



# PLANNING COMMISSION EXCERPT MINUTES

Monday, January 26, 2009  
7:00 p.m.  
701 Laurel Street, Menlo Park, CA 94025  
Menlo Park City Council Chambers

---

**CALL TO ORDER** – 7:05 p.m.

**ROLL CALL** – Bressler, Ferrick, Kadvany, Keith, O'Malley (Vice chair), Pagee, Riggs (Chair)

**INTRODUCTION OF STAFF** – Deanna Chow, Senior Planner; Megan Fisher, Associate Planner; Justin Murphy, Development Services Manager (Absent)

## **E. REGULAR BUSINESS**

1. [Consideration of a written summary drafted by the Chair and Vice Chair of the Planning Commission's recommendation of possible exclusions to the definition of gross floor area as contemplated in a Zoning Ordinance Amendment.](#)

Planner Chow said there was correspondence received from Ms. Patty Fry that had been sent via email.

Commissioner Pagee said in summary that she still had some hesitation on the request from the Council to clarify the definition; she said the Commission during its deliberations had also offered ways to improve the Zoning Ordinance to not count shafts and mechanical room to enhance the designs provided by the architect but she did not think it made it clearer for staff to look at plans and move them on quickly. She said the simplest way to clarify gross floor area might have been to recommend counting everything within outside wall to outside wall.

Chair Riggs asked if Planner Chow could read the Council's direction to the Planning Commission from the minutes. Planner Chow said she did not have those minutes.

Commissioner Bressler asked if parking requirements were calculated for commercial development based on gross floor area. Planner Chow said that was correct. Commissioner Bressler said the Commission was recommending a change to the definition, which would change the basic calculations for impacts of a building and would provide developers an accommodation beyond the existing state. He said that would impact parking requirements and fees to be assessed. He said that should be brought out when this was described to the Council. He said there was a basic assumption that the idea of gross floor area only included usable space and that should be described to the Council as an underlying assumption, and which would have impacts on parking and fees. He said that context should be provided with any recommendation in change of gross floor area.

Commissioner O'Malley said staff had clearly written that any change to the definition would cause changes elsewhere. He said if the simplest definition was wanted then the Commission was not needed.

Chair Riggs read the approved City Council direction: "To direct staff to refer definition 16.04.325 Gross Floor Area of the Municipal Code to the Planning Commissions to develop a recommendation on clarifications to the definition with consideration of items that in staff's, the Planning Commission's opinion, and the City Attorney's opinion would be categorically exempt from environmental review if included in the definition. The staff report will include a list of possible exemptions."

Chair Riggs said the Commission spent 14 months determining the Commission's view on gross floor area. He said he agreed with Commissioner Bressler that the definition the Commission arrived at was comparable to the definition of gross floor area that had been used for a decade up until about a year prior. He continued later that he also was in agreement with Commissioner Bressler with his statements on parking and fees. Furthermore, he stated that he would like to augment fees for the sake of the City and to make sure that parking was realistic. Parking guidelines were developed nationally and applied regionally, and were beyond the Commission. He said their assignment from Council had been to look at the definition and he was hesitant to look at the definition as the factors for calculations.

Commissioner Pagee said that the Commission could acknowledge that the proposed change to the definition of gross floor area would have an impact on parking and fees compared to how gross floor area had been defined over the past year.

Chair Riggs asked Commissioner O'Malley his viewpoint on the discussion. Commissioner O'Malley said that the point had been well made over the course of the discussions and the Council was definitely aware of potential impacts. Chair Riggs said the document was meant to summarize the Commission's logic on key elements.

Commissioner Pagee said this document was clearer to understand, was better formatted, and was more objective than the previous summary. Commissioner Bressler said his comments should be included in the summary related to impacts to fees and parking. Commissioner O'Malley suggested a cover letter that could include a comment. Commissioner Ferrick provided some wording as a note for the summary. Chair Riggs asked if the staff report to Council would cover the issues raised by Commissioner Bressler. Planner Chow said this summary was the Commission's logic and staff in its presentation would acknowledge that changes to gross floor area would impact fees and parking, but that the Commission could make that statement as well. Chair Riggs asked if there would also be a statement in the staff report that this proposed definition clarified the City's treatment of gross floor area prior to the change to gross floor area calculation during the last 12 months. Planner Chow said she did not know if that would be included.

Commissioner Kadvany moved to approve the summary with a modification included to have a note as recommended by Commissioner Ferrick related to impact to fees and parking.

Commissioner Pagee seconded the motion. Commissioner Ferrick suggested a change to page 2, first paragraph, second sentence to replace “to the elderly and handicapped” with language referring to ADA. After short discussion, the Commission agreed to replace “to the elderly and handicapped” with “to everyone.” Planner Chow reviewed the changes with the Commission.

Commissioner Ferrick said she hoped that the comparative chart related to other cities attached to Ms. Fry’s email would be included in the staff report to the Council. Commissioner Keith suggested wording: “The Planning Commission acknowledges that the square footage calculations could be different under the new regulations, which could affect the parking ratios and fees collected, compared with the definition used during the last 12 months.”

Commission Action: M/S Kadvany/Pagee to approve the following modifications.

- a. Page 2, first paragraph, second sentence: Replace “to the elderly and handicapped” with “to everyone.”
- b. Page 2, between the fourth and fifth paragraphs: Add a header “Note on Impacts” followed by the following sentence, “The Planning Commission acknowledges that the square footage calculations could be different under the new regulations, which could affect the parking ratio and fees collected, compared with the definition used during the last 12 months.”

Motion carried 7-0.

Commissioner Ferrick said Commissioner Bressler had previously been selected by the Commission to represent the Commission with this summary before the Council, and asked whether he still wanted to do that. Commissioner Bressler said he was happy to, but that was why he wanted the one statement included in the summary

Commission Action: M/S Ferrick/Kadvany to approve the summary as modified.

Motion carried 7-0.

## **ADJOURNMENT**

The meeting adjourned at 10:18 p.m.

Staff Liaison: Deanna Chow, Senior Planner

Prepared by: Brenda Bennett, Recording Secretary

Approved by Planning Commission on February 23, 2009.