



COMMUNITY DEVELOPMENT DEPARTMENT

Council Meeting Date: April 4, 2006
Staff Report #: 06-064

Agenda Item F1

STUDY SESSION: Consideration of and Possible Direction to Staff on Policy Issues Related to the Proposal to Demolish a 31,000 Square Foot Automobile Dealership Building Located at 1300 El Camino Real and Construct a Total of 134 Residential Units, 40,730 Square Feet of Office, and 37,335 Square Feet of Retail; and, Including Issues Related to the Compatibility with the Derry Lane Mixed-Use Development Proposal.

RECOMMENDATION

Staff recommends that the City Council: 1) provide direction on the policy issues related to the mixed-use development proposal at 1300 El Camino Real; and, 2) provide direction to staff on policy issues related to the compatibility of the 1300 El Camino Real proposal and the Derry Lane Mixed-Use Development proposal.

BACKGROUND

Derry Lane Mixed-Use Development Proposal

In January 2004, the City Council held a study session at the request of the O'Brien at Derry Lane, LLC, (O'Brien Group) to discuss a potential application for a mixed-use residential/ commercial development on Oak Grove Avenue west of the Caltrain tracks, on the properties owned by the Derry family. These parcels were also identified for study as a high-density residential opportunity in the draft Housing Element Update. At the study session, the Council focused its discussion on the General Plan and Zoning Ordinance Amendments that would be needed for the project.

The O'Brien Group submitted a formal application for the Derry Lane Mixed-Use Development on the 3.45-acre site in February 2004 and supplemented the application with additional information in June 2004. A Scoping Meeting was conducted on June 17, 2004 to gain input from agencies and members of the public on issues that they believed should be addressed in the Environmental Impact Report (EIR).

In September 2004, the Planning Commission held a study session to provide feedback on certain project components. The Planning Commission responded positively to the appropriateness of the site location, pedestrian connectivity, architectural style, the proposed rental units, and extension of Garwood Way to Oak Grove Avenue. Individual

commissioners identified expansion of the plaza feature, parking, grade separation, plan line abandonments, building height, and trash enclosure locations as issues for further consideration.

After the Planning Commission study session, O'Brien Group redesigned portions of the project to address comments from the study session and submitted revised project plans in September 2005. Over the past several months, O'Brien Group has further revised the project plans to address comments from staff. The applicant is proposing to demolish all existing structures on the project site, merge the lots and the Derry Lane right-of-way, construct seven buildings with 135 residential condominium units and 17,000 square feet of commercial condominium space, and construct partially and fully submerged parking levels and parallel on-street spaces to serve the new uses. The project plans are included as Attachment D. The proposed one-, two-, and three-bedroom condominiums range in size from approximately 900 to 1,450 square feet. A public plaza is proposed along Oak Grove Avenue, and a large courtyard with planting areas would be located between the structures on the podium level. The project includes amendments to the General Plan and Zoning Ordinance in order to allow for transit-oriented developments with higher densities in the area bounded by El Camino Real, Glenwood Avenue, the Caltrain Railroad tracks, and Ravenswood Avenue. The draft General Plan and Zoning Ordinance Amendments are included as Attachments E and F, respectively.

The Draft EIR for the Derry Lane Mixed-Use project was made available to the public on March 16, 2006. As part of the 45-day review period, this project was brought before the Planning Commission for comments at the March 27, 2006 meeting. A study session on this project was also held at the March 27, 2006 meeting. Initial feedback from the Commissioners was positive regarding the architecture, expanded plaza area, and project location in conjunction with the mixed-use nature of the project. Individual commissioners identified the types and sizes of the commercial uses and specific design elements as items for further discussion in the next study session. Another Planning Commission study session for this item and the proposed development at 1300 El Camino Real has been tentatively scheduled for May 15, 2006.

1300 El Camino Real Proposal

In December 2005, the Sand Hill Property Company submitted a preliminary application for a mixed-use development at 1300 El Camino Real, the former Cadillac dealership. The application for the project at 1300 El Camino Real anticipates utilizing the General Plan and Zoning Ordinance Amendments that are part of the Derry Lane Mixed-Use Development application.

The City Council held a study session on February 7, 2006 to discuss the future of the El Camino Real corridor and listen to development concepts for three different properties on El Camino Real. Sand Hill Property Company presented its conceptual proposal to demolish the automobile dealership building located at 1300 El Camino Real and to construct a mixed-use project of residential, office, and retail.

A majority of Council members expressed a willingness to consider higher densities along the El Camino Real corridor, noting that public benefit would be an important component of any proposal. Specific to 1300 El Camino Real, the City Council directed the applicant to consider a vehicular connection with the Derry Lane Mixed-Use Development, allowing access to this project from El Camino Real. Since that time, the Sand Hill Property Company has prepared a new set of concept plans for two buildings with 134 residential units, 40,730 square feet of office, and 37,335 square feet of retail, and at-grade and fully submerged parking levels to serve the new uses (see Attachment B). The proposed residential units range in size from approximately 788 square feet for the one-bedroom units to 1,089 square feet for the two-bedroom units. Planting areas and a large courtyard would be located between the structures on the podium level.

The application includes requests for General Plan and Zoning Ordinance Amendments (if necessary), Rezoning, Planned Development Permit, Tentative Subdivision Map, and Environmental Review. Various aspects of the applications require recommendations by the Planning Commission and Housing Commission, and review and approval by the City Council.

Staff has requested additional information from the applicant to complete the application submittal. The applicant is waiting for comments from the Council on the scope of this project before they proceed further.

ANALYSIS

This staff report and the study session serve two purposes. The first purpose is to gain Council direction on key policy issues that have arisen during the initial review of the 1300 El Camino Real project. Council direction on these policy issues will provide guidance for the remainder of the review process. The second is to analyze the compatibility of the 1300 El Camino Real and Derry Lane Mixed-Use projects. The report does not attempt to address every issue that has been raised to date or anticipate issues that may be raised in the future.

Staff has grouped the policy issues into the following topics:

- 1) Density and Floor Area Ratio (FAR)
- 2) Public Benefit
- 3) Recreational Requirements
- 4) Trees
- 5) Compatibility with the Derry Lane Mixed-Use project

The issues are presented below and include specific questions the Council should consider. Please see Attachment C for a chart comparing the Derry Lane Mixed-Use and 1300 El Camino Real projects, zoning district requirements, and Menlo Square, located at the corner of Merrill Street and Oak Grove Avenue, and Menlo Center, which includes Kepler's Books.

Density and Floor Area Ratio (FAR)

The P-D district rezoning sought by 1300 El Camino Real is predicated on the approval of a General Plan Amendment and Zoning Ordinance Amendment that is currently being proposed by the Derry Lane Mixed-Use project (see Attachment C for a comparison of the existing and proposed densities and FARs, and Attachments E and F for the specific language of the amendments). The proposed amendments would change the maximum floor area ratio from 75 percent to 150 percent, creating a density bonus for mixed-use residential development near the Caltrain station. The following are questions that the Council is requested to consider:

- Is a density of 40 dwelling units per acre appropriate at 1300 El Camino Real given its relative proximity to the Caltrain station?
- Is the total amount of proposed commercial FAR (retail and office uses) appropriate with the proposed residential density?
- Is the approximately equal split of the commercial FAR between office and non-office uses appropriate?

Public Benefit

Through the environmental review process, the potential adverse impacts will be identified. Many potential impacts will have a mitigation that could be implemented to minimize the impact, but there may be some impacts, especially related to transportation, that cannot be mitigated to a less than significant level. If this were the case, then the project would need to demonstrate public benefits for the City Council to adopt a Statement of Overriding Considerations.

In considering the proposed development and weighing the appropriateness of the density and FAR increases, the City Council should examine the potential benefits of the project. The project is requesting a FAR that is approximately two times the maximum allowable today. It would be helpful if the Council discussed a framework and/or procedure to identify and potentially quantify potential public benefits that the City could obtain through the proposed development.

One subject area for a discussion of benefit could be housing. For example, aspects of the proposal such as high density housing near the Caltrain station could be considered a benefit in and of itself. Or the fact that the residential units are proposed as rentals and are of a relatively small size could be considered a benefit in meeting a certain housing need. Alternatively, the applicant could be requested to either provide more than the required 23 BMR units or make some of the 23 units more affordable.

Another subject area could be transportation improvements above and beyond standard requirements and mitigations. Examples could include pursuing capital improvements identified in the Center City Design Study, such as installing textured pavers in the crosswalks at the intersections of El Camino Real and Oak Grove and El Camino Real Glenwood to provide a stronger pedestrian connection between the train station area and the rest of downtown. Another example could be funding transportation studies

and/or design improvements to facilitate bicycle and pedestrian travel in the immediate or broader area, such continuing improvements along Garwood Way between Glenwood Avenue and Encinal Avenue.

Other subject areas for discussion of public benefit could include:

- Providing a substantial amount of retail space to attract a tenant with a strong potential to generate sales tax revenue and provide services to the community.
- Creating opportunities to incorporate public art or display art.
- Accelerating the payment of required fees in order for the City to benefit from the use of the funds sooner.
- Other items identified by the City Council.

Recreational Requirements

Section 15.16.020 of the Subdivision Ordinance governs recreational requirements for residential subdivisions. For subdivisions of greater than 50 units, the City has the option of accepting dedicated land for open space (either privately owned or publicly owned), accepting payment of fees, or accepting a combination of land and fees. Although the applicant is planning on renting the units, they would like to process a subdivision map to allow for possible condominium sales in the future. Payment of the recreation in-lieu fee is usually required at the time of Final Map approval by the City Council, however, the applicant would like to postpone payment of the recreation in-lieu fee to the point in time when the condominium conversion actually occurs. The amount of the fee would be based on a land appraisal. The following are questions that the Council is requested to consider:

- Would the City consider the proposal for deferred payment of the recreation in-lieu fee?
- If so, should a partial payment be required earlier as a mitigation or potential public benefit?

Trees

The project would involve the removal of all trees on site, including three heritage trees comprised of two prominent redwoods in the front of the property and one Blackwood on the northerly property line. The proposal includes the planting of a total of approximately 40 new trees, which would be located on the podium level of the project. The trees may be palms that would grow to be approximately 25 feet tall. The applicant is also proposing to remove the 13 London Plane street trees along El Camino Real and replace them with 18 palm trees. The trees located in the Garwood Way right-of-way would remain. The proposed heritage tree removals and replacements will require review and approval by the City Council. The following are questions that the Council is requested to consider:

- Should the project be redesigned to preserve the redwoods in the front of the site, keeping in mind that this would be a significant redesign due to the need to protect and preserve the root system?

- Is it acceptable to remove the recently planted London Planes?
- Are palm trees appropriate replacement trees?

Compatibility with the Derry Lane Mixed-Use Project

Although the projects are a departure from the historic densities on the El Camino Real corridor, both projects represent a move toward transit-oriented developments by proposing high density mixed used projects. The projects tend to compliment one another in that there are differences with regard to ownership structure (apartments vs. condominiums), residential unit sizes, and intensity of commercial uses.

The applicants for both projects are working together to coordinate design elements of the projects as well as public improvements associated with the projects. Specifically, the projects are considering a ramp between the parking structures to forge a connection between the projects and provide an improved circulation pattern (the ramp is shown on the plans included as Attachment B). Similarly, efforts are being coordinated for the improvements of Garwood Way across the project frontages. Finally, the architectural design of the buildings are similar with a Mission-Spanish Colonial style.

IMPACT ON CITY RESOURCES

The applicants are responsible for staff and consultant time spent processing the entitlement requests.

POLICY ISSUES

The proposed project involves a number of policy issues that are the subject of this staff report, including amending the City's General Plan and Zoning Ordinance. These changes, initially being considered as part of the Derry Lane Mixed-Use project, would be subject to analysis during the entitlement review process.

The City Council has identified the Derry property for study as high density residential in the draft Housing Element Update. At the time of this decision, the Cadillac dealership at 1300 El Camino Real was a viable, operating business. Therefore, it was not identified for study as a high-density residential use.

ENVIRONMENTAL REVIEW

The proposed development project requires environmental review pursuant to the California Environmental Quality Act (CEQA). Preparation of the Environmental Impact Report (EIR) for 1300 El Camino Real is proposed to begin shortly. The EIR will focus on the difference between the impact of the 1300 El Camino Real project parameters studied in the Derry Lane Mixed-Use Development Draft EIR and the current 1300 El Camino Real proposal as summarized below:

	Derry DEIR	1300 El Camino Real Proposal	Difference
Existing Auto Dealership	31,000 sf	vacant	+31,000 sf
Proposed Dwelling Units	147 units	134 units	-13 units
Commercial Space	22,020 sf	78,065 sf	+56,045 sf

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PUBLIC NOTICE: Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting.

ATTACHMENTS

- A. Location Map
- B. 1300 El Camino Real Project Plans
- C. Comparison of Derry Lane Mixed-Use and 1300 El Camino Real Proposals
- D. Derry Lane Mixed-Use Development Project Plans
- E. Draft General Plan Amendment
- F. Draft Zoning Ordinance Amendment

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Comparison of Derry and 1300 El Camino Real Proposals

	C-4(ECR)	R-4	Proposed P-D	Derry	1300 ECR	Menlo Square	Menlo Center
Gross Lot Size	10,000 sf (minimum)	20,000 sf (minimum) one acre (maximum)	87,120 sf (minimum)	150,209 sf	146,754 sf	54,372 sf	83,806 sf
Residential density based on gross acreage	18.5 du/ac	40 du/ac	40 du/acre	39 du/acre*	40 du/acre*	18.5 du/acre	N/A
Max. Number of Dwelling Units	Derry: 63 units 1300 ECR: 62 units	Derry: 138 units 1300 ECR: 134 units	Derry: 138 units 1300 ECR: 134 units	135 units	134 units	25 units	N/A
Commercial Square Footage	Derry: 112,657 sf max. 1300 ECR: 110,066 sf max. (with use permit)	N/A	Derry: 82,615 sf max. 1300 ECR: 80,715 sf max.	~9,000 sf (non-office) ~8,000 sf (office) 17,000 sf (total)	37,335 sf (non-office) 40,730 sf (office) 78,065 sf (total)	7,250 sf	60,863 sf
Maximum FAR based on gross acreage	55% (permitted) 75% (with use permit)	100%	115% (residential) 55% (commercial) 150% (total)	114% (residential)* 11% (commercial) 125% (total)	88% (residential)* 53% (commercial) 141% (total)	69% (residential)* 8% (retail) 5% (office) 82% (total)	25% (retail, including restaurant) 15% (restaurant) 73% (total)
Maximum FAR for office uses	40%	N/A	30%	5%	28%	40%	48%
Maximum Height	30 ft.	40 ft.	50 ft.	50 ft.	50 ft.	35 ft. (roof/tower) 49.5 ft. (equipment and elev. shaft)	46 ft. (roof) 51 ft. (equipment and elev. shaft)
Maximum Stories (above ground)	3	4	4	4	4	3	3
Maximum Building Coverage	N/A	40%	Established by the P-D Permit	~66% (buildings and podium)	~88% (buildings and podium)	39%	24%
Minimum Landscaping	10%	30%	Established by the P-D Permit	21% (includes the podium level)	23% (includes the podium level)	0	see below
Public Plaza	N/A	N/A	N/A	~15,000 sf	not provided	12,920 sf	44,417 sf (includes landscaped areas)
Parking Requirement	6sp/1000sf (commercial), 2sp/unit (residential)	1.5 sp/1-bedroom units, 2 sp/2- and 3-bedroom units, 0.33 guest sp/unit	Established by the P-D Permit	4sp/1000sf (commercial), 1.5 sp/1-bedroom units, 2 sp/2- and 3-bedroom units, 0.33 guest sp/unit, 10% sharing reduction**	4sp/1000sf (office), 5sp/1000sf (retail), 1.5 sp/unit (residential)**	6sp/1000sf (commercial), 2sp/unit (residential), 18% provided in landscape reserve	Established by the P-D Permit
Parking Quantity	Derry: 372 spaces 1300 ECR: 736 spaces	N/A (commercial not permitted)	N/A	323 spaces	553 spaces	98 spaces (78 underground, 2 at-grade, 18 landscape reserve)	275 spaces

Comparison of Derry and 1300 El Camino Real Proposals

	C-4(ECR)	R-4	Proposed P-D	Derry	1300 ECR	Menlo Square	Menlo Center
Parking Location	not in any required yard or loading area	not in any required front or side yard, at least one covered space for each unit	N/A	Onsite: partially and fully submerged levels, offsite: on-street parallel spaces	Onsite: at grade under podium and fully submerged level	Onsite: at grade and fully submerged level	Onsite: first and second level podium parking and fully submerged level
Vehicular Access Points	N/A	N/A	N/A	Right in, right out access from Oak Grove; Access from Garwood; Potential access from 1300 ECR	Right in, right out access from El Camino; Access from Garwood	Access from Merrill	Access from Santa Cruz and Merrill
Pedestrian Connections to Train Station	N/A	N/A	N/A	Connecting Garwood to Oak Grove; Constructing Lighted crosswalk on Oak Grove at Merrill	Improving Garwood between Derry property and Glenwood Inn property	Crosswalk across Merrill	Crosswalk across Merrill
Heritage Tree Removals	N/A	N/A	N/A	3 of 8	3 of 3	4 of 9	unavailable
Storm Water	N/A	N/A	N/A	New storm drain under Garwood	New storm drain under Garwood	unavailable	unavailable
Rec in Lieu Fee***	N/A	N/A	N/A	\$4.3 million	\$4.3 million	\$450,000	N/A
Traffic Impact Fee	N/A	N/A	N/A	\$88,716	\$171,776	not requested	\$25 for each additional trip generated (TIF and fair share contribution not to exceed \$30,000)
Construction Street Impact Fee	N/A	N/A	N/A	TBD	\$522,000	N/A	N/A
BMR Proposal	N/A	N/A	N/A	21 units on-site 10 one-bedrooms (909 sf) 11 two-bedrooms (1277 sf) located on the 1st and 2nd levels	23 units on-site 11 one-bedrooms (788 sf) 12 two-bedrooms (1049 sf) located on the 1st and 2nd levels	3 units on-site	N/A

* includes BMR units

** parking utilization study to verify adequacy of proposed parking

*** assumes \$4 million per acre land value

ATTACHMENT E

**DRAFT
APRIL 4, 2006**

RESOLUTION NO. ____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
AMENDING THE GENERAL PLAN TO MODIFY THE EL CAMINO REAL
PROFESSIONAL/RETAIL COMMERCIAL LAND USE DESIGNATION**

WHEREAS, the Planning Commission of the City of Menlo Park has considered the adoption of an amendment to the General Plan to modify the El Camino Real Professional/Retail Commercial land use designation to allow for transit oriented development near transit centers and facilities; and

WHEREAS, the provisions of the Government Code, 65350, et. seq. have been complied with; and

WHEREAS, the City Council of the City of Menlo Park has considered the comments of the Planning Commission in regard to amending the General Plan;

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the City Council of the City Menlo Park that the General Plan Amendment to modify the El Camino Real Professional/Retail Commercial land use designation, particularly described in Exhibit "A", be adopted.

I, Silvia M. Vonderlinden, City Clerk of the City of Menlo Park, do hereby certify that the above and foregoing Resolution was duly and regularly passed and adopted at a meeting by said Council on the ___th day of _____, 2006 by the following vote:

AYES: Council Members:
NOES: Council Members:
ABSENT: Council Members:
ABSTAIN: Council Members:

I further certify that the foregoing copy of said Resolution is a true and correct copy of the original on file in the office of the City Clerk, Civic Center, Menlo Park, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of said City, this _____ day of _____, 2006.

City Clerk

Exhibit A

Part II – Land Use/Circulation Diagrams and Standards

El Camino Real Professional/Retail Commercial land use designation is amended to modify the maximum density and FAR range as follows:

COMMERCIAL DESIGNATIONS

El Camino Real Professional/Retail Commercial

This designation provides for retail services, personal services, professional offices, executive, general and administrative offices, research and development facilities, banks, savings and loans, convalescent homes, restaurants, cafes, theaters, residential uses, public and quasi-public uses, and similar and compatible uses. The maximum FAR for non-residential uses shall be in the range of 40 percent to 75 percent. Residential intensity shall not exceed 18.5 units per net acre except in the area bound by El Camino Real, Glenwood Avenue, Caltrain railroad tracks, and Ravenswood Avenue where residential intensity shall not exceed 40 dwelling units per gross acre and residential FAR shall not exceed 115 percent per gross lot area.

Table II-1 is amended to add use intensities for the P-D zoning district as follows:

TABLE II-1 RESIDENTIAL USE INTENSITY ¹			
Land Use Designation	Use Intensity (units per net acre)	Floor Area Limit/Ratio ²	Applicable Zoning Districts ³
Very Low Density	0-3.5	2,800 sq. ft. +25% of lot area over 7,000 sq. ft.	R-E, R-E-S, R-1-S
Low Density	3.6-5.0	2,800 sq. ft. +25% of lot area over 7,000 sq. ft.	R-1-U, R-1-S
Medium Density	5.1-18.5	40-45%	R-2, R-3, R-3-A, R-3-C, R-C
High Density	18.6-40.0 ⁴	100% ⁴	R-4, R-L-U ⁴

¹Residential uses are also allowed in the Professional and Administrative Offices, the Retail/Commercial, and the El Camino Real Professional/Retail Commercial designations, subject to a maximum intensity limit of 18.5 units per net acre.

Mixed-use (residential and commercial) is subject to the following zoning ordinance limitations:

R-C zoning district: residential intensity up to 18.5 DU/net acre and FAR of up to 45%. In a mixed use project, the maximum total FAR is 45% for residential plus 40% for commercial for a total maximum 85% FAR.

C-3 zoning district: residential intensity up to 18.5 DU/net acre and FAR of up to 100%. Any FAR used for residential use would be subtracted from that otherwise allowed for commercial use.

C-4 El Camino Real zoning district: residential intensity up to 18.5 DU/net acre and FAR of up to 75%. Any FAR used for residential use would be subtracted from that otherwise allowed for commercial use.

²The BMR density bonus can result in the density, number of units, and floor area being increased up to a maximum of 15%. The floor area limit for lots under 5,000 square feet shall be determined by use permit.

³Residential uses are also allowed in the P-D zoning district. This district allows residential and other uses at a density or intensity that does not exceed the density or intensity allowed by the pre-existing zoning for the P-D-zoned property except in the area bound by El Camino Real, Glenwood Avenue, Caltrain railroad tracks, and Ravenswood Avenue where residential intensity up to 40 DU/gross acre and residential FAR of up to 115 percent would be permitted.

⁴The R-L-U zoning district allows senior rental housing with residential intensity of 54-97 DU/net acre and FAR of up to 150%. Any new R-L-U project will require a general plan amendment and rezoning.

TABLE II-2 COMMERCIAL USE INTENSITY		
Land Use Designation/Type	Use Intensity (Floor Area Ratio)	Applicable Zoning Districts ¹
Retail/Commercial		
Neighborhood Shopping	40%	C-2
Neighborhood Shopping, Restrictive	40%	C-2-A
Neighborhood Commercial, Restrictive	40% without use permit or up to 50% with use permit	C-2-B
Central Commercial	100% retail without use permit, and up to 100% more with use permit, but office use may not exceed 50%	C-3
General Commercial	40%	C-4 non-El Camino Real
Professional and Administrative Offices		
Administrative and Professional Restrictive	30%	C-1
Administrative, Professional	40%	C-1-A, R-C, R-3-C
Administrative, Professional, and Research Restrictive	25%	C-1-C
El Camino Real Professional/Retail Commercial		
General Commercial	55% without use permit or up to 75% with use permit; provided office use may not exceed 40% and up to 100% for auto storage for auto retailers with a use permit	C-4 El Camino Real, P-D
Administrative and Professional	40%	C-1-A, C-4 El Camino Real, P-D
¹ Commercial uses are also allowed in the P-D zoning district. This district allows commercial and other uses at a density or intensity that does not exceed the density or intensity allowed by the pre-existing zoning for the P-D-zoned property.		

Please Note: This draft ordinance amendment uses redline (~~strikeout~~ and underline) formatting to show the reader the extent of changes to existing Zoning Ordinance provisions in order to provide context.

ATTACHMENT F

DRAFT
APRIL 4, 2006

ORDINANCE NO. ____

An Ordinance of the City of Menlo Park, Amending Title 16 of the Menlo Park Municipal Code, Amending Chapters 16.57 *P-D District*

The City Council of the City of Menlo Park does ordain as follows:

SECTION 1. The following section of Title 16, *Zoning*, Chapter 16.57, *P-D District*, of the Menlo Park Municipal Code is hereby amended to read as follows:

Chapter 16.57

P-D DISTRICT

Sections:

- 16.57.005 Purpose of the P-D zone.
- 16.57.010 Establishment of a P-D zone.
- 16.57.020 Conditional uses.
- 16.57.030 Development regulations.
- 16.57.040 Identification of a P-D zone.
- 16.57.050 Area limitation.

16.57.005 Purpose of the P-D Zone. The purpose of the P-D Zone is to encourage the consolidation of smaller parcels into larger parcels to provide benefits to the City which could not otherwise be obtained. In order to obtain these benefits, the project plans should consider the inclusion of specific development controls to develop more usable open space, to provide efficient use of land, utilities, and circulation systems, to develop creative and integrated design and to allow for innovative and desirable mixed use developments that are consistent with the density and intensity requirements of the pre-existing zoning designation, except as provided in subsection 16.57.050, and with the aesthetic and environmental qualities of the community.

16.57.010 Establishment of a P-D zone. Applications for the establishment of or reclassification to the P-D zone classifications must include a development plan as described in this chapter. The zone reclassification shall not be approved until a permit approving the development plan has been issued by the Planning Commission and the City Council.

The Planning Commission and City Council, after public hearings, may approve, disapprove, modify or attach conditions to a development plan.

16.57.020 Conditional uses. A use permit shall be required for any and all uses in a P-D zone. A use permit may be issued by the Planning Commission if the land uses and structures comply with the development plan and conditions thereof.

16.57.030 Development regulations.

- (a) Components. The development plan shall include all of the following:
- (1) A plot plan map which shows:
 - (A) Existing and proposed public street and sidewalk improvements,
 - (B) Lot design,
 - (C) Areas proposed to be dedicated or reserved for any public use including, but not limited to, public utility easements, public buildings and public land uses,
 - (D) Parking and interior traffic flow, including parking ratios,
 - (E) Land used within five hundred feet of the external boundary of the P-D zone;
 - (2) Site details, including:
 - (A) Preliminary building plans, including generalized elevations,
 - (B) Maximum building heights,
 - (C) Maximum lot or area coverages,
 - (D) Minimum distance between structures,
 - (E) Minimum setbacks from interior lot lines,
 - (F) Minimum setbacks from street rights-of-way,
 - (G) Landscaping, screening and lighting,
 - (H) Population densities within the planned development zone,
 - (I) Floor area ratio of structures;
 - (3) Development schedule, including date of commencement of construction, annual accomplishment, and completion of planned development;
 - (4) Any other reasonably related information necessary for the Planning Commission and City Council to act.
- (b) Standards.
- (1) General Requirements. Setbacks, building heights, distances between buildings, lot coverage, parking requirements, and landscaping requirements shall be established by the Planning Commission for each planned development.
 - (2) Public Improvements. Improvement to full city standards for all public rights-of-way abutting and within the development shall be required. In addition, if determined necessary for proper traffic circulation, the applicant may be required to provide proper methods of ingress and egress to the development, including acceleration and deceleration lanes, and traffic devices including channelization.

- (c) **Revision of Plan.** A public hearing by the Planning Commission and City Council shall be required prior to issuance of a permit for revisions of the development plan which involve changes in land use, expansion or intensification of development or a relaxation in the standards of development. All other revisions may be allowed after a permit is approved by the Planning Commission and City Council. A public hearing may be called regarding such changes if deemed necessary by the Planning Commission.
- (d) **Filing Fees.** In addition to the fee required for reclassification of the zone, there shall be a fee established by the City Council to provide for publication costs and for the inspection of the development plans. Such fee shall not be required for revisions to the plan unless the Planning Commission or City Council required the holdings of a public hearing.
- (e) **Development Schedule.**
 - (1) A development plan shall be accompanied by a development schedule indicating the approximate date when construction of the project can be expected to begin (which date shall be no later than one year from the effective date of the rezoning of the property) the anticipated rate of development, and completion date. The development schedule, if approved by the City Council, shall be adhered to by the owner of the property in the P-D zone and his successors in interest.
 - (2) Periodically the Planning Commission shall compare the actual development in the various P-D zones with the approved development schedules.
- (f) **Revocation.**
 - (1) A P-D Zoning designation shall be null and void if the construction has not begun within one year from the date of the approval thereof or within any other time limit imposed by the Planning Commission or City Council. Upon expiration of the one-year period or other time period as may have been imposed, the property shall return to its former zoning designation;
 - (2) If the owner is failing or has failed to meet the development schedule approved by the City Council, the City may initiate proceedings to rezone the property and revoke the approval of the development plan, or to amend the development plan;
 - (3) The Council may extend the development schedule.

16.57.040 Identification of P-D zone. Each P-D zone shall be numbered, the first adopted being shown on the zoning maps as P-D (1) and each zone subsequently adopted being numbered consecutively.

16.57.050 Area limitation. Property within the area bounded by El Camino Real, Watkins Avenue, ~~Southern Pacific Railway~~the Caltrain railroad tracks, and San Francisquito Creek may be placed in a P-D zone in accordance with the provisions of

this chapter. No other property may be placed in a P-D zone. Furthermore, properties located in the area bounded by El Camino Real, Glenwood Avenue, the Caltrain railroad tracks, and Ravenswood Avenue may be developed to the following standards in order to promote transit-oriented development in close proximity to transit centers or facilities:

- (a) Residential development up to 40 units per acre, and a residential floor area ratio of 115% may be permitted on development sites having a minimum gross land area of two (2) acres. The maximum dwelling units and floor area ratio are inclusive of any density bonus or other incentives for on-site affordable housing.
- (b) When residential development exceeds 18.5 dwelling units per acre, commercial development on the same site shall be limited to a floor area ratio of 55 percent, except for office uses, which shall be limited to 30 percent.
- (c) In no case, shall the total floor area ratio, inclusive of on-site affordable housing, exceed 150%.
- (d) The City Council may calculate the maximum dwelling units per acre and floor area ratio on the entire gross land area included in the PD District before consideration of any land for dedication for any public right of way.
- (e) The maximum building height shall not exceed 50 feet.

SECTION 2. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 3. This ordinance shall become effective thirty (30) days after the date of its adoption. Within fifteen (15) days of its adoption, the ordinance shall be posted in three (3) public places within the City of Menlo Park, and the ordinance, or a summary of the ordinance prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Menlo Park prior to the effective date.

INTRODUCED on the ____ day of _____, 2006.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the ____ day of _____, 2006, by the following vote:

AYES:	Council Members:
NOES:	Council Members:
ABSENT:	Council Members:
ABSTAIN:	Council Members:

APPROVED:

Nicholas P. Jellins
Mayor, City of Menlo Park

ATTEST:

Silvia M. Vonderlinden
City Clerk