices district-wide. He said that information was on their website. He said on page 136 under the emergency response coordination paragraph, their District Board recently adopted a time-based performance standard on September 15, 2015, which they believed should be referenced in this paragraph related to acceptable response times. He said on pages 140 through 142 in table 1, descriptions of street classifications, they believed that emergency vehicles should be added under mode priorities of transportation similar to pedestrian, bicycle, transit and vehicle. He said page 138, goals, circulation 1, provide and maintain a safe, efficient, attractive, user-friendly circulation system, they asked that the term safe be augmented to include public safety as it applied to emergency services. Page 152, policies in circulation, Q.14, they recommended adding emergency response times as the measurement. He said Page 155, goals in circulation 3, broadly addressed congestion as it affected emergency response. On Page 155, policy circulation 3.3, they agreed and supported emergency transportation technology and traffic pre-emption but noted technology might not be effective at times due to gridlock, traffic and roadway design. He said pre-emption had been installed on Willow Road but during peak commute, congestion coupled with the roadway design that favored medians, bulbouts and other devices, emergency responders had a very difficult time negotiating equipment through those areas and that extended emergency response times. He said emergency vehicles were now responding through Palo Alto and University Avenue to avoid Willow Road and many times against traffic flow just to maintain acceptable response times.

Ms. Diane Bailey, Executive Director, Menlo Spark, said her local non-profit organization was working to make Menlo Park climate neutral in the next 10 years. She said her comments would focus on the climate change impacts of the General Plan and M-2 Zoning Update. She said last year was the hottest year on record since records had been taken and this year seemed like it would top that. She said climate change was a growing threat to their community and they felt it needed to be more prominently accounted for in the General Plan process. She said this Plan process was the most powerful tool in cities to create changes needed in citywide infrastructure to support climate action plan goals. She said they supported the draft Plan as it was an excellent start of the process and included many key goals, policies, programs and projects needed to make Menlo Park more sustainable, healthy and vibrant. She said the Plan process needed to be joined with the climate action plan. She said Menlo Park has a goal to reduce greenhouse gas pollutants by about 27% by 2020 and the Plan needed to help move that in the right direction. She said they sent comments to the GPAC in July, and they have been providing sample language from other General Plans and updates in other cities and examples of programs done well. She said they would submit those examples in support of their recommendation in a forthcoming letter. She said for now she wanted to highlight measures that were key: sustainable building standards, stronger support for alternatives to driving, and restructuring public benefit so they were clear and could be easily anticipated. She

said regarding sustainable building standards that Menlo Park was planning on adding over 2,000,000 square feet of new building development. She said they should make sure that the new buildings would not add to the climate debt, pollution and traffic congestion. She said the climate debt aspect had not been fully addressed and if it was addressed through the EIR process, they would look forward to that. She said that net zero energy buildings and standards were the best tools to stem additional greenhouse gas emissions from new development. She said net zero energy buildings are developments that created the same amount of energy as it used. She referred to solar and other renewable energy production and using the most energy efficient equipment and design standards available. She said the state was mandating net zero energy new residential development by 2020 and the same for new commercial buildings by 2030. She said that over 60 buildings have met the net zero energy standards within the Bay area. She said they would send examples of those. She said in Menlo Park there was the opportunity to link all of these sustainable practices together.

Ms. Patti Fry said her request was that they evaluate where they were now and what was possible under the current rules and then discretely look at what was being proposed in addition so that in the General Plan operation they were able to handle the growth that was coming. She said through the goals, policies and programs there should be a way to implement monitoring of whether or not they were losing housing, retail, achieving the kind of housing / job goals they would like, and the things that would self-mitigate, and not just in the 2,000,000 square feet of commercial. She said it was the General Plan update process that would allow them to go back and modify the existing rules if they were not working for the City.

Ms. Vicky Roble, Belle Haven, said she agreed with much that had been said and noted the City had done a tremendous number of studies and surveys. She said her concerns were about emergency response. She said there were a lot of elderly people in the Belle Haven community and throughout the City and they needed to look at how emergency access for them was available. She said her other concern was with the 2,000,000 square feet of commercial development possible in the M-2. She said beyond traffic congestion her concern was how such development would impact their beautiful bayfront and the animals that inhabit the area. She said car emissions would pollute the area. She said regarding bicycle lanes that a person riding a bike on a road with bumper to bumper traffic would be inhaling pollutants. She said it was contradictory to have bike lanes and not eliminate car traffic. She urged the City to not only study the impacts on the environment but study the impacts on Belle Haven and its residents. She said they were losing so much of Menlo Park and noted Sunset Publishing. She said she wanted communities to be integrated and asked how that would be done with the new communities being built around Belle Haven. She said they needed to keep their diversity and they needed housing for blue collar / service workers, non-profit employees and teachers. She suggested that buildings on properties bought by Facebook be reused and not demolished.

Ms. Pamela Jones said the reason she made the comment early in the meeting regarding notification was that if they wanted to include the community east of Bayshore, the most affected community, they needed to reach out more to people with information that explained the process in understandable language. She said the City needed to do some door to door outreach to talk to people who might hold two jobs or people who were afraid because they were renters. She said they needed to look at what was happening for instance with people making left hand turns from Chilco onto Hamilton in front of the school. She said they needed to look at how the community was changing and maybe changing back to what it was before 1955. She said the Belle Haven residents were being moved out, which she hoped the City would take under consideration.

Ms. Adina Levin said the staff report indicated staff was working on housing related policies that would be presented to the City Council related to the concerns people were rightly bringing up about the community. She said the concerns raised about the metrics of VMT and LOS related to LOS historically being used to get funding to make transportation improvements and that moving away from that metric would remove that tool. She said hopefully the policies and programs staff was working on would protect and retain the ability to have development impact fees. She said there were scenarios where if only LOS was used the ability to fund transportation improvements was diminished. She said the tunnel to Facebook would not be mitigation under a LOS scenario because it was not at an intersection, and even if it was replacing a trip with a different mode, LOS did not let that happen. She said circulation goal number 7 was about parking and it talked about in-lieu parking fees. She said one of the more innovative and helpful things some cities in the region were beginning to do was use those development in-lieu fees to reduce driving and not just increase parking supply. She suggested calling them access in-lieu fees.

Ms. Eileen McLaughlin, Citizen's Groups to Complete the Refuge, said they work as a partner to the Don Edwards National Wildlife Refuge, which has 1,572 acres off the shoreline next to the M-2 zone, making it one of the largest property owner neighbors. She said they were concerned that what happened in the M-2 area would happen to the Refuge as well. She said the Salt Pond Restoration Project was important to the City and the Refuge. She said part of that was a flood project working with the City of Redwood City that would do a storm water control that would probably help relieve Haven Avenue flooding. She said the idea of maximum development in an area of sea level rise contingencies and wildlife sensitivities was frightening to them. She said one specific was that Facebook on its east campus was proposing to put 1,500 units of residences that would need rezoning. She said that housing would surround the Ravenswood slough, identified by the U.S. Fish and Wildlife Service as habitat they needed to preserve for two endangered species: the ridgeway rail and salt marsh harvest mouse. She said just across that slough in pond RF3 the threatened snowy plover has created a home. She said residences would push the animals away from the refuge that were meant to serve them.

Mr. Omar Chatty said he was an alternate transportation advocate. He said he hoped there was some way to work with Facebook to have them dedicate a hundred million dollars to overpass State 84 to reduce congestion. He said it was important for pedestrians, bicyclists, emergency access and air quality. He said they needed BART on the Peninsula, and he would like to see it replace Caltrain over time. He said it would be grade separated and safe, shuttles could be used to connect to Facebook and other facilities, it would reduce vehicle miles traveled, increase bus transit and reduce high tech bus need. He said regarding the Don Edwards National Wildlife Refuge that they did not want the Dumbarton rail restored. He said BART would really support TDM programs as it was high capacity and clean, and would support the environment.

Mr. Victor Torreano, San Mateo Building and Construction Trades Union, said they might want to implement in the General Plan to have state certified apprentices work on some of these future projects that would be implemented. He said these apprentices were men, women and youth from the local community trained to build the sustainable buildings mentioned. He said for some of the projects now that workers were coming from distances to work on them and taking their wages back to their home communities.

Mr. Jason Tarricone, Directing Attorney with the Housing Program of the Community Legal Services, in East Palo Alto, said numerous comments throughout the process had been made about the housing affordability crisis, the jobs/housing imbalance, the displacement of Belle Haven residents, and traffic. He said those were tightly linked and by focusing more on affordable housing in the Plan

the City could address traffic at the same time as it addressed jobs/housing imbalance. He said the M-2 zoning did not guarantee or incentivize affordable housing. He said they had options to suggest including using the existing affordable housing overlay and applying that to more of the residential and mixed use areas in the M-2 plan. He said the City right now had no housing impact fee for rental housing and that fee could be adopted to allow funds to either go to affordable housing in other areas or building affordable housing right at the premises. He said Community Legal Services was willing to work with the City on different options.

Chair Onken closed the public comment.

Commission Comment: Commissioner Strehl said at their GPAC meetings the need to set aside or have a requirement that new rental housing have x amount of units for low income housing or below market rate rental housing was raised several times. She asked where that language was in the draft Plan. Mr. Knox said that language would be in the zoning code provisions specifically the regulations for residential and mixed use development in the M-2.

Mr. Murphy said however that there was the question of how that would be structured as current state law did not allow for inclusionary rental housing which meant it would need to be structured as a voluntary program. He said part of the rezoning would be to create the potential for a voluntary program the details of which needed to be developed. He said he saw this occurring as a check-in after they had taken the first pass at rezoning that was scheduled for the October / November timeframe.

Chair Onken asked if as part of this process they could look at the existing ownership BMR rate. Mr. Murphy said the City was part of a 12-city group looking at a nexus study tied to BMR requirements. He said with that nexus study they would be taking the ordinance and guidelines back to the City Council and Planning Commission to see if there are any changes to those programs people would like.

Mr. Knox said on page L1 that housing for all income levels were defined as possible public amenities or benefits.

Transportation

Commissioner Kahle asked in reference to the speaker's comment about BART whether something regional like that could be addressed in the General Plan. Mr. Knox said he would defer to City staff but he thought it was the Commission's purview to make any recommendation it wanted regarding policy language to the City Council.

Commissioner Strehl said to mitigate traffic impacts on the City that at some point they should be pushing for rail extension across the Bay from Union City to Menlo Park.

Commissioner Ferrick said she wanted to make sure that project impacts on a section of road were not being obscured because in the new street classification it was now being called something other than what it had been.

Ms. Nikki Nagaya, Transportation Manager, said the chart on the screen showed a breakdown of the new street classifications and the traditional street category that would match the 1994 General Plan. She said a thoroughfare would be equivalent to a primary arterial and those thresholds that would be defined in the Traffic Impact Analysis (TIA) would translate across those categories. She said in the

staff report there was a discussion about potential changes to the TIA guidelines all of which were contingent upon the VMT and LOS discussions. She said these classifications in themselves did not necessarily make any changes to the classifications or the thresholds but subsequent changes in policy or how the actual TIA guidelines were structured would make changes farther along.

Commissioner Ferrick said she noticed the section of Willow Road between Hwy.101 and Middlefield Road category had changed to Avenue, and while it did not perfectly match the description of a Thoroughfare it did seem more like a Thoroughfare than an Avenue. Ms. Nagaya said Willow Road had two classifications: Boulevard from Bayfront Expressway to Bay Road which was consistent with the area under Caltrans' jurisdiction today. She said the southern half from Middlefield to Bay was shown as an avenue and that was the section roughly one lane in each direction, and under the City's jurisdiction. She said they used the Thoroughfare classification for Marsh Road and Sand Hill Road. She said a Mixed Use - Avenue seemed to be the closest classification for Willow Road and not Thoroughfare.

Commissioner Ferrick asked about the classification of Bay Road between Willow and Marsh and why that was different from the just mentioned section of Willow Road. Ms. Nagaya said Bay Road in the traditional classification was called a collector street and Willow Road was called an Arterial street. She said in the new classification the section of Willow Road was called a Mixed Use - Avenue and the section of Bay Road between Marsh and Willow would be a Neighborhood Collector.

Commissioner Ferrick asked if a project was developed at the corner of Willow Road and Bay Road what the impacts would be on Bay Road versus Willow Road. Ms. Nagaya said this related to the VMT and LOS discussion but was even broader. She said Commissioner Kadvany had mentioned that no one transportation metric could capture everything and that was true. She said they were proposing to develop the first Transportation Master Plan which would be the first step in a broader city nexus study to identify the transportation infrastructure they wanted to build to solve both the existing transportation problems and potential new impacts from additional development envisioned as part of the General Plan. She said in trying to get away from LOS it was to get away from having project specifically identified issues and toward a system where they would proactively identify where the issues were, identify the solutions, and have development help implement or fund those solutions as opposed to doing broad analyses of intersections and roadway segments for individual projects. She said for the example Commissioner Ferrick mentioned they would not necessarily analyze street impacts specifically but look at the greater context of what improvements had been identified or needed in the vicinity of that project, and task that development with implementing or funding those improvements. Commissioner Ferrick said she liked the idea of proactively solving traffic impacts but asked if it was helpful to have so many different classifications or if that added complexity. Ms. Nagaya said they had about half of the classifications as the total number and a single classification was then split out to either a neighborhood use or mixed use description. She said as they were developing plans and projects for future infrastructure investments it was identifying both the context and the priority for how the street would get designed.

Chair Onken said to clarify that they were looking a draft classification map with the same streets starting with the same categories but with a finer grain of what the City has right now. Ms. Nagaya said the only streets that jumped classifications were in the M-2. She said Constitution, Jefferson, a portion of Chilco, Hamilton, and O'Brien were the ones she recalled being classified as local streets but were now proposed as mixed use collectors because of the character of the development and the traffic volume.

Commissioner Strehl said she liked the idea of a transportation master plan. She asked if the street designations affected how they looked at impacts and future investments. She said she had a problem with the section of Willow Road from Bay Road to Middlefield Road because she did not see that section having any less traffic than the section between Bay Road and Bayfront. She said she did not want these street classifications to negatively affect future decision making in terms of investment and mitigation. Ms. Nagaya said she would be happy to speak with Commissioner Strehl in depth about that section of Willow Road. She said one of the intents of classifying that section as an avenue was to maintain certain characteristics there today while allowing for potential modifications whether it was for emergency access or multi-modal or signal improvements. Commissioner Strehl said she did not think it was sustainable and that in the future they might find they would need to make some changes to Willow Road that they had not anticipated in the past.

Commissioner Kadvany said regarding the measure of LOS and VMT as it was appearing in the draft Plan that he thought they had not sufficiently articulated what they were trying to do with those tools. He suggested a statement of what the philosophy was going forward. He said that as an example the transportation analysis had value laden terms being placed on streets and that would be influential so that people would try to make policy based on how this looked. He said that the priorities associated with draft street designations were ambiguous. For example if safety and probability of death is a priority, then bicycle riders on El Camino Real should be considered a priority on El Camino Real right now, as there are bicycle riders there regardless of people's views on new bike lanes or other changes. On the other hand, others will say that 30,000 vehicle drivers a day are on that road, and so they should be the priority. The meanings of new street designation priorities will have to be worked out to address such competing interpretations. He said the point was that what was identified as a priority had no meaning outside of the context of what was being looked at. He said there was amazing language in the Plan moving them from the auto-centric view but suggested there needed to be even stronger language with some sub-goals. He said that including Vision Zero was great in the Plan and recognized that its goal is to get City traffic fatalities to zero. He said to him, based on what other cities did, that Vision Zero also meant greater commitment on how transportation systems were designed and providing infrastructure for other modes of transit, particularly bicycles and pedestrian modes which had received much less attention in the past compared to cars. He encouraged stronger language in the text about what Vision Zero was trying to do. He said the City was not quite there in saying what was to be achieved to address automobile congestion, even if bicycle and pedestrian options get better. He said there was not enough detail about expectations for streets such as Willow Avenue, El Camino Real, Middlefield and Bay. He asked what were expectations for congestion which would likely be present for some years regardless of other improvements. He said the City was not being completely honest with itself about automobile congestion challenges. He said he wanted to see more articulation on where they were going with the sub-goals and asked if perhaps there could be sidebars.

Commissioner Kahle said BART did not seem to be contemplated in the long term plan, and asked what the mechanism was for that. He said it should be considered in a 20-year plan as eventually San Jose BART would connect with Millbrae BART, and he thought Menlo Park should be ahead of the curve in determining where that would be best located.

Mr. Knox said the BART comment was new and if the Commission wanted to see that included they could make a recommendation to Council regarding that.

Chair Onken said regarding the draft street classification map that these classifications needed to be used carefully to measure things and to envision what they wanted out of a place. He said they

needed to get Caltrans' focus on Menlo Parks' concerns and mitigate and develop roads within the City. He said referring back to one speaker's comments about seniors and families with young children that those groups were heavily dependent upon cars and emergency vehicles. He said this should not be overlooked in this process and that they should prioritize some of that development rather than the younger far-reaching ideas of multi-modal transportation. He said he supported the draft language for the transportation element and thought including BART would be good. Queried by the Chair, Mr. Knox said two things not specifically in the program language were the Dumbarton rail across the Bay and BART service to San Jose and/or Millbrae. Ms. Nagaya asked the Commission to also consider Commissioner Strehl's comments about Willow Road and if they wanted to make a recommendation that the proposed classification be changed.

Chair Onken said he supported any reuse of the Dumbarton rail to Redwood City and the East Bay. Commissioner Ferrick said she supported a more immediate use of that track for bicyclist and/or commuter buses. She said her neighborhood did not like that as a rail corridor. She said if it was connected to BART that might be different. She said it was conceived as a line from Union City to Redwood City and back again so there was no use for that by citizens on this side of the Bay but they would experience the impacts.

Commissioner Kahle said the neighborhood discussion mentioned by Commissioner Ferrick had been about diesel trains and he thought light rail would probably get a better reception. Commissioner Ferrick agreed if it was tied into other transit systems rather than being its own separate one. Commissioner Strehl said she thought in the interim that this rail should be used from basically Facebook to Redwood City for bicycle/pedestrian/buses. She said the possibility of having a rail connection to Union City was still a long way off as it would be costly, and would need a lot of effort to get it back on the table for their regional transportation commission. She said to have BART come down the peninsula would be a formidable challenge because of the funding and public support needed. She said years prior San Mateo County would not put the measure on the ballot for the County to become part of the BART District. She said the current investments were to have a robust railroad connection between Millbrae and San Jose through Caltrain and their electrification and modernization program, and high speed rail. She said she would not like to foreclose the opportunity for change on Willow Road between Middlefield and Bay. She said if they did not do something to accommodate traffic there the traffic would spill into the neighborhoods. She said they could put all kind of alternative goals in for biking and pedestrian transit but she thought that unfortunately use of cars was the preferred mode.

Mr. Knox confirmed with the Chair that there was no consensus to make a recommendation on BAR, an agreed upon use for the Dumbarton rail corridor, or whether Willow Road between Bay Road and Middlefield Road should be classified differently.

Land Use

Commissioner Kadvany said he thought the Plan could use more language about public benefit policies. He said that in addition, in the M-2 area, many of the proposed amenities would only occur if there was sufficient financing through growth to obtain them. He suggested there were amenities so essential and fundamental that the City needed a policy to make those happen within some identified time period. He said the rail corridor could be one of those options, along with a grocery and pharmacy. He recommended that the rail corridor should be repurposed for pedestrians, bicycles and light transit, and not a larger and more expensive rail line, on which he was in agreement with other Planning Commissioners. He said this amenity would energize the area, and he thought that was something the City should want to do, regardless of development above the baseline. The cost of such a project might be considered in the range of \$100M to \$200M, sufficient

that it could be partly financed by the City through a bond or other means. He also said he did not see enough in the Plan about tree canopy management for city and residential trees, relevant given the stress on trees due to drought and their aesthetic importance for the City. He said the Plan also needed stronger language about water management and water supply. He said that under the update he had hoped to see something to move hazardous materials use permits out of the Commission's discretion. He said there was great language about human scale of development and consideration of neighborhood character tending toward design considerations. He said an alternative to design guidelines for residential development was setting a criteria that gave neighbors when a project was near or at maximum floor area a mechanism to have the Community Development Director or Planning Commission review the project.

Chair Onken said they would like some metric or method in the way the General Plan would work to control or enforce aesthetics. He said there was mention of unbundling parking. He said however that the plan still worked off the scenario of how big the parcel was and how much parking would be needed to define the development project. He suggested they look at changing that model and if that was what the City wanted to do he would support that. He said in the M-2 110-feet high buildings might be possible through public benefit and he wasn't sure that was the best thing for the City. He said they should look at what they wanted in the M-2 that would work for everybody and then look at public benefit as a much smaller development driver.

Commissioner Ferrick said she supported sustainable services as shown in goals LU-7 and the policies under that to support energy efficient building. She would she would like new development to be as close to net zero as possible now, and to do that through the land use policy.

G. Regular Business

There was none.

H. Commission Business

There was none.

I. Informational Items

There was none.

J. Adjournment

The meeting was adjourned at 9:25 p.m.

Staff Liaison: Deanna Chow, Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on October 19, 2015