



# PLANNING COMMISSION STAFF REPORT

FOR THE PLANNING COMMISSION  
MEETING OF JUNE 29, 2009  
AGENDA ITEM C1

<b>LOCATION:</b>	<b>600 Alma Street 501 Laurel Street</b>	<b>APPLICANT:</b>	<b>City of Menlo Park</b>
<b>EXISTING USES:</b>	<b>Gymnasium and Gymnastics Center</b>		
<b>PROPOSED USES:</b>	<b>Gymnasium and Gymnastics Center</b>	<b>APPLICATION:</b>	<b>Architectural Control, Environmental Review, Right-of-Way Abandonment, Heritage Tree Removal Permit</b>
<b>ZONING:</b>	<b>P-F (Public Facilities)</b>		

## PROPOSAL

The City of Menlo Park is proposing to construct a new gymnasium in an existing landscaped and paved area of Burgess Park at the Civic Center Complex. The address for the proposed gymnasium would be 600 Alma Street. The site is zoned P-F (Public Facilities), which allows public facilities used and operated for government purposes by City, State, or Federal government as a permitted use. Since the proposed gymnasium would be a public facility operated by the City of Menlo Park, it would be a permitted use. Therefore, the use does not require review or approval by the Planning Commission. However, the proposed gymnasium requires review and approval of architectural control for the proposed building design and associated site improvements. The project would require abandonment of Mielke Drive and a portion of Alma Street to accommodate the proposed construction of the gymnasium. The proposed project also requires environmental review, and an Environmental Impact Report (EIR) has been prepared that considers both the proposed gymnasium and a future gymnastics center.

Due to phasing for the project, the gymnasium is proposed to be constructed first. Architectural control approval for the gymnasium is being sought concurrently with certification of the EIR, while architectural control approval for the gymnastics center would be processed in the future under separate review. The existing Gymnasium and Gymnastics Center would remain until the approval of a new gymnastics center and the City is ready to begin construction.

This application will be reviewed by the City Council since it is a City-sponsored project. The Planning Commission will act as a recommending body on the focused EIR and architectural control request for the gymnasium. Additionally, the Planning Commission will evaluate the proposed right-of-way abandonment for consistency with the General Plan and make a recommendation to the City Council.

## **BACKGROUND**

On December 15, 2008, the Planning Commission held a scoping session for the focused EIR and a study session on the project. The Planning Commission asked questions and received comments from one member of the public. The Planning Commission commented on the parking, traffic, alternative modes of transportation, project alternatives, and recreation programming as it relates to traffic and parking during the scoping session for the EIR. During the study session on the item, the Planning Commission discussed the architectural design, materials, building size, Leadership in Energy and Environmental Design (LEED) features, recreation programming, and the public process for the project.

On January 26, 2009, staff presented an information item on the project as a follow-up to questions raised at the study session. The staff presentation provided background information on the Parks and Recreation Commission's and City Council's decision-making processes on the specific proposal for the Burgess Gymnasium and Gymnastics Center project. Following the presentation by staff, the Commission asked questions and provided comments generally about the site layout, programming of the uses, parking adequacy, building architecture and funding related to the proposed project.

The Planning Commission held a public hearing on the Draft Environmental Impact Report (DEIR) on May 4, 2009. Members of the Planning Commission provided comments on the DEIR, and staff and City consultants also responded to questions. Comments from the Planning Commission and members of the public received during the public hearing were responded to in the Response to Comments as part of the Final Environmental Impact Report (FEIR), which was released on June 18, 2009. The discussion focused on transportation and parking, global climate change, and project alternatives.

On May 19, 2009, staff presented an information item to the City Council on the status of the project and environmental review. The staff report provided background information on the Parks and Recreation Commission and City Council's decision-making processes on the specific proposal for the Burgess Gymnasium and Gymnastics Center project, fiscal information on the agreement with the donor, and a timeline for the environmental review and approval process.

On June 2, 2009, the City Council reviewed and approved a Resolution of Intention to abandon Mielke Drive in its entirety and a portion of Alma Street between Ravenswood Avenue and Burgess Drive. The Resolution of Intention set June 29, 2009 as the Planning Commission public hearing date for review of the proposed abandonments and consistency with the General Plan.

A list of all the public meetings held on this project is included as Attachment J. Previous staff reports are available at the Community Development Department and on the project webpage: <http://www.menlopark.org/gym>.

## **ANALYSIS**

### Site Location

The Civic Center Complex is bounded by Ravenswood Avenue, Laurel Street, Burgess Drive, and Alma Street. The campus is approximately 27.3 acres in size, and includes the Administration Building, City Council Chambers, Child Care Center, Recreation Building, Library, Gymnasium and Gymnastics Center, Aquatics Center, skate park, play fields, and playground and picnic areas. The existing Gymnasium and Gymnastics Center is 17,400 square feet, and is located next to the Aquatics Center facilities and across the street from single-family houses in the R-3(X) (Apartment District, Conditional Development) zoning district and SRI International in the C-1(X) (Administrative and Professional District, Restrictive, Conditional Development) zoning district.

### Proposed Gymnasium

The proposed 24,100-square-foot gymnasium would be located between the recreation center and Alma Street, across the street from the Caltrain railroad tracks, and to the west of the skate park. The proposed gymnasium would include two basketball courts, a lobby, restrooms, locker rooms, and offices for Community Services Department staff. While the building would have multiple points of egress, the main covered entrance would be adjacent to parking lot 6 and near the proposed vehicular drop-off zone.

The proposed gymnasium would abut the south side of the existing recreation center, and would be setback 8 feet from Alma Street and 25 feet from parking lot 6 (Attachment B6, plan sheet A1-1). Construction of the building would eliminate an existing cul-de-sac parking area that is part of the Alma Street right-of-way and result in alterations to the curb line and striping in parking lot 6 to accommodate a new vehicular drop-off zone, additional accessible parking stalls and a relocated drive aisle (Attachment B14, plan sheet C-2). As stated above, Mielke Drive and a portion of Alma Street would be abandoned to facilitate the proposed construction.

### Proposed Gymnastics Center

The proposed 22,500-square-foot gymnastics center would be located in generally the same location as the existing Gymnasium and Gymnastics Center. The preliminary design contains a large gymnastics room, a smaller pre-school tumbling room, mechanical and storage rooms, multipurpose room, a lobby, and restrooms. The gymnastics center may also include a 1,400-square-foot expansion of the existing locker rooms, which are proposed to remain, and a covered picnic area. Although the EIR considers both the gymnasium and gymnastics center, only the gymnasium is being reviewed for architectural control at this time. The information on the gymnastics center is provided for context and is consistent with what is included in the environmental document.

## Gross Floor Area

The only development regulation in the P-F zoning district is the Floor Area Ratio (FAR), which is limited to a maximum of 30 percent. The proposed gymnasium and future gymnastics center would result in a net increase of approximately 30,600 square feet for the campus and a FAR of approximately 13 percent. The overall project analyzed in the EIR therefore complies with the FAR requirement for the site.

The Planning Commission should note that the square footage of the gymnasium shown on the project plans (24,100 square feet) differs slightly from what was analyzed in the environmental document (25,700 square feet). Because the proposed gymnasium, as shown on the plans, is smaller in size than what was reviewed in the EIR, the environmental review is adequate. However, given the reduction in the gymnasium square footage, the future gymnastics center could be larger than the square footage considered in the EIR, as long as the combined square footage for the gymnasium and gymnastics center does not exceed 49,600 square feet.

## Architectural Control

The City is currently seeking architectural control approval for the gymnasium. The proposed gymnasium would be complementary to existing buildings on the Civic Center Complex, and is proposed to have a brick finish with brick ribbing for additional relief, along with vertical wood planks to match the majority of the buildings on the campus. The building would feature composition shingles, exposed tongue-in-groove beams, and clerestory windows. Gabled roofs are a common architectural element found in other buildings on the Civic Center Complex, and the proposed roof would have a mix of gabled and flat roof elements. The maximum height of the building is proposed to be approximately 50 feet to the tallest point. Mechanical equipment would be located in mechanical closets adjacent to the storage area and courts. The plans for the gymnasium are included as Attachment B. Based on the preliminary checklist, the proposed building would be Leadership in Energy and Environmental Design (LEED) "platinum" upon completion. The LEED project checklist has been provided as Attachment H.

The gymnastics center, which would go through the architectural control process at a later time, has been preliminarily designed with an appearance similar to the gymnasium. This project would go through the architectural control process in the future. Therefore, plans have not been included for the gymnastics center.

## Parking

The P-F zoning district does not have specific parking standards. The Civic Center Complex has six existing parking areas that serve the site, with a total of 560 parking spaces. However, construction of the gymnasium would result in the loss of 13 parking spaces from a cul-de-sac parking area that would be removed and approximately 4 parking spaces from parking lot 6 due to curb line and striping alterations and the provision of additional accessible parking spaces. The table below summarizes the lots in which the resulting 543 parking spaces are provided. Attachment B3 (plan sheet A0-1) shows the

location of each parking lot. Parking lot 6 would primarily serve the gymnasium; however, lot 3 is the next closest parking area.

<b>Parking Lot</b>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>
<b>Parking Supply</b>	41 spaces	58 spaces	158 spaces	36 spaces	135 spaces	115 spaces

Parking is discussed in further detail in the Environmental Review section below.

Heritage Trees and Landscaping

An arborist report has been included as Attachment I. The arborist report details the species, size, and conditions of 38 of the trees on site near the proposed gymnasium and proposed gymnastics center. The report determines the present condition, and provides recommendations for tree preservation. The trees surveyed include birch (6), bottlebrush (2), buckthorn (1), coast live oak (13), coast redwood (1), evergreen elm (4), locust (1), Monterey pines (6), shamel ash (1), sycamore (1), and valley oak (2).

Five trees are proposed for removal including three evergreen elms, two of which are heritage-size, and two bottlebrushes, one of which is heritage-size. The evergreen elms are in very poor to fair condition, and the bottlebrushes are in poor and fair condition. All five trees are either in the footprint of the proposed gymnasium or in close proximity to the proposed building and would be impacted by the proposed construction. The three heritage tree removals will be acted upon by the City Council during the public hearing on this item on July 21, 2009.

The removed heritage trees would be required to be replaced at a two-to-one ratio. A conceptual landscape plan (Attachment B15) has been provided that shows the placement of proposed heritage tree replacements, including three coast live oaks and three Japanese maples, along with other proposed plantings. A comprehensive landscape plan that complies with the Water Efficient Landscape Ordinance would need to be submitted with the building permit application and is subject to staff review and approval per condition 6k.

Right-of-Way Abandonments

The P-F zoning district does not have specific setback requirements, but buildings cannot be located within the public right-of-way, which generally encompasses the street travel way, curb and gutter and pedestrian facilities such as sidewalks. To facilitate the development of the proposed gymnasium, the project proposes two right-of-way abandonments, including Mielke Drive and a portion of Alma Street between Ravenswood Avenue and Burgess Drive. The right-of-way for Alma Street was first shown on a subdivision map recorded in 1868. The mapped right-of-way is 100 feet wide between Ravenswood Avenue and Burgess Drive and currently includes portions of the existing skate park, basketball court, and two parking lots. In addition, Mielke Drive, which is shown on record maps as public right-of-way, was closed as a connector between Laurel Street and Alma Street in 2004 to facilitate development of the current Burgess Field and additional parking to serve the campus.

The footprint of the proposed gymnasium is approximately 8 feet from the existing travel way of Alma Street and extends into a portion of Mielke Drive that has already been closed to vehicular through-traffic. A new five-foot sidewalk would be constructed between the gymnasium and the travel way. The width of the vehicular travel way on Alma Street would remain unchanged from what exists today. The existing and proposed right-of-way for Alma Street and Mielke Drive are shown on Attachments G2-G5.

Staff consulted a licensed land surveyor to determine the most appropriate process to clarify title and abandon unnecessary or unused right-of-way and reestablishing right-of-way where needed. The actions needed to facilitate the development of the proposed gymnasium, which are subject to City Council review and approval, are the following:

1. Abandon the Alma Street and Mielke Drive right-of-way within the limits as shown in Attachments G2-G5.
2. Establish a 36-foot wide public right-of-way for Alma Street beginning at Ravenswood Avenue, and widening to a 60-foot wide public right-of-way ending at Burgess Drive. (See Attachment G4.)
3. Reserve a public utilities easement (PUE) over the abandoned portion of Mielke Drive to protect and facilitate future maintenance of existing utilities.

The process involved in abandoning a public right-of-way is outlined in the California Streets and Highways Code (sections 8320, et seq.). The first step in the process is the adoption of the Resolution of Intention. On June 2, 2009, the City Council reviewed and approved a Resolution of Intention to abandon Mielke Drive in its entirety and a portion of Alma Street between Ravenswood Avenue and Burgess Drive. The Resolution of Intention (Attachment F) set June 29, 2009 as the Planning Commission public hearing date to determine whether the proposed abandonments are consistent with the General Plan, which is the second step in the process. The General Plan does not have goals or policies that directly address the proposed abandonments of Mielke Drive and the portion of Alma Street. With the creation of a street easement immediately following the abandonment process, Alma Street will remain as a Collector Street as indicated in the General Plan and is not in conflict with the existing goals and policies in the General Plan. Action on this item is in the form of a recommendation to the City Council. The Planning Commission's recommendation is submitted to the Council in the form of a resolution, included as Attachment G1.

The City Council is currently scheduled to hold a public hearing on the proposed abandonment concurrently with the review of the gymnasium proposal on July 21, 2009. Prior to this meeting, staff will post at least three notices regarding the proposed abandonments in conspicuous places adjacent to the abandonment locations. At the July 21, 2009 meeting, the Council will consider the Commission's recommendation and other comments from the public prior to taking final action on the proposed abandonments, reserving a public utilities easement over Mielke Drive, and establishing a new street easement for Alma Street between Ravenswood Avenue and Burgess Drive.

## **ENVIRONMENTAL REVIEW**

A DEIR was prepared for the Burgess Gymnasium and Gymnastics Center project, and was released for public comment from April 9, 2009 to May 26, 2009. Prior to preparing the DEIR, an Initial Study (IS) was prepared that covered a broad range of environmental topics, and identified that there would be potentially significant transportation, circulation, and parking impacts. For that reason, a focused DEIR was prepared on that topic.

Staff received four comment letters from various local and state agencies and 18 comment letters from individuals during and immediately following the comment period. The comment letters on the DEIR generally discussed traffic, parking, and green building design. The Response to Comments (RTC) document includes all comment letters, in addition to comments received at the DEIR public hearing on May 4, 2009, and responses to those comments. The RTC and the DEIR comprise the FEIR for the project. The FEIR was released for public review on June 18, 2009. The public review period ends on June 29, 2009.

In order to complete the EIR process and certify the document, CEQA requires the preparation of Findings for Certification, a Statement of Certification, and a Mitigation Monitoring and Reporting Program. The Findings for Certification address the potentially significant impacts identified in the DEIR and Initial Study, describing the impact, the mitigation and the determination of significance. The Statement of Certification states that the City has met all procedural requirements of CEQA. The Mitigation Monitoring and Reporting Program (MMRP) establishes responsibility and timing for implementation of all required mitigation measures. The mitigation measures have been taken from the list of mitigation measures listed in Table II-1 of the DEIR on pages 8 through 15. While the substance of the mitigation measures has remained, revisions have been made to better identify implementation timing and responsibility. The revised mitigation measures are included in the MMRP. The Findings for Certification, including the Statement of Certification, and the Mitigation Monitoring and Reporting Program are included as Attachments C and D, respectively. Additionally, errata pages for the DEIR that provided corrected square footages for the renovation alternative are included as Attachment E.

As identified in the EIR, the project would result in significant, unavoidable transportation impacts. These impacts are explained in more detail below. In order to approve the project with significant and unavoidable adverse environmental impacts, the City Council must adopt a Statement of Overriding Considerations. This is a specific finding that the project includes substantial public benefit that outweighs its significant adverse environmental impact. The Statement of Overriding Considerations is included in Attachment C, as part of the Findings for Certification. The Planning Commission should review and forward a recommendation to the City Council on the adequacy of the FEIR, Findings for Certification, including the Statement of Overriding Considerations and Statement of Certification, and Mitigation Monitoring and Reporting Program. The City Council will be the final decision-making body on all documents associated with the certification of the FEIR.

## Transportation

The transportation analysis considers potential impacts to signalized and unsignalized intersections, roadway segments, transit, access and circulation, and parking. The analysis was based on 49,600 square feet of new gymnasium and gymnastics space with a 17,400-square-foot credit for the existing Gymnasium and Gymnastics Center. The DEIR identifies that impacts to intersection traffic volumes and roadway segments would be potentially significant and unavoidable as a result of the project.

### Intersection Traffic Volumes

The transportation section analyzes 11 intersections located near the project area. The existing AM and PM peak hour traffic volumes at the studied intersections are shown in Figure IV-3 on page 38 of the DEIR. The transportation section considers the following scenarios:

- Existing conditions;
- Near-term (2010) no project;
- Near-term with the proposed project;
- Long range (2018) no project; and
- Long range with the proposed project.

The following chart shows the intersections that are affected in the near and/or long term with the proposed project, descriptions of the impacts, and partial mitigation measures for the impacts. Because the identified mitigation measures would only partially mitigate the impacts, the traffic impacts would remain significant and unavoidable. Therefore, the City Council would be required to adopt a Statement of Overriding Consideration, if it determines that the project's benefits outweigh the impacts. Other mitigation measures that were reviewed, but deemed infeasible, are discussed in the DEIR.

Intersection	Description of Impact	Partial Mitigation Measure(s)
1. El Camino Real and Ravenswood Avenue	> 0.8 second increase in control delay for critical movements during the AM and PM peak hours	Transportation Demand Management (TDM) program, traffic impact fee (TIF), \$20,000 payment towards future improvements at this intersection
2. Laurel Street and Ravenswood Avenue	> 0.8 second increase in control delay for critical movements during the PM peak hour	TDM program, TIF
3. Middlefield Road and Ravenswood Avenue	> 0.8 second increase in control delay for critical movements during the AM and PM peak hours	TDM program, TIF, \$20,000 payment towards adaptive signal timing improvements to the Middlefield corridor
4. Middlefield Road and Linfield Drive	> 0.8 second increase in control delay for critical movements during the AM peak hour	TDM program, TIF
5. Middlefield Road and Willow Road	> 0.8 second increase in control delay for critical movements during the AM and PM peak hours	TDM program, TIF, \$20,000 payment towards adaptive signal timing improvements to the Middlefield corridor

Roadway Segment Volumes

The Menlo Park Transportation Impact Analysis Guidelines include a set of impact criteria for minor arterial, collector and local streets based on average daily traffic volume (ADT). To determine if there is an impact, the daily increase in traffic volumes associated with the proposal were compared to the City’s impact criteria for its respective street type. The following chart shows the affected roadway segments, descriptions of the impacts, and partial mitigation measures for the impacts. Because the identified mitigation measures would only partially mitigate the impacts, the traffic impacts would remain significant and unavoidable.

Roadway Segment	Description of Impact	Partial Mitigation Measure(s)
1. Linfield Drive between Middlefield Road and Sherwood Way	> 25 daily trip threshold for local streets	TDM program and TIF
2. Waverly Street between Willow Road and Alma Street	> 25 daily trip threshold for local streets	TDM program and TIF
3. Burgess Drive between Laurel Street and Alma Street	> 25 daily trip threshold for local streets	TDM program and TIF
4. Ravenswood Avenue between Alma Street and El Camino Real	> 100 daily trip threshold for minor arterials	TDM program and TIF
5. Ravenswood Avenue between Laurel Street and Alma Street	> 100 daily trip threshold for minor arterials	TDM program and TIF
6. Middlefield Road between Ravenswood Avenue and Willow Road	> 100 daily trip threshold for minor arterials	TDM program and TIF

Transportation Demand Management (TDM) Program and Traffic Impact Fee (TIF)

A TDM program has been identified as a partial mitigation measure to reduce the overall number of trips from the project, and included as condition 7a. While the effectiveness of particular TDM measures varies depending on the development’s location and surrounding transportation network, it is unlikely that the proposed TDM measure would result in enough project trip reductions to fully mitigate the project’s significant impacts on intersections and roadway segment volumes. Additionally, the DEIR identifies a mitigation measure of payment of the TIF, which has been included as condition 7b. Although implementation of this mitigation measure would provide the City with funding to be used towards traffic improvement projects, it would not reduce the impacts to a less than significant level.

Intersection Improvement Contributions

In addition to the TDM program and TIF mitigation measures, a \$20,000 contribution toward future improvements at the Ravenswood Avenue and El Camino Real intersection has been identified as a partial mitigation measure, and included as condition 7c. Improvements to that intersection would consist of converting the existing northbound right turn lane onto Ravenswood Avenue to a through lane and adding a dedicated northbound right turn lane onto Ravenswood Avenue. These improvements are proposed to be designed as a mitigation measure associated with the pending 1300 El Camino Real project. Additionally, a \$20,000 contribution towards adaptive signal timing improvements for the Middlefield Road corridor has been identified as a partial mitigation for the impacts

at the Middlefield Road and Ravenswood Avenue and Middlefield Road and Willow Road intersections. This contribution has been included as condition 7d.

### Parking

The DEIR discusses parking supply and demand associated with the existing and proposed uses. Parking demand surveys were conducted on both a weekday and Saturday in July 2008 (school out of session) and February 2009 (school in session). In July 2008, the peak demand was 393 parked vehicles, and in February 2009, the peak demand was 363 parked cars. The proposed Burgess Gymnasium and Gymnastics Center project would require 123 additional parking spaces on weekdays and 129 additional parking spaces on the weekend based on the Institute of Transportation Engineers (ITE) parking rates, since the P-F zoning district does not have an established parking ratio. Based on the 543 parking spaces that would be available following construction of the gymnasium, the DEIR concludes that there is sufficient surplus parking to accommodate the project.

Due to community concerns regarding the parking impacts on Lot 6 that would result from gymnasium users utilizing that lot, and potential effects on library users, the RTC document provides additional information on the parking situation. A chart is included that shows the walking distances from each lot on campus to the library, proposed gymnasium, and the proposed gymnastics center. As shown on the chart (p. 24 of the RTC), the closest lots to the library, besides lot 6, are lots 1, 2, and 3, which are within 500 to 1,000 feet of the library. There are 257 parking spaces available in lots 1, 2, and 3. Accessible parking spaces are proposed to be located near both the library and gymnasium, and more accessible spaces than required by the building code are proposed to be provided. Additionally, it is anticipated that the TDM measures including bicycle racks, showers and changing facilities, and a commute assistance center coordinated by the City's TDM Manager would reduce the number of trips to the proposed gymnasium. The Planning Commission should also note the parking demand stated in the environmental document is for both the gymnasium and gymnastics center, and thus the actual demand associated with the gymnasium would be less than the maximum demand of 129 spaces for both uses.

While there is not an environmental impact associated with parking, due to an overall sufficient supply of parking spaces throughout the campus for the uses, library users may experience some inconvenience. Therefore, staff is working to develop measures to ensure adequate parking for library users, and a parking improvement measure was included in the RTC document. This improvement measure has been included as conditions 7m and 7n, and would result in the creation of a parking map and parking signage to inform users of the various parking options on the campus, and a parking management plan. As part of the parking management plan, parking on the campus would be monitored two times during the year for two years after occupancy of the gymnasium to determine if additional improvements to the parking situation are necessary. Additionally, the Transportation Division would evaluate complaints of inadequate parking, and would work to establish whether complaints are the result of a chronic parking shortage or an atypical incident due to multiple events simultaneously occurring on the campus. Based on the results of the parking counts and the category of complaints, the Transportation

Division would recommend appropriate measures, and improvements could be made to the parking situation. Improvements could include designated employee parking areas, designated library parking, parking time restrictions, coordination of events throughout the campus (especially to avoid library and gymnasium conflicts), and removing landscaping to add additional parking stalls in lot 6. An exhibit showing parking that could be added to lot 6, with the removal of landscaping, has been included as Attachment L. Additionally, staff could continue to work with SRI on an agreement to use their parking lot for supplemental parking. Some improvement measures may require approval by the City Council.

Additionally, the City will commit to further analyzing the parking situation during the architectural control review for the gymnastics center. Staff is also sensitive to the fact that gymnastics uses would be relocated to the proposed gymnasium during future construction of the gymnastics center, potentially putting additional demands on lot 6. Therefore, a construction period parking plan would be developed and included as a condition of approval for the gymnastics center architectural control request. Based on the implementation of the improvement measures above and the ability to review the parking situation at the Burgess campus in the future, and make modifications at that time, staff believes that the parking concerns would be adequately addressed moving forward.

## **CORRESPONDENCE**

Staff has received five items of correspondence on this project since the close of the comment period for the DEIR that are included as Attachment K. The Library Commission wrote that it is concerned about competition between library users and future gymnasium users for parking in Lot 6, and requests that the Planning Commission keep the needs of library users in mind when recommending on the gymnasium. Gerry Gilchrist, who lives on Sharon Park Road, is concerned about the loss of parking for the library as a result of the proposed gymnasium. A neighbor on Burgess Drive, Kathleen McIntyre, originally liked the idea of building a new gymnasium, but is now worried that parking problems and traffic density will reduce peace and quiet in the park. Peggy Lechich requests that size and scope of the gymnasium be reconsidered, as it is oversized and beyond what residents want. Finally, Jane Land, who is a tutor with Project Read and lives at 730 Monte Rosa Drive, relays her experience of generally finding the library parking lot at close to capacity when she meets her student at the library. She believes that more parking spaces are needed to accommodate the gym users. Previous correspondence is on file and available at the Planning Division.

## **CONCLUSION**

Staff believes that the proposed gymnasium would be an architectural style that fits within the Burgess campus. The proposed gymnasium is well designed, compatible with the Civic Center Complex and surrounding land uses, and appropriate in scale and use for the site. As indicated in the DEIR, the proposed project would have a less than significant impact in all environmental impact areas except for traffic. Staff believes that the benefits of the proposed project including additional recreation space at Burgess Park, improvements that would provide better access to those with disabilities, seismic safety improvements, and the ability to provide continuous delivery of community services due to construction timing

would outweigh the potential significant and unavoidable impacts. Staff recommends that the Planning Commission recommend certification of the EIR, and recommend approval of the Architectural Control and find that the abandonment of Mielke Drive and a portion of Alma Street are consistent with the General Plan. The City Council Public Hearing for this project is scheduled for July 21, 2009. The City Council will be acting on the FEIR, architectural control for the gymnasium, heritage tree removals, and abandonment of Mielke Drive and a portion of Alma Street at that time.

## **RECOMMENDATION**

Staff is recommending that the Planning Commission recommend the following action to the City Council:

1. Adopt the Findings for Certification of the Environmental Impact Report, including the Statement of Overriding Considerations and Statement of Certification (Attachment C).
2. Adopt the Mitigation Monitoring and Reporting Program prepared for the project (Attachment D).
3. Adopt Resolution No. \_\_\_\_\_ recommending to the City Council that portions of the public right-of-way along Alma Street and Mielke Drive be abandoned (Attachment G).
4. Adopt findings, as per Chapter 13.24 of the Municipal Code, regarding heritage tree removal and approve the Heritage Tree Removal permit:
  - a. The trees proposed for removal conflict with the proposed construction.
  - b. The proposed landscaping plan includes trees that range in size and variety. The heritage trees would be replaced at a two-to-one ratio.
5. Make the following 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.
6. Approve the architectural control and environmental review subject to the following **standard** conditions:

- a. Development of the project shall be substantially in conformance with the plans prepared by Hoover Associates, consisting of 15 plan sheets, dated received June 23, 2009, and recommended by the Planning Commission on June 29, 2009, 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, Allied Waste, 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. Concurrent with the submittal of a complete building permit application, the applicant shall also submit a heritage tree preservation report and plan from the project arborist, detailing the location of and methods for all tree protection measures. The project arborist shall submit a letter to the Building Division confirming adequate installation of the tree protection measures prior to construction commencing. The applicant shall retain an arborist throughout the term of the project, and the project arborist shall submit monthly inspection reports to the Building Division. The heritage tree preservation report and plan shall be subject to review and approval by the Planning Division prior to building permit issuance.
- e. Concurrent with the submittal of a complete building permit application, the applicant shall submit a plan for 1) construction safety fences around the periphery of the construction area, 2) tree protection fencing, and 3) construction vehicle parking and staging. The plans shall be subject to review and approval by the Building Division prior to building permit issuance. The construction safety and tree protection fences shall be installed according to the approved plan prior to commencing construction.
- f. Concurrent with the submittal of a complete building permit application, the applicant shall submit a truck route plan and permit to be reviewed and approved by the Transportation Manager. The truck route plan and permit shall be approved prior to building permit issuance.
- g. Concurrent with the submittal of a complete building permit application, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering, and Building Divisions. Utilities shall be placed underground. 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, dimensions, and colors of all meters, transformers, junction boxes, relay boxes, and other equipment boxes. The utility plans shall also show backflow and Double Check Detector Assembly (DCDA) devices. The utility plan shall be approved by the Planning, Engineering, and Building Divisions prior to building permit issuance.

- h. Prior to building permit issuance, the applicant shall enter into and record a “Stormwater Treatment Measures Operations and Maintenance (O&M) Agreement” subject to review and approval by the Planning and Engineering Divisions. With the executed agreement, the property owner is responsible for the operation and maintenance of stormwater treatment measures for the project. The agreement shall run with the land and shall be recorded by the applicant with the San Mateo County Recorder’s Office.
  - i. Prior to building permit issuance, the applicant shall obtain an encroachment permit, based upon the improvement plans, for work within the public right-of-way. Additional requirements, such as insurance, licensing, and preparation of detailed traffic control plans shall apply and be submitted at the time of the encroachment permit application.
  - j. Concurrent with the submittal of a complete building permit application, the applicant shall submit a detailed landscape and irrigation plan demonstrating compliance with Chapter 12.44 (Water-Efficient Landscaping) of the City of Menlo Park Municipal Code. The comprehensive landscape plan shall contain information regarding the size, species, location, and quantity of trees, shrubs, and plants, along with plant materials for the vegetated swale. This plan shall be subject to review and approval by the Planning and Engineering Divisions. The landscaping shall be installed prior to final inspection of the building.
7. Approve the architectural control and environmental review subject to the following ***project-specific*** conditions:
- a. Prior to building permit issuance, a Transportation Demand Management (TDM) program shall be prepared. The TDM program shall be subject to review and approval by the Planning and Transportation Divisions and shall be implemented prior to occupancy. (MM TRANS 1-a)
  - b. Prior to building permit issuance, the applicant shall pay the Transportation Impact Fee (TIF) that is based on the type and size of the proposed land uses and the existing land uses to be replaced. Based on the current rates, the fee would be approximately \$51,520. (MM TRANS 1-b)
  - c. Prior to building permit issuance, the project applicant shall pay a fee as a contribution toward future improvements to the intersection of El Camino Real and Ravenswood in the amount of \$20,000. If after five years from the date of project approval the City has determined not to construct improvements at the intersection or an encroachment permit has not been issued by Caltrans, the contribution of \$20,000 can be used for other transportation improvements in the City. (MM TRANS 1-c)
  - d. Prior to building permit issuance, the project applicant shall pay a fee as a contribution toward adaptive signal timing improvements to the Middlefield corridor in the amount of \$20,000. If after five years from the date of project approval the adaptive signal timing project has not moved forward, the

contribution of \$20,000 can be used for other transportation improvements in the City. (MM TRANS 3-c)

- e. Concurrent with the submittal of a complete building permit submittal, the applicant shall provide a dust control plan that is consistent with guidance from the BAAQMD and shows that the following controls shall be implemented at the construction site. The dust control plan shall be subject to review and approval by the Building Division prior to building permit issuance.
- Water all active construction areas at least twice daily and more often during windy periods; active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers to control dust;
  - Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard;
  - Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites;
  - Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; water sweepers shall vacuum up excess water to avoid runoff-related impacts to water quality;
  - Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets;
  - Apply non-toxic soil stabilizers to inactive construction areas;
  - Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.);
  - Limit traffic speeds on unpaved roads to 15 mph;
  - Install erosion control measures per the approved erosion and sediment control plan to prevent silt runoff to public roadways;
  - Replant vegetation in disturbed areas as quickly as possible;
  - On-site idling of construction equipment shall be minimized as much as feasible (no more than 5 minutes maximum);
  - All construction equipment shall be properly tuned and fitted with manufacturer's standard level exhaust controls;
  - Contractors shall consider using alternative powered construction equipment (i.e., hybrid, compressed natural gas, biodiesel, electric) when feasible;
  - Contractors shall use add-on control devices such as diesel oxidation catalysts or particulate filters when feasible; and
  - All contractors shall use equipment that meets California Air Resources Board's (ARB) most recent certification standard for off-road heavy duty diesel engines. (MM AIR-1)
- f. Concurrent with the submittal of a complete building permit application, a design-level geotechnical investigation shall be prepared and submitted to the Building Division for review and confirmation that the proposed development fully complies with the California Building Code. The report shall determine the project site's surface geotechnical conditions and address potential seismic hazards such as liquefaction and subsidence. The report shall identify building

techniques appropriate to minimize seismic damage, and shall be approved by the Building Division prior to building permit issuance. In addition, the following requirement for the geotechnical and soils report shall be achieved:

- The analysis presented in the geotechnical report shall conform to the California Division of Mines and Geology recommendations presented in the Guidelines for Evaluating Seismic Hazards in California. All mitigation measures, design criteria, and specifications set forth in the geotechnical and soils report shall be implemented as a condition of project approval.
  - In locations underlain by expansive soils and/or non-engineered fill, the designers of proposed building foundations and improvements (including sidewalks, roads, driveways, parking areas, and utilities) shall consider these conditions and design the project to prevent associated damage. The design-level geotechnical investigation shall include measures to ensure that potential damage related to expansive soils and non-uniformly compacted fill is minimized. All mitigation measures, design criteria, and specifications set forth in the geotechnical and soils report shall be implemented. (MM GEO-1 and GEO-2)
- g. Concurrent with the submittal of a complete building permit application, the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) designed to reduce potential impacts to surface water quality through the construction period of the project. The SWPPP shall be maintained on-site and made available to Regional Water Quality Control Board (RWQCB) staff upon request. The SWPPP shall include specific and detailed Best Management Practices (BMPs) designed to mitigate construction-related pollutants. To educate on-site personnel and maintain awareness of the importance of storm water quality protection, site supervisors shall conduct regular tailgate meetings to discuss pollution prevention. The frequency of the meetings and required personnel attendance list shall be specified in the SWPPP. Additionally, the SWPPP shall specify a monitoring program to be implemented by the construction site supervisor, and shall include both dry and wet weather inspections. In accordance with State Water Resources Control Board Resolution No. 2001-046, monitoring shall be required during the construction period for pollutants that may be present in the runoff that are “not visually detectable in runoff.” The applicant shall conduct weekly inspections and provide written monthly reports for City permit files to ensure compliance with the SWPPP. The SWPPP shall be subject to review and approval by the Planning and Engineering Divisions prior to building permit issuance. Additionally, the applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board prior to building permit issuance. (MM HYD-1a)
- h. Concurrent with the submittal of a complete building permit application, the applicant shall prepare a grading and drainage plan that fully complies with the San Mateo Countywide Water Pollution Prevention Program (SMCWPPP), which maintains compliance with the National Pollution Discharge Elimination System (NPDES) Storm Water Discharge Permit. The Grading and Drainage Plan shall be prepared based on the City's Grading and Drainage Plan

Guidelines and Checklist and the Project Applicant Checklist for the NPDES Permit Requirements. Responsibilities include, but are not limited to, designing BMPs into the project features and operation to reduce potential impacts to surface water quality associated with operation of the project. These features shall be included in the project drainage plan and final development drawings. Specifically, the final design shall include measures designed to mitigate potential water quality degradation of runoff from all portions of the completed development. As outlined in the SWPPP prepared for the project, measures for site design, source control and treatment control would be incorporated into the proposed project. The Planning and Engineering Divisions shall review and approve the grading and drainage plan prior to building permit issuance. (MM HYD-1b)

- i. Prior to building permit issuance, a plan shall be provided that details that all on-site permanent stationary noise sources for building operations shall comply with the standards listed in Section 08.06.030 of the City's Noise Ordinance. This plan shall be subject to review and approval by the Building and Planning Divisions. Additionally, the project shall comply with the following noise reduction measures:
  - General construction activities shall be allowed only between the hours of 8:00 a.m. to 6:00 p.m. on weekdays.
  - All heavy construction equipment used on the project site shall be maintained in good operating condition, with all internal combustion, engine-driven equipment fitted with intake and exhaust mufflers that are in good condition.
  - All stationary noise-generating equipment shall be located as far away as possible from neighboring property lines.
  - Post signs prohibiting unnecessary idling of internal combustion engines. (MM NOISE -1)
- j. Concurrent with the submittal of a complete building permit application, the applicant shall submit a lighting plan, providing the location, architectural details and specifications for all exterior lighting subject to review and approval by the Planning Division. The lighting plan shall include a photometric study and shall minimize glare and spillover onto adjacent properties and the public right-of-way. The lighting plan shall be approved prior to building permit issuance (MM AES-1).
- k. Concurrent with the submittal of a complete building permit application, the applicant shall submit plans detailing all changes to the public right-of-way, frontage improvements for the site, and alterations to parking lot 6. These plans shall be subject to review and approval by the Planning and Engineering Divisions prior to building permit issuance.
- l. Prior to building permit issuance, documentation of the recordation of the abandonment of Mickle Drive and a portion of Alma Street shall be provided to the Building and Planning Divisions.

- m. Prior to occupancy of the gymnasium, the City shall implement the following parking improvement measures, subject to review and approval by the Planning and Transportation Divisions:
- **Parking Map.** A parking map depicting the parking lots on the campus shall be created and included in future Activity Guides for the campus, handed out to individuals and groups that use the facilities, added to the City's website, and included in the various kiosks throughout campus.
  - **Parking Signage.** A parking signage plan shall be implemented. The signage will be developed as part of the project and placed at various locations throughout the campus with the intent of helping users better understand where parking is located on campus and distribute parking throughout the campus. (IM PRK-1)
- n. Following occupancy of the gymnasium, the City shall implement a Parking Management Plan. The City will monitor the parking on campus after the construction of the Gymnasium by conducting two parking counts per year (one during the summer and one while school is in session) for a period of two years after the building is occupied. Additionally, the Transportation Division will keep a log of complaints regarding inadequate parking, and will evaluate whether the complaints are the result of a chronic parking shortage or an atypical incident due to multiple events simultaneously occurring on the campus. The parking counts and complaint log will be used to better assess the parking conditions on campus and determine if improvements are necessary. Improvements could include designated employee parking areas, designated library parking, parking time restrictions, coordination of events throughout the campus, and the removal of landscaping to add additional parking stalls in lot 6. As part of the architectural control review for the gymnastics center, staff shall further analyze the parking situation on the campus. (IM PRK-1)

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Megan Fisher  
Associate Planner  
Report Author

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Deanna Chow  
Senior Planner

## **PUBLIC NOTICE & APPEAL PERIOD**

Public notification consisted of publishing a legal notice in the local newspaper. In addition, notice of this meeting was mailed to all property owners and occupants within the area bounded by Middlefield Road, the City's limits along San Francisquito Creek, El Camino Real, Oak Grove Avenue, and Marcussen Drive. Notification was also sent to applicable public agencies.

The City has prepared a project page for the proposal, which is available at the following address: <http://www.menlopark.org/gym>. This page will provide up-to-date information about the project, allowing interested parties to stay informed of its progress. The page

allows users to sign up for automatic email bulletins, notifying them when content is updated.

## **ATTACHMENTS**

- A. Location Map
- B. Project Plans
- C. Findings for Certification of the Environmental Impact Report, including the Statement of Overriding Considerations and Statement of Certification
- D. Mitigation Monitoring and Reporting Program for the Environmental Impact Report
- E. DEIR Errata Pages
- F. City Council adopted Resolution of Intention, Resolution No. 5857
- G. Resolution No. \_\_\_\_\_, recommending to the City Council that portions of public right-of-way along Alma Street and Mielke Drive be abandoned
- H. LEED Checklist
- I. Arborist Report from Ralph Osterling Consultants, Inc., dated March 12, 2009
- J. List of Public Meetings on the Project
- K. Correspondence
  - Library Commission, dated June 8, 2009
  - Gerry Gilchrist, 680 Sharon Park Road #19, dated June 18, 2009
  - Kathleen F. McIntyre, 461 Burgess Drive #5, dated June 20, 2009
  - Peggy Lechich, dated June 23, 2009
  - Jane Land, 730 Monte Rosa Drive, dated June 25, 2009
- L. Parking Lot 6 Parking Addition Exhibit

**Note:** Attached are reduced versions of maps and diagrams submitted by the applicants. The accuracy of the information in these drawings is the responsibility of the applicants, and verification of the accuracy by City Staff is not always possible. The original full-scale maps, drawings and exhibits are available for public viewing at the Community Development Department.

## **EXHIBITS TO BE PROVIDED AT THE MEETING**

None

## **AVAILABLE AT THE COMMUNITY DEVELOPMENT DEPARTMENT AND LIBRARY**

Final Environmental Impact Report prepared by LSA Associates, Inc., dated June 2009

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