Planning Commission



SPECIAL MEETING MINUTES

Date: 11/22/2021 Time: 7:00 p.m.

Meeting Location: Zoom.us/join - ID# 831 6644 9012

A. Call To Order

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

Assistant Planner Chris Turner at Chair Doran's request explained how applicants and the public would be able to participate in the virtual meeting.

B. Roll Call

Present: Andrew Barnes, Chris DeCardy (Vice Chair), Michael Doran (Chair), Cynthia Harris, , Michael Tate

Absent: Camille Gonzalez Kennedy

Staff: Kyle Perata, Acting Planning Manager; Corinna Sandmeier, Acting Principal Planner; Chris Turner, Assistant Planner

C. Reports and Announcements

Acting Principal Planner Corinna Sandmeier said the City Council would next meet December 7, 2021 and there might be some items on the agenda that the Planning Commission had seen, but it was not finalized.

D. Public Hearing

- D1. Specific Plan Amendments, Architectural Control Revision, Use Permit Revision, Development Agreement Amendment, and Environmental Review under the California Environmental Quality Act (CEQA)/Cyrus Sanandaji/1300 El Camino Real (Springline). (Staff Report #21-061-PC)
 - 1. A recommendation to the City Council on Specific Plan Amendments to increase the maximum Public Benefit Bonus-level floor area ratio (FAR) from 1.50 to 1.55 in the ECR NE-R District under certain circumstances;
 - 2. Architectural control revision for compliance with Specific Plan standards and guidelines, including determination of a Public Benefit Bonus to exceed the Base level FAR (Floor Area Ratio) standards, for a previously approved mixed-use development consisting of office, residential, and community-serving uses on a 6.4-acre site. The proposed revision includes modifications to the basement and second levels of each office building, which would increase the project's gross floor area (GFA) by up to approximately 9,000 square feet, reconfiguration of the primary residential entry at the intersection of Oak Grove Avenue and Garwood Way for improved accessibility, and modification of a portion of the previously-designated community-

serving use space facing Oak Grove Avenue to a multi-function space. The increase in gross floor area would require payment of an in-lieu fee in compliance with the City's Below Market Rate Housing Program, as recommended by the Housing Commission and included in the conditions of approval;

- 3. Use permit revision for hazardous materials for a fuel tank supplying a diesel emergency back-up generator, expanded outdoor seating associated with full/limited service restaurants, and the on-site and off-site consumption of alcohol (beer, wine and spirits) and beverage sales establishments (inclusive of a mobile beer truck). In accordance with the requirements of the California State Department of Alcoholic Beverage Control (ABC), to approve the off-site sale of alcohol, the Planning Commission must make a finding that the off-sale of alcohol at this location serves a public convenience or necessity; and
- 4. A recommendation to the City Council on a Development Agreement (DA) Amendment for the project sponsor to secure vested rights, and for the City to secure a public benefit.

The City prepared an addendum to the certified Final Infill EIR, which considered the above requested entitlements.

Staff Comment: Planner Sandmeier said the project was previously called the Station 1300 project. She said the City Council in 2017 approved a mixed-use development consisting of office, residential and community serving uses. She said the approval included a floor area ratio (FAR) of 1.5. She said the applicant was seeking a Specific Plan amendment that would increase the maximum public benefit bonus level FAR to 1.55 in the ECR NE-R District of the Specific Plan under certain circumstances. She said the applicant was seeking architectural control revision in increase the gross floor area (GFA) up to approximately 9,000 square feet or an FAR of 1.53 to reconfigure the primary residential entry at Oak Grove and Garwood Avenues, and to pay an in-lieu fee in compliance with the City's BMR housing program for the new square footage. She said the application included a request for a use permit revision for hazardous materials and for expanded outdoor seating associated with restaurants and for the onsite and offsite consumption of alcohol. She said lastly the application included a development agreement amendment that would allow the applicant to secure invested rights and for the City to secure a public benefit of \$300,000 to complete a quiet zone study and related projects if funds remained. She said staff recommended that the Planning Commission recommend that the City adopt an ordinance amending the Specific Plan, approve the architectural control revision and use permit revision, and recommend that the City Council adopt an ordinance approving a development agreement amendment. She said the three actions would be made by resolution requiring four Commissioners voting in the affirmative to do so.

Chair Doran said for the record that he toured the project site with Mr. Sanandaji but that would not affect his ability to be impartial in his consideration of the application.

Applicant Presentation: Cyrus Sanandaji said after taking the project over, they concluded from their project analysis that a series of minor modifications were needed to enhance the marketability and functionality of the buildings. He said regarding access at the corner of Garwood and Oak Grove Avenues that the proposed revision was to address ADA access to the residential building and to further activate that corner from the original approval of a community serving use (CSU) to what they were calling a multifunction publicly accessible space. He said that would serve the same purpose and host a Café open to the public. He said the FAR increase request had to do with support space that in its entirety was located in the parking garage so all, but 400 square feet of the proposed FAR

request change, was below grade. He said they were hoping to secure this project modification approval and the completion of the residential building in the early spring so the entire project could receive final approval in the May/June 2022 timeframe. He said they had had advanced discussions with a series of tenants that were conditioned upon being able to provide space that was practical and functional. He said there was a technical matter related to the previously approved and installed backup generator on the site. He provided visuals of the proposed revision to the entryway. He reviewed proposed added security for the basement garage space. He said the seating area they wanted to expand was limited to the Plaza area.

Chair Doran opened the public hearing.

Public Comment:

- Marcy Abramowitz, Felton Gables, said she supported the Springline project modifications and hoped the upgrades were approved. She relayed a pleasant experience she had had sitting in the Springline plaza area near the fountain while waiting for her car to be serviced across the street. She said she saw it as a gathering place for the public. She said she also looked forward to the much-needed new housing the project would bring and the new residents, who hopefully would bring more vitality to the downtown. She said as a neighborhood lead on the citywide quiet zone initiative she was pleased to see \$300,000 from this project for that public benefit.
- Fran Dehn, Menlo Park Chamber of Commerce, said they agreed with the staff recommendation that the Commission in its consideration recommend that the City Council adopt an ordinance amending the Specific Plan to increase the maximum public benefit bonus level FAR from 1.5 to 1.55; that the Commission approve the architectural control revision for compliance with Specific Plan standards and guidelines; approve the use permit revision for hazardous materials, expanded outdoor seating and onsite and offsite alcohol sales, and lastly recommend the Council adopt an ordinance approving the development agreement for the project sponsor to secure vested rights and the City to secure public benefit. She said the Downtown Specific Plan was adopted July 2012 and was intended to establish a framework for private and public improvements on El Camino Real. She said they thought this project was an optimization of a currently approved project as well as recognition of safety enhancements and Covid market shifts.

Chair Doran closed the public hearing.

Commission Comment: Chair Doran said he toured the site and understood the desire for the lobbies in the parking garage. He said the ADA access made complete sense. He said he recognized the kind of bureaucratic glitch in the approvals for the diesel generator. He said he questioned the plaza and the proposed beer truck. He said the project had 10 licensed premises around the plaza. He said he understood that Covid had increased the desire for outdoor spaces for restaurants and bars. He said he did not understand though the need for a beer truck in the plaza.

Mr. Sanandaji said the beer truck was not in addition or competitive with the proposed retail use, which would be located on Oak Grove Avenue. He said on Oak Grove Avenue there was not a lot of outdoor seating potential given the depth and width of the sidewalk. He said they were planning to furnish the entirety of the plaza, so the idea was to encourage activation in that space and extend the ability for the public to be able to enjoy the offerings of the taproom and/or any other restaurant in that area. He referred to the ABC requirement that for them to be able to serve any beer and wine, they had to obtain approval from the City. He said the intent was to activate the area. Chair Doran

asked if they did not have use permit for the beer truck whether people would be able to buy a beer in the taproom and carry it out into the Plaza. Mr. Sanandaji said they would not.

Steve Atkinson said the ABC basically required that rope or some kind of barrier be around outdoor seating where alcohol was served. He said in the taproom a person could sit in the limited amount of seating on Oak Grove Avenue but could not carry a beer around to sit in the plaza under ABC requirements. He said where they intended to expand seating on the plaza there would be barriers and people consuming alcoholic beverages there would have to stay within those barriers. He said for people to enjoy a beer from the taproom in the plaza it had to happen as proposed with the beer truck.

Commissioner Andrew Barnes said he was fine with the reasoning behind the changes requested and recommending that the City Council adopt an ordinance to amend the Specific Plan to increase the public benefit bonus level from 1.5. to 155 FAR. He said he was fine with approving a use permit revision for hazardous materials and the sale of alcohol. He referred to the \$300,000 to go to the Downtown amenity fund or otherwise as mentioned this evening. He asked for information on the quiet zone initiative and who benefitted from it. Planner Sandmeier said the study related to the train horn use. She said the City had budgeted this for a feasibility study. She said the funds from this project would be in case additional funds were needed for that and/or if projects identified out of the study could be done with the \$300,000. She said if funds remained from the \$300,000 after the balance would go into the Downtown amenity fund.

Mr. Atkinson said the quiet zone study was to look at ways in which the noise from the train whistles could be mitigated or not required to be sounded. He said the whistles currently were required to be engaged because of the road crossing.

Mr. Sanandaji said the quiet zone initiative was an effort they were enlisted to support that they were in favor of, and the City Council had made it a priority in response to the community's request.

Commissioner Barnes said he had looked through historic documents related to this project and did not find the fiscal impact analysis and its finding. He said he wondered about the impact of 183 new residential units on the school district and any fee associated with that. He suggested the \$300,000 might be better directed there.

Commissioner Henry Riggs said he had met with Mr. Sanandaji some time ago and toured the site to better understand the variety of requests. He said that Springline had to solve numerous problems in taking over the project both from design matters and an oversight of the City's review process. He said the quiet zone was one of the community amenities selected through community input and he supported the funding of it. He said he found all of staff's recommendations for the Commission's action logical and supportable. He said the changes envisioned here would not increase the occupancy of the project; they would not downgrade the very handsome project that was previously approved. He said the additional alcohol requests reflected a convenience to the 183 new residential unit occupants and potentially to the office workers after hours, and possibly to the community as a whole to share the benefits of a particularly nice plaza. He said he would be happy to make the motion regarding the four items in the recommendation when the Chair found it appropriate to do so.

Commissioner Chris DeCardy said dedicated parking for the residential units had been one space per unit but not necessarily tied to a unit but as dedicated parking for residential only. He asked if that now was .44 spaces per unit. Mr. Atkinson said the original project had more than one unit available as strictly residential parking but there was no strictly residential parking in this plan. He

said they needed to do that to make the shared parking study work for if spaces were residential only then during the day those would not be available for office workers. He said residents coming into the garage in the evening would find plenty of spaces as most of the commercial people would be gone.

Commissioner DeCardy referred to the shift to more outdoor seating related to Covid and asked if they revisited the parking study for a potential shift in office parking. Mr. Sanandaji said they reduced the parking that was originally proposed and built. He said it was approved at almost 1,000 parking spaces and they were down to 942 spaces as they took spaces to provide back of house operating support functions and encouraged and expanded the bicycle parking with lockers and showers. He said also they had secondarily an ability to maintain and then deploy a bicycle fleet for the residents and the occupants/tenants of the office buildings to promote alternative transit. He noted an app for parking for the community that would allow free parking for up to three hours.

Commissioner DeCardy said the project was better because parking spaces would be used differently. He said it was undesirable that buildings were being built to last the next 30 to 50 years that would have great areas of underground space that was not particularly useful for other purposes.

Commissioner DeCardy asked for staff's perspective on why \$300,000 for the quiet zone study was identified. Planner Sandmeier said the applicant proposed the \$300,000 contribution. She said staff reviewed it in comparison to the contribution in 2017 for additional square footage. She said that bonus level square footage compared with the current bonus level square footage so that seemed reasonable. She said it was also reviewed with the Public Works Department, which was taking the lead on the quiet zone study.

Commissioner DeCardy asked what implications for future projects there were from increasing the FAR from 1.5 to 1.55. Planner Sandmeier said the Specific Plan amendment was limited and would only apply to a project that had substantially completed construction and found deficiencies that needed to be addressed. She it was limited to the ECR NE-R District and that district currently had nine properties. She said she did not think the amendment would affect many projects but might help a similar project built at maximum bonus level FAR that then discovered deficiencies when construction was close to completion.

Acting Planning Manager Kyle Perata said the cap for the maximum development potential in the Specific Plan would continue through this amendment so there would be no increase in the total square footage as defined by that cap.

Commissioner DeCardy said in general all the items as recommended looked good.

Commissioner Barnes asked if a community amenities list was developed for the Specific Plan as was developed for ConnectMenlo. Planner Sandmeier said page E17 of the Specific Plan listed suggested amenities, but they were not meant to be limiting. She said it was meant for each project to propose for review at a public hearing. Commissioner Barnes noted Commissioner Riggs' comment that the proposal being made was from a list developed through community process. He said however the items in the Specific Plan were not prescriptive and this was a discretionary process on a project-by-project basis. He said the quiet zone might be worthy for the City to undertake but he did not see a transparency in the selection of it other than the applicant's assertion it was an important thing. He said he would rather see the money used for the school district.

Commissioner Riggs said he did not reference a hallowed list as being part of the Specific Plan but that the proposed amenity was a community-based choice. He said he did so however based on the earlier statements by the applicant. Replying to Commissioner Riggs, Planner Sandmeier said in this case this was a proposal made by the applicant that staff found reasonable. She said as she mentioned the City had budgeted money for a quiet zone study, which she believed was influenced by community input.

Commissioner Cynthia Harris said she appreciated the applicant addressing deficiencies when they took over the project including the more open entry for ADA compliance. She said like one of the speakers she looked forward to sitting in a Café or the courtyard and the attractive setting. She asked how \$63,000 was arrived at for the in-lieu BMR fee. Mr. Atkinson said one of the oddities about the project was that the amount of office and CSU (community serving use) in the 2017 approval was not a specific number but a range. He said the staff report from the 2017 approval stated that the overall amount of commercial (office plus CSU) was around 220,000 square feet. He said with the additions they were making that increased to 224,000. He said that was an additional 4,000 square feet of commercial but because each, the office and the CSU, was stated with an acceptable range varying from 13,000 to 14,000 square feet it was hard to say how much of each was being added. He said both the office and the CSU, and their proposed project were near the upper end of the ranges allowed. He said he looked at it in different ways. He said it seemed like the fairest and most reasonable way was to take the overall increase of 4,000 square feet and divide by two and then apply each to the applicable in lieu rate. He said replying further to Commissioner Harris that the Housing Commission approved this BMR in-lieu proposal.

Commissioner DeCardy noted, after staff explanations of general fund spending decisions and the public amenity fund for the Specific Plan area use, he generally was appreciative of Commissioner Barnes' comments regarding use of the \$300,000 and the principle Commissioner Barnes was trying to get at.

Commissioner Riggs moved to approve as recommended in the staff report. Commissioner Harris seconded the motion.

Commissioner Barnes said he would vote against the motion, not because of any merit deficit in the project, but because he did not believe the community benefit had been vetted. He said if the motion as made failed and a motion could be made to table that piece and approve the other recommended items, he could support that.

Commissioner Michele Tate voted yes but noted that there were inconsistencies between the General Plan and how it impacted ConnectMenlo and the Specific Plan so hopefully those things would line up one day.

ACTION: M/S (Riggs/Harris) to approve as recommended in the staff report; passes 5-1 with Commissioner Barnes opposing and Commissioner Kennedy absent.

- Make a recommendation to the City Council on Specific Plan Amendments to increase the maximum Public Benefit Bonus-level floor area ratio (FAR) from 1.50 to 1.55 in the ECR NE-R District under certain circumstances;
- 2. Approve the architectural control revision for compliance with Specific Plan standards and guidelines, including determination of a Public Benefit Bonus to exceed the Base level FAR (Floor Area Ratio) standards, for a previously approved mixed-use development consisting of

office, residential, and community-serving uses on a 6.4-acre site. The proposed revision includes modifications to the basement and second levels of each office building, which would increase the project's gross floor area (GFA) by up to approximately 9,000 square feet, reconfiguration of the primary residential entry at the intersection of Oak Grove Avenue and Garwood Way for improved accessibility, and modification of a portion of the previously designated community-serving use space facing Oak Grove Avenue to a multi-function space. The increase in gross floor area would require payment of an in-lieu fee in compliance with the City's Below Market Rate Housing Program, as recommended by the Housing Commission and included in the conditions of approval;

- 3. Approve the use permit revision for hazardous materials for a fuel tank supplying a diesel emergency back-up generator, expanded outdoor seating associated with full/limited service restaurants, and the on-site and off-site consumption of alcohol (beer, wine and spirits) and beverage sales establishments (inclusive of a mobile beer truck). In accordance with the requirements of the California State Department of Alcoholic Beverage Control (ABC), to approve the off-site sale of alcohol, the Planning Commission makes a finding that the off-sale of alcohol at this location serves a public convenience or necessity; and
- 4. Make a recommendation of approval to the City Council on a Development Agreement (DA) Amendment for the project sponsor to secure vested rights, and for the City to secure a public benefit.

E. Informational Items

E1. Future Planning Commission Meeting Schedule

• Regular Meeting: December 13, 2021

• Regular Meeting: December 20, 2021

Planner Sandmeier said the agenda for the December 13 meeting that was three weeks away had not been finalized.

F. Adjournment

Chair Doran adjourned the meeting at 8:38 p.m.

Staff Liaison: Corinna Sandmeier, Acting Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on January 24, 2022



BACKGROUND



- Located on the east side of El Camino Real, between Oak Grove Avenue and Glenwood Avenue
- Previously called "Station 1300"
- Mixed-use development consisting of office, residential, and community-serving uses on a 6.4-acre site
 - Approved in 2017
 - Floor area ratio (FAR) of 1.5





- Specific Plan Amendment
 - Increase the maximum Public Benefit Bonus-level FAR from 1.50 to 1.55 in the ECR
 NE-R District of the Specific Plan under certain circumstances
- Architectural Control Revision
 - Increase the gross floor area up to approximately 9,000 square feet (1.53 FAR)
 - Reconfigure the primary residential entry (Oak Grove and Garwood)
 - In-lieu fee payment in compliance with City's BMR Housing Program



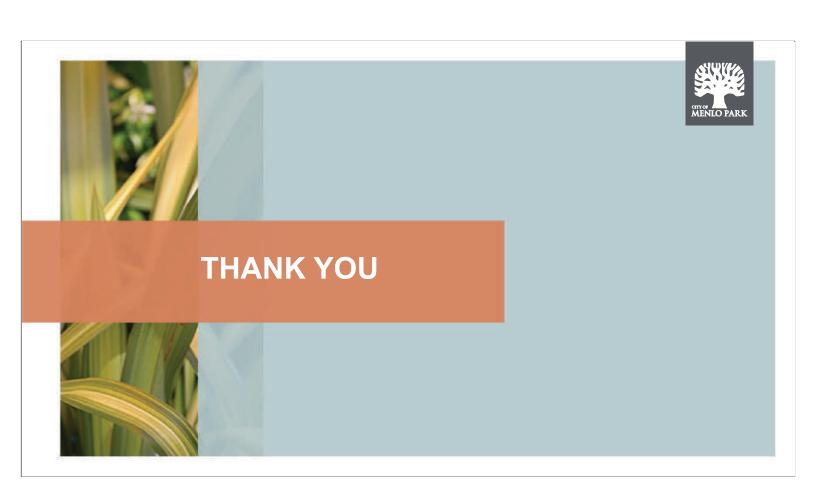
PROJECT OVERVIEW

- Use Permit Revision
 - Hazardous materials for a fuel tank supplying a diesel emergency back-up generator
 - Expanded outdoor seating
 - On-site and off-site consumption of alcohol (beer, wine and spirits)
- Development Agreement (DA) Amendment
 - For applicant to secure vested rights
 - For the City to secure a public benefit (payment of \$300,000 to complete a quiet zone feasibility study and related projects, if funds are left over)





- Recommend that the City Council adopt an ordinance amending the Specific Plan
- Approve the architectural control revision and use permit revision
- Recommend that the City Council adopt an ordinance approving a Development Agreement (DA) Amendment





SPRINGLINE PROJECT MODIFICATIONS

REDESIGN FOR ADA ACCESS TO THE MAIN ENTRANCE OF THE RESIDENCES AND CSU MODIFICATION

Modification of the primary residential entry at the intersection of Oak Grove and Garwood to improve ADA accessibility, aesthetics, and functionality.

Modification to 1,150 SF at Oak Grove corner from CSU to Multi-Function Public Accessible Area subsidized by The Residences and open to all.

MINOR CHANGES TO THE BASEMENT (SUPPORT SPACE)

Minor changes to the basement levels for operational needs, such as secured lobbies to access the buildings from each level of the basement, mail rooms (required by USPS to be in basement), trash rooms, and storage to support Community Service Uses. Additionally, TDM focused amenities such as bikle parking and locker rooms have been expanded to encourage greater bicycle ridership and minimize vehicular traffic. No new usable office or retail space added. No modifications to massing. Would result in a technical increase in Floor Area, while not impacting the massing or usable commercial space.

SECOND STORY OFFICE PASSAGE WAY FOR MULTI-TENANT

Minor changes to the second levels of each office building in order to create a passageway at the second level of the double-height entry lobbies.

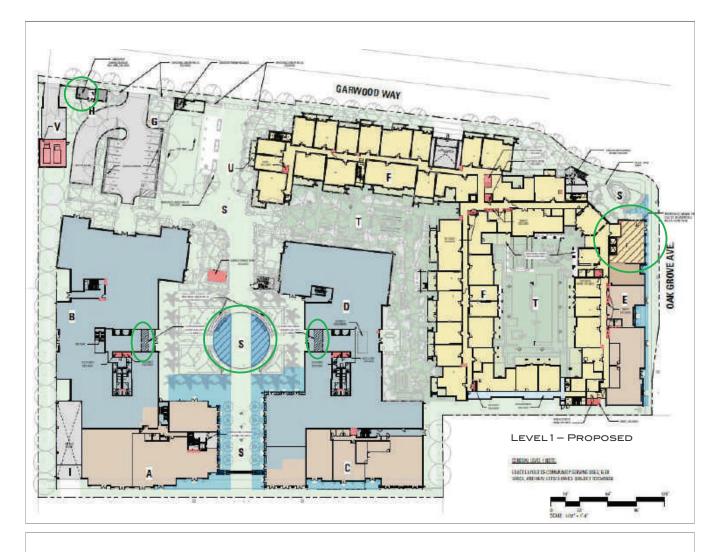
REVISED OUTDOOR SEATING AND RESTAURANT ALCOHOL SALES

Use Permit amendment to allow a minor expansion of the allowed outdoor seating area for food and beverage. Use Permit for restaurants selling alcoholic beverages. Use Permit for a taproom that will sell craft beer, wine and spirits (confined to the outdoor seating area), along with snacks. Use Permit for liquor sales for a specialty market that will also sell alcoholic beverages for on and offsite consumption.

DIESEL USE PERMIT FOR APPROVED GENERATOR

Use Permit for hazardous materials with respect to a diesel fuel storage tank for the emergency generator as required by the City.





MENLO PARK PLANNING DEPARTMENT STAFF RECOMMENDATION

- 1. Recommend that City Council approve Specific Plan amendment to allow additional .05 Floor Area Ratio (FAR) in specified circumstances to correct project deficiencies.
- ➤ 2. Approve architectural permit to allow additional area (Mainly on garage levels), to revise residential entry to improve access, and modify space near entry previously envisioned as CSU.
- ➤ 3. Approve use permit, to amend outdoor seating plan, allow diesel tank for emergency generator, and approve on site and off site alcohol sales.
- ➤ 4. Recommend that City Council approve Development Agreement amendment, to incorporate project revisions, and provide additional public benefit based on addition of floor area.

SPECIFIC PLAN AMENDMENT FOR ECR NE-R DISTRICT

- > For this district, Specific Plan limits FAR to a maximum of 1.50 FAR. Project was approved very close to this maximum; proposed basement work and small circulation improvements above ground would exceed that limit.
- > Proposed Specific Plan amendment is narrowly tailored to address this unexpected situation.
- > Amendment allows a **maximum** of an additional 0.05 FAR; for this site, that would be maximum of about 14,000 SF.
- Additional floor area only available for deficiencies identified after substantial construction, and to projects including residential and CSU uses.
- > However, any increased area is subject to strict limitations, including:
 - Any additional Gross floor area (GFA) below ground, must be within constructed subsurface footprint
 - o Area above ground, only to address circulation deficiencies, can't increase exterior dimensions
 - Planning Commission must review, find additions are necessary/desirable to address deficiencies, and subject to architectural review







STATION 1300

1300 EL CAMINO REAL

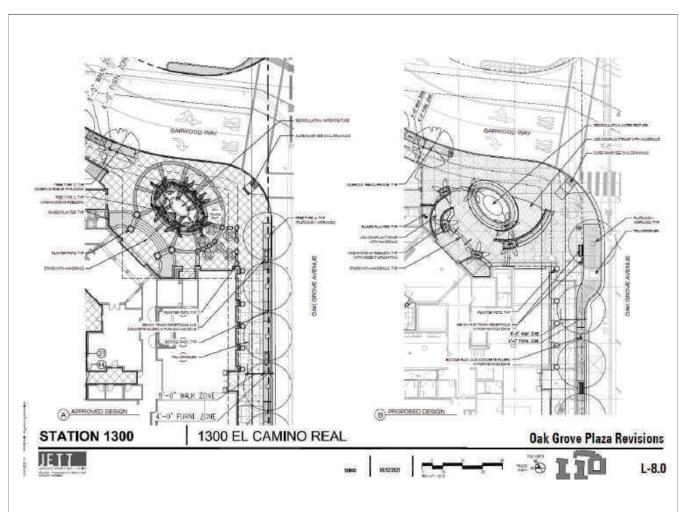
2017 ENTITLEMENT SET Perspective Rendering - Residential Entry Oak Grove

BAR architects

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PROPOSED MODIFICATION TO FORMER CSU AREA ALONG OAK GROVE



PROPOSED MODIFICATION TO FORMER CSU AREA ALONG OAK GROVE

- Area near residential entry, previously shown as CSU, is very marginal as CSU use, due to lack of commercial utilities and support.
- Proposing to change about 1,150 SF to "multifunctional" space
 - o Helps support adjacent café, which itself is subsidized by the Project
 - Seating open to general public, during business hours
 - o Space also used by residents, including after business hours
- > Proposal achieves City goal to activate this area immediately and with consistency.
- ➤ Even with this change, project provides over 6,000 SF of CSU along Oak Grove, and Project totals 25,000 SF of CSU, much larger than required minimum of 18,600 SF.



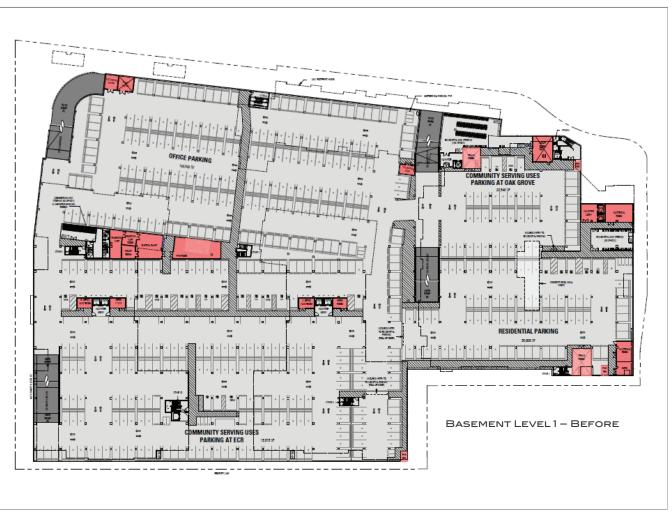
ELEVATOR LOBBIES AND MAIL ROOM

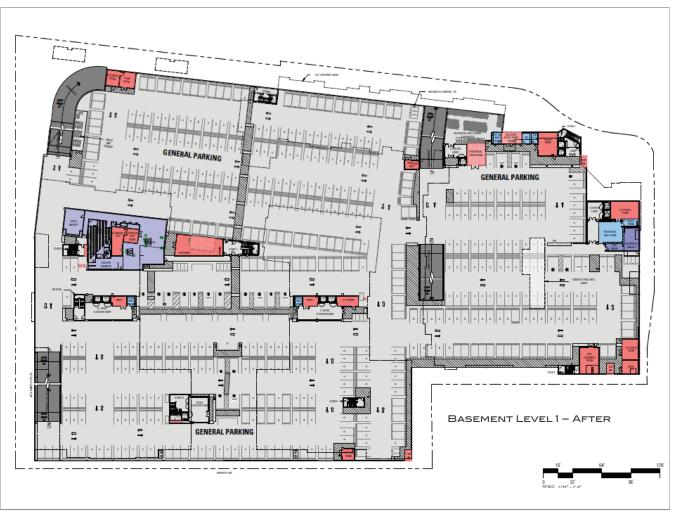


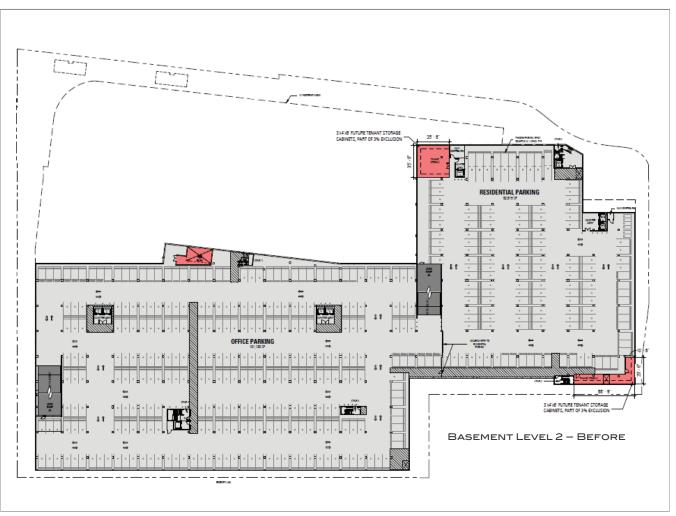


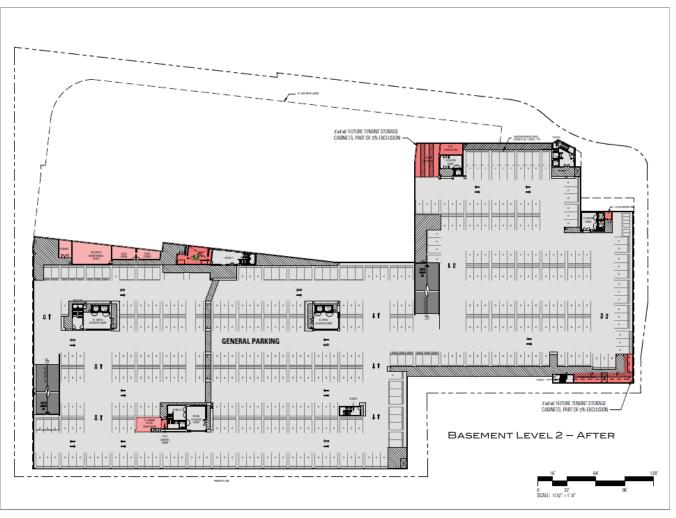














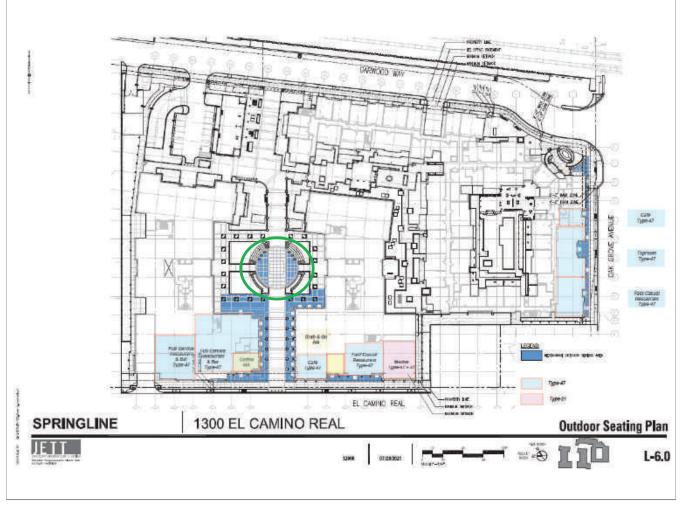
SECOND FLOOR

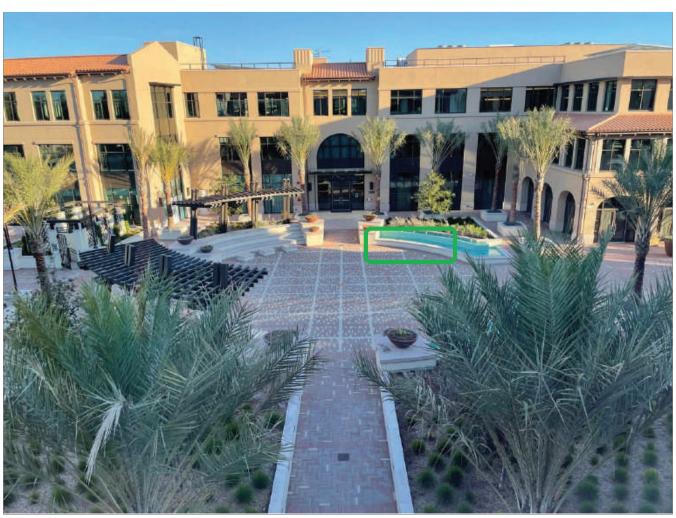


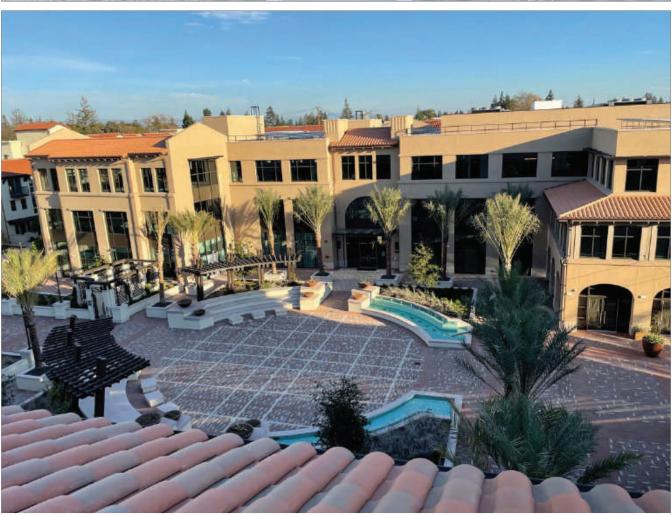
THIRD FLOOR







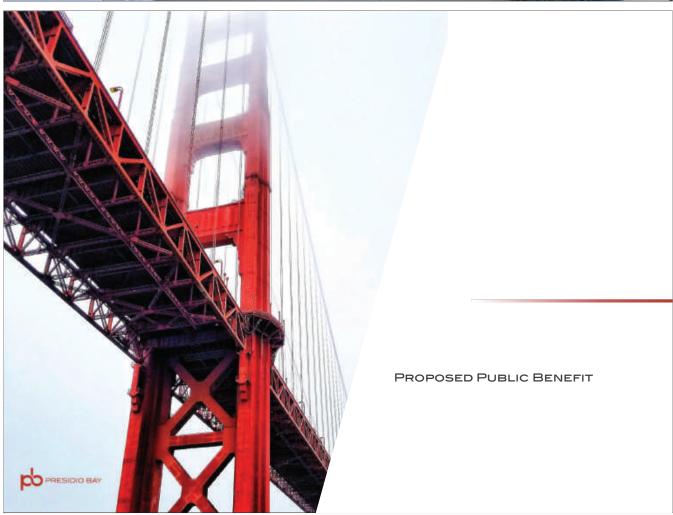












PUBLIC BENEFIT

- Proposed public benefit is in form of \$300,000 cash payment, for approval of approximately 9,000 SF of bonus floor area.
- Payment is proportional to public benefits provided for original (2017) approval, which included about 112,000 SF of bonus area.
- > Funds are to be used for various priorities:
 - Help fund City "Quiet Zone" study
 - > Contribute to funding for "Quiet Zone" implementation
 - Any remaining funds to be used for Downtown amenities
- In addition to public benefit payment, project will also contribute to BMR (\$63,000 in lieu fee), TIF, and other fees as per Menlo Park Master Fee Schedule.



REQUEST FOR APPROVAL

- ➤ 1. Recommend that City Council approve Specific Plan amendment to allow additional .05 Floor Area Ratio (FAR) in specified circumstances to correct project deficiencies.
- ➤ 2. Approve architectural permit to allow additional area (Mainly on garage levels), to revise residential entry to improve access, and modify space near entry previously envisioned as CSU.
- ➤ 3. Approve use permit, to amend outdoor seating plan, allow diesel tank for emergency generator, and approve on site and off site alcohol sales.
- ➤ 4. Recommend that City Council approve Development Agreement amendment, to incorporate project revisions, and provide additional public benefit based on addition of floor area.

