

A. LAND USE AND PLANNING POLICY

This section evaluates the land use-related effects of the proposed project. Potential land use impacts that would result from implementation of the proposed project are identified. This section also contains a discussion of the consistency of the proposed project with relevant land use policies. However, policy conflicts do not, in and of themselves, constitute a significant environmental impact. Policy conflicts are considered to be environmental impacts only when they would result in direct physical impacts. All other associated physical impacts are discussed in this EIR in specific topical sections, such as the noise, air quality, and transportation sections.

1. Setting

The following section describes existing land uses within the project site and its vicinity, and summarizes relevant land use policies.

a. Overview. The project site is located in the City of Menlo Park in San Mateo County. Menlo Park is located on the San Francisco Peninsula, approximately 30 miles south of San Francisco and approximately 20 miles north of San Jose. The project site is located to the north and west of what is typically considered downtown Menlo Park. The General Plan defines downtown as the area bounded by Alma Street to the east, Ravenswood Avenue/Menlo Avenue to the south, University Drive to the west, and Oak Grove Ave to the north. The City's main downtown commercial street, Santa Cruz Avenue, is located approximately 700 feet to the southeast of the project site. The project site is approximately 1,000 feet to the west of the Menlo Park Caltrain Station. Caltrain is the major commuter rail line serving the San Francisco Peninsula, and connects Menlo Park with San Francisco to the north and San Jose and Gilroy to the south. In general, existing land uses decrease in intensity to the north and west of the project site, and increase in intensity to the south and the east.

b. Project Boundaries. The project site is bounded by senior residential apartments and commercial uses to the west; Garwood Way and the Caltrain right-of-way to the north; commercial uses and surface parking lots to the east; and commercial uses fronting El Camino Real to the south.

c. Existing Land Uses Within the Project Site. Figure IV.A-1 shows land uses in and around the project site. The project site is approximately 3.4 acres and comprises six legal parcels.

An auto dealership formerly occupied the project site, which is entirely covered with surface parking lots and several vacant structures. A showroom is located at the south side of the site along El Camino Real. Single-story brick offices are located adjacent to the showroom and a brick wall of similar height separates the street-side parking lot from the interior of the site. Two large corrugated metal sheds are situated towards the center of the site and a third shed is located along the brick wall towards the western end of the site. Paved parking lots surround the buildings and cover the rest of the site.

d. Existing Land Uses in the Vicinity of the Project Site. The following discussion details the land uses in the vicinity of the project site, traveling in a clockwise direction, starting from the area north of the project site.

The site is bordered to the north by Garwood Way and the Caltrain right-of-way (immediately adjacent to the Garwood Way right-of-way), which is a heavily-used commuter rail line. A residential neighborhood containing a mixture of single-family and multi-family units is located beyond the tracks. Buildings in the neighborhood are architecturally diverse, ranging from single-story bungalows built in the 1920s to two-story apartment buildings built in the 1950s and 1960s.

Commercial buildings and parking lots are located east of the project site. Several of these buildings are located on the Derry Lane Mixed-Use Development project site including: a car wash, a dry cleaner/laundry, a pet food and supply store, and a casual ice cream/take-out restaurant. An ancillary parking lot for the former auto dealership forms the eastern boundary with the project site and is part of the Derry Lane project. A hair salon, restaurant, and Chevron gas station are located immediately to the southeast of the project site along El Camino Real. The Menlo Square project and the Caltrain station are located beyond Oak Grove Avenue. The Menlo Square project, which was developed in 2001, is three stories and includes a ground-floor restaurant, other commercial space, and multi-family residential uses.

Commercial structures are located south and west of the project site across El Camino Real, and include automotive repair shops, an air conditioning shop, dancewear studio, and nail salon. Many structures represent post-World War II era development that was ancillary to the downtown commercial district. A vacant art deco movie theater is a defining structure along the south side of the street.

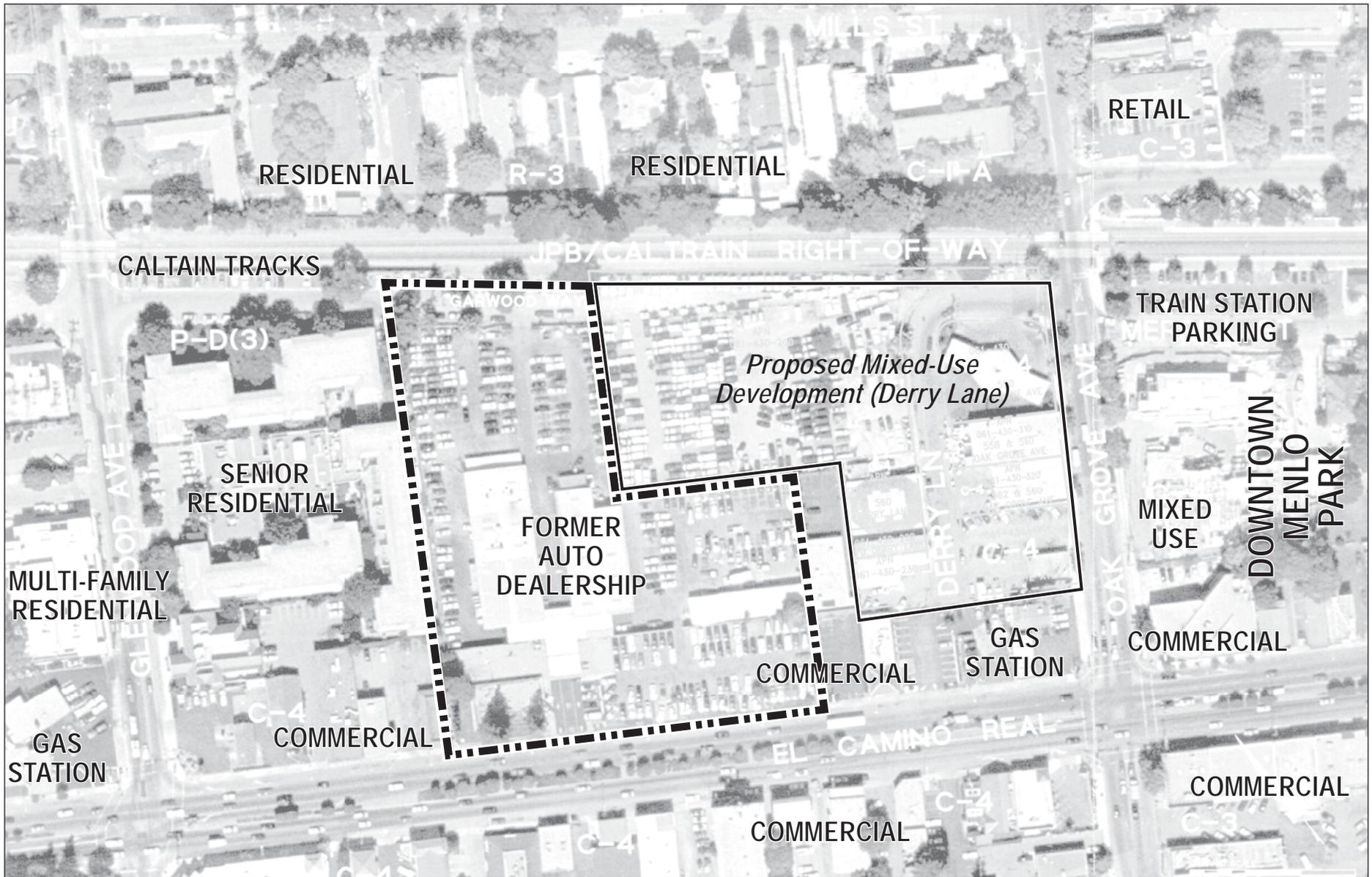
Land uses to the immediate west of the project site include commercial buildings and senior apartments. Glenwood Inn, a three-story senior apartment complex, fronts onto Glenwood Avenue and Garwood Way. Several one-story commercial buildings are located on El Camino Real and have adjacent surface parking lots including: Naomi Sushi Restaurant; Holistic Health Center; Ten Fu Chinese Restaurant; and the Union 76 Gas Station.

e. Planned Land Uses. Major projects planned in the vicinity of the project site include the Derry Lane Mixed-Use Development. That project would redevelop the ancillary parking lot and several commercial buildings immediately east of the project site. It would include a mixture of residential units and commercial space. Refer to Chapter III, Project Description, for a summary of development proposed as part of the Derry Lane project, and a history of project approvals. In addition, proposals for several small redevelopment projects in Menlo Park have been approved or are pending approval in the vicinity of the project site.

2. Applicable Policies

The main guiding documents regulating land use within and around the project site are the City of Menlo Park General Plan (including the General Plan Policy Document, Background Report, Housing Element, and Open Space and Conservation Element), Zoning Ordinance, and Subdivision Ordinance. The consistency of the proposed project with other non-land use related policies are addressed in the appropriate topical sections of the EIR (e.g., Air Quality). Applicable land use policies from each of the documents listed above are described below.

a. City of Menlo Park General Plan. The City of Menlo Park General Plan (General Plan) is a comprehensive plan to guide development and use of land in the City. The central purpose of the



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LEGEND

-  PROJECT SITE
-  DERRY LANE PROJECT SITE

FIGURE IV.A-1

1300 El Camino Real Project EIR
 Land Uses in the Vicinity
 of the Project Site

SOURCE: BKF, 2004.

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General Plan, as stated in the document, “is to maintain Menlo Park’s special character as a residential community that includes a broad range of residential, business, and employment opportunities and to provide for the change necessary to maintain a vital community (p. 2).” The General Plan includes policies related to: land use, circulation; open space and conservation; noise; and safety. These topics are addressed within the specific topical elements of the General Plan. The General Plan Policy Document and Background Report and Open Space and Conservation Element are relevant to land use within and in the vicinity of the project site and are summarized below.

(1) General Plan Policy Document and Background Report. The General Plan Policy Document “includes the goals, policies, standards, implementation programs, quantified objectives, land use diagram, and circulation plan diagram that constitute the formal policy of the City of Menlo Park for land use, development, and environmental quality.” The Policy Document was adopted by the City Council on December 1, 1994 and is accompanied by the Background Report, which describes existing conditions and trends for the topics covered in the General Plan.

The project site is designated El Camino Real – Professional/Retail Commercial. The Policy Document describes this land use designation as follows:

The El Camino Real – Professional/Retail Commercial 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 (floor-area-ratio) for non-residential uses shall be in the range of 40 percent to 75 percent.

The Policy Document also seeks to promote the conversion of El Camino Real from an automobile-oriented strip to more compact form of development: “In the El Camino Real professional and commercial district, the Plan seeks to limit intensification while promoting the continued upgrading of the area and the evolution of the area from strip-commercial-style development to more compact urban/suburban-style development.”

Land use policies that are relevant to the proposed project are listed below:

- Policy I-A-1. New construction in existing neighborhoods shall be designed to emphasize the preservation and improvement of the stability and character of the individual neighborhood.
- Policy I-B-4. Uses and activities shall be encouraged which will strengthen and complement the relationship between the Transportation Center and the Downtown area and nearby El Camino Real corridor.
- Policy I-C-1. New and upgraded retail development shall be encouraged along El Camino Real near Downtown, especially stores that will complement the retailing mix of Downtown. Adequate parking must be provided and the density, location, and site design must not aggravate traffic at congested intersections. The livability of adjacent residential areas east and west of El Camino Real and north and south of Downtown must be protected.
- Policy I-C-2. Small-scale offices shall be allowed along most of El Camino Real in a balanced pattern with residential or retail development.
- Policy I-E-3. Retention and expansion of auto dealerships in the City shall be encouraged. Development of new auto dealerships or combined dealerships in an auto center shall be encouraged at suitable locations in the city.
- Policy I-E-4. Any new or expanded office use must include provisions for adequate off-street parking, mitigating traffic impacts, and developing effective alternatives to auto commuting, must adhere to acceptable architectural standards, and must protect adjacent residential uses from adverse impacts.

- Policy II-B-2. As many activities as possible should be located within easy walking distance of transit stops, and transit stops should be convenient and close to as many activities as possible.
- Policy II-D-4. The City shall require new commercial and industrial development to provide secure bicycle storage facilities on-site.
- Policy II-E-1. The City shall require all new development to incorporate safe and attractive pedestrian facilities on-site.

(2) Open Space and Conservation Element. The Open Space and Conservation Element (OSCE) catalogs existing open space in the City, and includes policies to protect and enhance existing natural resources. The following policy related to land use is applicable to the proposed project:

- OSCE Policy 2. Include landscaping and plazas on public and private lands and well-designed pedestrian facilities in areas of intensive pedestrian activity. Require greater landscaping in extensive parking areas.

b. City of Menlo Park Zoning Ordinance. The City of Menlo Park Zoning Ordinance (Zoning Ordinance) implements the policies of the General Plan and certain other of the City’s plans, policies, and ordinances. The Zoning Ordinance divides the City into districts, each of which is assigned different development regulations. These regulations direct the construction, nature, and spatial orientation of new development. Figure IV.A-2 shows Zoning Ordinance land use designations within and around the project site. The project site is designated General Commercial Applicable to El Camino Real (C-4 (ECR)) and, as part of the project, a rezoning to Planned Development (P-D) is being requested. The map shows that two parcels abutting the project site (the Derry Lane project site) have already been designated P-D on the north side of El Camino Real. Approximately 6 other developments (not including the Derry Lane parcel) have been designated P-D. To the north of the site, the area is zoned for low density single family urban residential uses. To the east, there are medium density residential and professional and administrative office zones. To the west and south there are C-4(ECR) designations, with medium density zones located behind.

The C-4 designation permits a variety of land uses, including: retail stores; financial establishments; professional offices; personal services; offices; and cafes and restaurants. Residential uses are allowed in a C-4 zone with a conditional use permit. Table IV.A-1 lists the development regulations in the C-4 district.

The P-D zoning district and associated P-D permit provide regulations and architectural design standards for development of consolidated parcels. A P-D designation allows a project to depart from the development regulations of the existing zoning district, with the exception of density and intensity limits. The Zoning Ordinance states that:

The purpose of the P-D zone is to encourage the consolidation of smaller parcels into larger parcels to provide benefits to the city that could not otherwise be obtained. In order to obtain these benefits, the project plans should consider the inclusion of specific development controls

Table IV.A-1: Development Regulations in C-4 District

Regulation	Design Standard
Minimum Lot Area	10,000 square feet
Minimum Lot Dimensions	75 ft. wide, 125 ft. deep
Required Minimum Yards	None
Maximum Land Coverage	None
Minimum Landscaping	5% of building site (lots 9,000 square feet or less); 10% of building site (lots larger than 9,000 square feet)
Maximum Height	30 feet
Floor Area Ratio (FAR)	55% (75% with use permit), 40% for office
Maximum Dwelling Unit Density	18.5
Parking	In accordance with Section 16.72.020(1)

Source: Menlo Park Zoning Ordinance, 2003.

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 and with the aesthetic and environmental qualities of the community.¹

Other development standards, such as setbacks, building heights, distances between buildings, lot coverage, parking requirements and landscaping requirements are established by the Planning Commission for each project. The proposed project would deviate from the height and parking standards established for the C-4 (ECR) zoning district.

c. City of Menlo Park Subdivision Ordinance. The Subdivision Ordinance is the policy document that regulates and controls the design and improvement of subdivisions within the City's boundaries. Cities are required to adopt an ordinance regulating the subdivision of land, pursuant to the Subdivision Map Act.

The Subdivision Ordinance sets standards for improvements that are required to be implemented when land is subdivided, the layout of lots, and minimum requirements for the various maps that accompany subdivision proposals. In this project, the six existing lots comprising the site would be merged and up to four condominium units would be created.

3. Impacts and Mitigation Measures

This subsection analyzes impacts related to land use that could result from implementation of the proposed project. The subsection begins with the criteria of significance, which establish the thresholds for determining whether an impact is significant. The latter part of this subsection presents the impacts associated with the proposed project. As noted at the beginning of this section, conflicts between a project and applicable policies do not constitute significant physical environmental impacts in and of themselves; as such, the proposed project's consistency with applicable policies focuses on whether policy conflicts could result in physical environmental impacts.

a. Criteria of Significance. The first and last criteria are derived from *CEQA Guidelines* Environmental Checklist questions. The second criterion is included to capture indirect adverse land use impacts that could result from project implementation. The project site is not subject to a habitat conservation plan or natural community conservation plan; therefore, the last *CEQA Guidelines* checklist question under Land Use is not included in the criteria here.

Implementation of the proposed project would have a significant effect on land use if it would:

- Disrupt or divide the physical arrangement of an established community (*Land Use Criterion A*).
- Alter the type or intensity of land use on a project site, in a manner that causes it to be substantially incompatible with surrounding land uses or the overall character of surrounding neighborhoods (*Land Use Criterion B*).

¹ City of Menlo Park, 2006. *Ordinance for Chapter 16.57, P-D District*. August 29.



FIGURE IV.A-2

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 PROJECT SITE

ZONING DESIGNATIONS

 C-3	 R-1-U
 C-4	 C-I-A
 R-3	 TOWN OF ATHERTON
 P-D (3)	 P-D (7)

1300 El Camino Real Project EIR
 Menlo Park Zoning Ordinance Designations
 in the Vicinity of the Project Site

SOURCE: CITY OF MENLO PARK, 2004.

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- Fundamentally conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect and where such a conflict would actually result in a physical adverse change in the environment (*Land Use Criterion C*).

b. Less-than-Significant Land Use Impacts. The following discussion describes land use impacts associated with implementation of the 1300 El Camino Real Project and the proposed rezoning.

(1) Community Integrity (Criterion A). The physical division of an established community typically refers to the construction of a physical feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying areas. For instance, the construction of an interstate highway through an existing community may constrain travel from one side of the community to another.

Implementation of the proposed project would result in the development of office uses, commercial uses, parking, and open space within a site that is currently occupied by vacant structures and parking lots. The edge of the site along El Camino Real is predominately a large surface parking lot that has a brick wall separating the lot from the remaining site. A show-room with large glass windows is located close to the property line at the edge of the site. Barbed wire fencing cordons off the site along the western border adjacent to the senior apartment buildings and along the Garwood Way project site boundary.

Implementation of the proposed project would result in the demolition of all structures and parking lots within the project site. This would not represent a substantial adverse affect on the physical arrangement of the community and would not be considered a significant environmental impact because the project would replace underutilized land with developed uses.

The proposed project would not result in the development of a barrier within the project site that would impede access. Currently, there is no public access through the project site from El Camino Real to Garwood Way and surrounding commercial and residential uses do not have access to the site. The project would introduce more intensive daytime activity uses to the site and the project design (through the provision of a pedestrian connection) would facilitate access from the approved Derry Lane Mixed-Use Development to the east with El Camino Real. The site would be accessible to pedestrians and vehicles from both El Camino Real and Garwood Way.

Proposed uses would make the project site more compatible with downtown Menlo Park and the commercial district on both sides of El Camino Real, districts that are characterized by moderate to high levels of pedestrian use. The development would also make use of an underutilized site, and therefore, enhance community viability and integrity.

(2) Compatibility with Surrounding Land Uses (Criterion B). Implementation of the project would not result in the development of uses that would be inherently incompatible with surrounding land uses (e.g., a power plant, factory, or other noise, air pollution, or hazard-generating land use). The grocery store/market/major retail and office development would not permanently

interfere with the daily operations of surrounding land uses, including senior residential uses and commercial uses to the west of the site, the Caltrain tracks to the north of the site, the commercial and proposed multi-family residential uses (Derry Lane project) to the east of the site, and commercial uses south of the site.

In addition, none of the land uses surrounding the project site are fundamentally incompatible with uses proposed for the project site. Commercial projects generally benefit from a mixture of surrounding land uses, especially in places (such as the vicinity of the project site) where there is easy access to downtown commercial districts and transit. The gas station and restaurant to the east of the project site are land uses that are typical of many urban mixed-use environments and would be compatible with office and commercial uses proposed for the project site.

Intensification of uses within the project site would benefit surrounding neighborhoods by helping to increase neighborhood activity and vibrancy. In addition, the incorporation of higher-density development in and around downtown areas and transit hubs is considered to be an environmentally responsible way to accommodate growth in metropolitan areas. The project site, which is in close proximity to the Caltrain Station and downtown Menlo Park, is thus an appropriate location for a mix of retail/market and office land uses. Concentrating traffic-generating uses near transit nodes has the potential to minimize vehicle travel along minor roadways through established neighborhoods. The proposed project thus has the potential to enhance the physical relationship of the project site with surrounding areas.

(3) Consistency with Applicable Policies (Criterion C). The proposed project is consistent with the existing El Camino Real – Professional/Retail Commercial designation in the General Plan, which permits retail services, professional offices, residential uses, and public and quasi-public uses. The proposed project would result in the rezoning of the project site from General Commercial Applicable to El Camino Real (C-4 (ECR)) to Planned Development (P-D). The P-D district allows customized development regulations to be created for project sites. The project would be consistent with the density and intensity regulations of the P-D zone.

The proposed project is also generally consistent with land use policies in the City General Plan, which seek to: promote urban development within the El Camino Real professional and commercial district; improve the stability and character of existing neighborhoods; and develop transit-oriented uses in the City.

However, the proposed project, which would redevelop a former auto dealership, would not comply with land use Policy I-E-3, which seeks to promote the retention and expansion of auto dealerships in the City and develop new auto dealerships at suitable locations. The former auto dealership on the project site has been closed since 2005 and has remained vacant since that time. While the General Plan includes this policy about retaining and expanding auto dealerships, it also seeks to promote the conversion of El Camino Real from an automobile-oriented strip to a more compact land use pattern: “In the El Camino Real professional and commercial district, the Plan seeks to limit intensification while promoting the continued upgrading of the area and the evolution of the area from strip-commercial-style development to more compact urban/suburban-style development.” It can be seen that while the proposed project does not comply with Policy I-E-3, the project does meet the goals of the Policy Document since it would contribute towards the intensification of development along El Camino Real.

The proposed project is consistent with General Plan policies supporting the development of retail and office uses along El Camino Real and with transportation-related policies which seek to strengthen the relationship between the transportation center, downtown, and El Camino Real and place as many activities as possible near transit. Parking impacts associated with the project are discussed in Section IV.E, Transportation, Circulation and Parking.

The 1300 El Camino Real Project, which would have an internal courtyard and various landscaped areas on the project site, including along El Camino Real, is also consistent with applicable policies in the City Open Space and Conservation Element and Land Use Element that seek to provide landscaping and plazas in areas with high levels of pedestrian activity. In addition, the proposed project would be developed in accordance with the City Subdivision Ordinance. Therefore, the proposed project is generally consistent with policies in the City General Plan and would not conflict with land use-related policies adopted for the purpose of mitigating an environmental effect.

The proposed project's consistency with the City's Heritage Tree Ordinance is discussed in Section IV.J, Cultural and Paleontological Resources.

c. Significant Land Use Impacts. Implementation of the proposed project would not result in any significant land use impacts.

