



PLANNING COMMISSION ACTIONS

**NOTE: Early
start time.**

October 5, 2009
6:00 p.m.
City Council Chambers
701 Laurel Street, Menlo Park, CA 94025

Teleconference with participation by Commissioner Kadvany from:
716 S. Madison
Pasadena, CA 91106
(Posted October 1, 2009)

CALL TO ORDER – 6:02 p.m.

ROLL CALL – Bressler, Ferrick (arrived 6:04 p.m.), Kadvany (absent), Keith (arrived 6:05 p.m.), O'Malley (Vice chair), Pagee, Riggs (Chair)

INTRODUCTION OF STAFF – Deanna Chow, Senior Planner; Justin Murphy, Development Services Manager; Thomas Rogers, Associate Planner

A. PUBLIC COMMENTS

One member of the public, Patti Fry, spoke about the role of the Planning Commission, stating that the agenda contains two large and complicated projects, and the Commission should spend the time on them like they did with the gross floor area discussion to provide the best advice.

Under “Public Comments,” the public may address the Commission on a consent calendar item or any subject not listed on the agenda within the jurisdiction of the Commission. When you do so, please state your name and city or political jurisdiction in which you live for the record. The Commission cannot respond to non-agendized items other than to receive testimony and/or provide general information.

B. CONSENT

Items on the consent calendar are considered routine in nature, require no further discussion by the Planning Commission, and may be acted on in one motion unless a member of the Planning Commission or staff requests a separate discussion on an item.

1. Approval of minutes from the August 31, 2009, Planning Commission meeting.
M/S O'Malley/Pagee to approve the minutes as submitted; 5-0-1, with Commissioner Riggs abstaining and Commissioner Kadvany absent.
2. Approval of transcripts from the September 14, 2009, Planning Commission meeting.
M/S Pagee/Keith to approve the transcripts with the following modifications: 4-0-2, with Commissioners Riggs and Keith abstaining and Commissioner Kadvany absent.
 - Page 27, 1st paragraph, 4th line: Replace the word “always” with “as”
 - Page 131, 3rd paragraph, 2nd line: Replace the word “lead” with “LEED”
 - Page 136, 2nd paragraph, 4th line: Replace the word “lead” with “LEED”

C. PUBLIC HEARING – None

D. STUDY SESSION

1. Study Session/El Camino Real/Downtown Specific Plan: Review of project status and opportunity for individual commissioner comments.

Prakash Pinto and Mark Hoffheimer of Perkins+Will, the City's consultant for the specific plan process, gave a presentation that included a review of the project schedule, a reminder of the Phase I Vision Plan goals, key direction from Community Workshop #3, and next steps for the Draft Specific Plan and EIR.

Two members of the public spoke regarding the item: Morris Brown and Patti Fry.

Planning Commissioners provided individual comments, including the following:

- Concern about the affects on the existing businesses downtown. What might up-zoning do to existing businesses?;
- Trade-off of added development to public benefit; Planning Commission would like to understand/weigh in on this;
- Biggest up-zoning is proposed for Stanford lands, so must ensure appropriate public benefits; Planning Commission would like to weigh in on this;
- Sidewalk bulb-outs don't seem to adequately address connectivity problems;
- Plans should show preferred high-speed rail alignment: underground;
- Support for Chestnut Street paseo and parking structures;
- Park may be appropriate along El Camino Real;
- Need for playing fields not addressed; and
- Mixed opinions on Santa Cruz Avenue reconfiguration options (retain/remove median).

2. Study Session/General Plan Amendment, Zoning Ordinance Amendment, Rezoning, Development Agreement, Architectural Control, Tentative Parcel Maps, Heritage Tree Removal Permits, Below Market Rate (BMR) Agreement, and Environmental Review/Bohannon Development Company/101-155 Constitution Drive and 100-190 Independence Drive (Menlo Gateway Project):

1. General Plan Amendment to create a new Mixed-Use Commercial Business Park land use designation, which would allow research and development (R&D) facilities, offices, hotels/motels, health/fitness centers, cafes and restaurants, and related commercial uses. The maximum floor area ratio (FAR) would be set at 100% for offices, R&D, and related commercial facilities, 12.5% for health/fitness centers, cafes and restaurants, day care facilities, and related retail/community facilities, and 25% for hotels/motels (total maximum FAR of 137.5%);
2. General Plan Amendment to change the land use designation of the properties from Limited Industry to Mixed-Use Commercial Business Park;
3. Zoning Ordinance Amendment to create a new M-3 (Mixed-Use Commercial Business Park) zoning district to allow for uses and FAR as stated in the corresponding General Plan land use designation. In addition, the M-3 zoning district would permit a maximum building height of 140 feet and a maximum number of 235 hotel rooms, and would specify use-based off-street parking requirements;
4. Rezoning the properties from M-2 (General Industrial) to M-3 (Mixed-Use Commercial Business Park);
5. Development Agreement to create vested rights in project approvals, address implementation of the proposed design and infrastructure improvements in the project area, and specify benefits to the City;
6. Architectural Control approval of specific project plans for the construction of new buildings with a maximum of 955,170 square feet of gross floor area (137.5% FAR) and a maximum building height of 140 feet;

- The Constitution Drive site would include two eight-story office buildings totaling 494,669 square feet; potential neighborhood-serving convenience retail and community facility space; and two multi-story parking structures;
 - The Independence Drive site would include a 200,000-square-foot, eight-story office building; a 171,563-square foot, eleven-story, 230-room hotel; a 68,519-square-foot health and fitness center; a 4,245-square-foot restaurant; potential neighborhood-serving convenience retail and community facility space; and a shared multi-story parking structure;
7. Tentative Parcel Maps (one on the Independence site and one on the Constitution site) to merge lots, adjust lot lines, and establish easements.
 8. Heritage Tree Removal Permits to remove 40 heritage trees on the Independence site and 32 heritage trees on the Constitution site;
 9. BMR Agreement for the payment of in-lieu fees associated with the City's Below Market Rate Housing Program; and
 10. Environmental Impact Report (EIR) to analyze the potential environmental impacts of the proposal.

This item will focus on the proposed uses, building and site design, public benefit, and Fiscal Impact Analysis (FIA) related to the proposed Menlo Gateway project. No action will be taken on the proposed project.

The project applicant, represented by David Bohannon and other team members, gave a presentation on the proposal, including the hotel/health club feasibility, architectural design, and green building features.

Steve Murphy of Bay Area Economics (BAE), the City's fiscal consultant, gave a presentation on the draft FIA.

12 members of the public commented on the proposal: Patti Fry, Wanda Haynes, William Mack, Morris Brown, David Speer, Elizabeth Lasensky, Elias Blawie, Paul Collacchi, Chuck Kinney, Chuck Bernstein, Matt Henry, Gail Slocum.

Planning Commissioners provided individual comments on the proposal, in particular on the topic of public benefits. By general consensus, the Commission continued the discussion to the meeting of October 19, 2009.

E. REGULAR BUSINESS – None

F. COMMISSION BUSINESS

1. Review of planning items on City Council agendas.
 - A. El Camino Real/Downtown Specific Plan (Phase II) Process
 - B. Appeal of Use Permit for 825 Santa Cruz Avenue
 - C. 1300 El Camino Real
 - D. 1706 El Camino Real

G. REPORTS AND ANNOUNCEMENTS

ADJOURNMENT – 11:30 p.m.

Future Planning Commission Meeting Schedule

Regular Meeting	October 19, 2009
Regular Meeting	November 2, 2009
Regular Meeting	November 16, 2009
Regular Meeting	December 7, 2009
Regular Meeting	December 14, 2009

This Agenda is posted in accordance with Government Code Section §54954.2(a) or Section §54956. (Date Posted: October 1, 2009.) Persons with disabilities, who require auxiliary aids or services in attending or participating in Planning Commission meetings, may contact the City Clerk at (650) 330-6600. Members of the public can view or subscribe to receive future weekly agendas and staff reports in advance by e-mail by accessing the City website at <http://www.menlopark.org>. Agendas and staff reports may also be obtained by contacting Vanh Malathong at 650-330-6736.

Any writing that is distributed to a majority of the commission by any person in connection with an agenda item is a disclosable public record (subject to any exemption under the Public Records Act) and is available for inspection at The Community Development Department, Menlo Park City Hall, 701 Laurel Street, Menlo Park, CA 94025 during regular business hours.

Planning Commission meetings are recorded and audio broadcast live. To listen to the live audio broadcast or to past recordings, go to http://menlopark.granicus.com/ViewPublisher.php?view_id=2.



PLANNING COMMISSION

Agenda and Meeting Information

The Planning Commission welcomes your attendance at and participation in this meeting. The City supports the rights of the public to be informed about meetings and to participate in the business of the City.

ASSISTANCE FOR PERSONS WITH DISABILITIES: Person with disabilities who require auxiliary aids or services in attending or participating in Planning Commission meetings, may call the Planning Division office at (650) 330-6702 prior to the meeting.

COMMISSION MEETING AGENDA AND REPORTS: Copies of the agenda and the staff reports with their respective plans are available prior to the meeting at the Planning Division counter in the Administration Building, and on the table at the rear of the meeting room during the Commission meeting. Members of the public can view or subscribe to receive future weekly agendas and staff reports in advance by e-mail by accessing the City website at <http://www.menlopark.org>.

MEETING TIME & LOCATION: Unless otherwise posted, the starting time of regular and study meetings is 7:00 p.m. in the City Council Chambers. Meetings will end no later than 11:30 p.m. unless extended at 10:30 p.m. by a three-fourths vote of the Commission.

PUBLIC TESTIMONY: Members of the public may directly address the Planning Commission on items of interest to the public that are within the subject matter jurisdiction of the Planning Commission. The City prefers that such matters be presented in writing at the earliest possible opportunity or by fax at (650) 327-1653, e-mail at planning.commission@menlopark.org, or hand delivery by 4:00 p.m. on the day of the meeting.

Speaker Request Cards: All members of the public, including project applicants, who wish to speak before the Planning Commission must complete a Speaker Request Card. The cards shall be completed and submitted to the Staff Liaison prior to the completion of the applicant's presentation on the particular agenda item. The cards can be found on the table at the rear of the meeting room.

Time Limit: Members of the public will have **three** minutes and applicants will have **five** minutes to address an item. Please present your comments clearly and concisely. Exceptions to the time limits shall be at the discretion of the Chair.

Use of Microphone: When you are recognized by the Chair, please move to the closest microphone, state your name and address, whom you represent, if not yourself, and the subject of your remarks.

DISORDERLY CONDUCT: Any person using profane, vulgar, loud or boisterous language at any meeting, or otherwise interrupting the proceedings, and who refuses to be seated or keep quiet when ordered to do so by the Chair or the Vice Chair is guilty of a misdemeanor. It shall be the duty of the Chief of Police or his/her designee, upon order of the presiding officer, to eject any person from the meeting room.

RESTROOMS: The entrance to the men's restroom is located outside the northeast corner of the Chamber. The women's restroom is located at the southeast corner of the Chamber.

If you have further questions about the Planning Commission meetings, please contact the Planning Division Office (650-330-6702) located in the Administration Building.