



REGULAR MEETING MINUTES

Date: 2/25/2019
Time: 7:00 p.m.
City Council Chambers
701 Laurel St., Menlo Park, CA 94025

A. Call To Order

Chair Susan Goodhue called the meeting to order at 7:00 p.m.

B. Roll Call

Present: Andrew Barnes (Vice Chair), Michael Doran, Susan Goodhue (Chair), Camille Kennedy, John Onken, Henry Riggs (arrived at 7:05 p.m.), Katherine Strehl

Staff: Ceci Conley, Contract Assistant Planner; Michael Noce, Management Analyst II; Kyle Perata, Acting Principal Planner; Thomas Rogers, Principal Planner; Tom Smith, Senior Planner

C. Reports and Announcements

Acting Principal Planner Kyle Perata said at the City Council's February 26, 2019 meeting, it would consider an ordinance for Tenant Relocation Assistance. He said four community outreach meetings on the Dumbarton Corridor were scheduled and noted one in Redwood City on February 27 and another in Menlo Park on March 2.

Commissioner Andrew Barnes asked about the appeal of the 40 Middlefield Road approval. Acting Principal Planner Perata said the City Council denied the appeal and upheld the Planning Commission's approval but applied an employee limit. Commissioner Katherine Strehl said she believed the limit was 10 employees.

D. Public Comment

None

E. Consent Calendar

- E1. Approval of minutes from the February 11, 2019, Planning Commission meeting. ([Attachment](#))

ACTION: Motion and second (John Onken/Goodhue) to approve the minutes as presented; passes 4-0-2-1 with Commissioners Camille Kennedy and Strehl abstaining and Commissioner Henry Riggs not yet in attendance.

Chair Goodhue noted Commissioner Riggs' arrival at 7:05 p.m.

F. Public Hearing

F1. Use Permit/Kelly Blythe/6 Greenwood Place:

Request for a use permit to demolish an existing single-story residence and construct a new two-story, single-family residence on a substandard lot with respect to lot width and area in the R-1-U (Single-Family Urban Residential) zoning district. ([Staff Report #19-011-PC](#))

Staff Comment: Contract Assistant Planner Ceci Conley said she had emailed the Commission earlier that day with updated correspondence from a neighbor, copies of which were at the dais. She said they added a condition of approval to Attachment A regarding a window.

Applicant Presentation: Kelly Blythe, property owner of 6 Greenwood Place, said their architect was Larry Kahle. He said they met with their adjacent neighbors about the plan recently and they asked about treatment for privacy for the stairway windows. He said they suggest glazing the windows which was amenable to the neighbors.

Larry Kahle, project architect, Metropolis Architecture, said the property owners had done neighbor outreach and gotten great support from them.

Chair Goodhue opened the public hearing.

Public Comment:

- Teri O'Neel introduced herself and her husband John noting they lived at 13 Greenwood Place, directly across the street from the project property. She said they were excited about the project. She said the applicants had done a great deal to do a house that would fit the style of the neighborhood.
- John O'Neel said he was very supportive of the project.

Chair Goodhue closed the public hearing.

Commission Comment: Commission Onken said the project conformed to zoning code and was well designed. He moved to approve as recommended in the staff report.

Commissioner Barnes said the design, scale and materials were good. He said he was appreciative of the specificity of the neighborhood outreach efforts. He seconded the motion.

Commissioner Riggs said there was an exposed tankless water heater on the side of the building and he requested they consider screening or relocating it away from neighbor view. He asked about its elevation and fence height.

Mr. Kahle said this type water heater was typically mounted four feet off the ground and the fence would be seven-feet.

Commissioner Riggs asked about a box shown on A3 on the side wall. Mr. Kahle said that was the air conditioning condenser. Commissioner Riggs asked if it was possible to move it to the north patio and away from the property line side. Mr. Kahle said there were not many options of

where it could go, and they thought on the right side was best opposite the neighbor's garage. Commissioner Riggs said next to a garage was a good compromise.

ACTION: Motion and second (Onken/Barnes) to approve the item as recommended in the staff report; passes 7-0.

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, "New Construction or Conversion of Small Structures") of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by Metropolis Architecture, consisting of 7 plan sheets, dated received February 19, 2019 and approved by the Planning Commission on February 25, 2019, subject to review and approval by the Planning Division.
 - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
 - c. Prior to building permit issuance, the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. 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 of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
 - e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
 - f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.

- g. Heritage and street trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report by Advanced Tree Care dated January 11, 2019.

4. Approve the use permit subject to the following **project-specific** condition:

- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans showing the bottom two panes of the windows in the stairwell as frosted glass, subject to review and approval by the Planning Division.

F2. Use Permit/Sean Amiri/908 Menlo Avenue:

Request for a use permit to demolish two existing single-family residences and construct two two-story, single-family residences and a detached garage on a substandard lot with respect to lot width in the R-3 (Apartment) zoning district. The garage would be located partly in the front half of the lot (but behind the front residence), as may be permitted with a use permit. The proposal includes an administrative review of a tentative parcel map to subdivide the project into two condominium units. As a part of the proposed development, two heritage trees (one Douglas fir and one strawberry tree) are proposed for removal. ([Staff Report #19-012-PC](#))

Staff Comment: Principal Planner Thomas Rogers said staff had no additions to the staff report.

Applicant Presentation: Sean Amiri, San Mateo, project applicant, said as the lot was R-3 zoning, and they could develop either four condominium units or two townhome-type units. He said their proposal was to do two homes in a modern style, one in the front of the lot and another in the back of the lot, each about 1900 square feet of living space. He said one unit would have an attached garage and the other a detached garage.

Rick Hartman, Hometec Architecture, made a number of comments about R-2 and R-3 lots in Menlo Park and the property owner's choice to do a modern style home. He said they wanted to keep as many of the larger trees as they could.

Commissioner Onken referred to the two horizontal windows at the stairwell. Mr. Hartman said the windows were not functional and were placed for character effect. Commissioner Onken noted the next application was the same applicant and the difference in architectural styles.

Recognized by the Chair, Mr. Amiri said he wanted this project and the other one on the agenda to be completely different in style. He said the existing home at the other project site, 966 Menlo Avenue, was Spanish-looking in style, which was the style he wanted to keep for that site. He said for this site they wanted purely modern-style architecture.

Chair Goodhue opened the public hearing.

Public Comment:

- Michael Closson, 978 Menlo Avenue, said currently the project site had two homes, one larger than the other. He said the home in the front was a beautiful building that seemed to be in very good condition, and he considered it the nicest looking home on the block. He said it did not deserve to be demolished. He said the home on the rear of the lot was smaller and exactly the

kind of housing stock the City needed to retain in the hyper-inflated real estate market. He said the City had lost many people who could not afford to live in Menlo Park anymore. He said that housing in Menlo Park was already unaffordable and a project like this only exacerbated the trend.

Chair Goodhue closed the public hearing.

Commission Comment: Chair Goodhue said she liked modern architecture including the offset windows. She said the project was consistent with residential development in Menlo Park over the past 10 to 15 years in terms of replacing one house with two homes. She said the project provided two homes for the housing stock.

Commissioner Riggs said he appreciated the window treatment for privacy with windows located up high. He said he appreciated the small front lawn. He said he personally would have found another solution to the rather large boxed eaves on the rear unit but did not see it as a Planning Commission issue as it was not visible from the street. He said he supported the project.

Commissioner Riggs referred to the materials and color boards. Mr. Hartman, recognized by the Chair, and replying to Commissioner Riggs, said the gray color was for the rear home. Commissioner Riggs said he appreciated that the lighter color home was in the front as it would brighten the street.

ACTION: Motion and second (Goodhue/Onken) to approve the item as recommended in the staff report; passes 7-0.

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, “New Construction or Conversion of Small Structures”) of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Approve the use permit subject to the following **standard** conditions:
 - a. Development of the project shall be substantially in conformance with the plans prepared by Hometec Architecture, Inc., consisting of 20 plan sheets, received February 11, 2019, and approved by the Planning Commission on February 25, 2019, except as modified by the conditions contained herein, subject to review and approval by the Planning Division.
 - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies’ regulations that are directly applicable to the project.
 - c. Prior to building permit issuance; the applicants shall comply with all requirements of the

Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.

- d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. 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 of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
- e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.
- f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
- g. If construction is not complete by the start of the wet season (October 1st through April 30th), the Applicant shall implement a winterization program to minimize the potential for erosion and sedimentation, subject to review and approval of the Engineering Division.
- h. Prior to building permit issuance, the Applicant shall submit all applicable civil plans for Engineering Division review and approval.
- i. Prior to building permit issuance, the Applicant shall submit complete off-site civil engineering plans detailing the full scope of frontage improvements along the property frontage at to the satisfaction of the City's Public Works Department. The defined scope shall include, but is not limited to, new sidewalk, curb, gutter, pavement restoration, and utility upgrades (water, storm, sewer connections) up to the limits of the property frontage. The Applicant shall obtain an Encroachment Permit prior to commencing work within the public right of way and include the follow notes on the front cover of the plans.
- j. Prior to the building permit issuance, the Applicant shall submit a Hydrology Report, including calculations, substantiating that on-site flows will not exceed existing conditions as a result of the proposed improvements. The Hydrology report will be subject to Engineering Division review and approval.
- k. Prior to building permit issuance, the Applicant shall submit all applicable Water-Efficient Landscaping Ordinance (WELO) documents for Engineering Division review and approval, if proposed landscaping exceeds 500 sf.
- l. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Kielty Arborist Services LLC dated October 31, 2018 and January 21, 2019.

4. Approve the use permit subject to the following **project-specific** condition:

- a. Simultaneous with submittal of a complete building permit application, the applicant shall submit revised plans specifying that Unit 2's left side fireplace pop-out shall be constructed using cantilevered construction, in order to limit impacts on the adjacent Douglas fir (tree #4). The revised plans shall be subject to review and approval of the Planning Division.

F3. Use Permit and Variances/Sean Amiri/966 Menlo Avenue:

Request for a use permit to demolish an existing single-story, single-family residence and construct two two-story, single-family residences and a detached one-car garage on a substandard lot with respect to lot width in the R-3 (Apartment) zoning district. The garage would be located partly in the front half of the lot (but behind the front residence), as may be permitted with a use permit. The proposal includes a variance to reduce the required 20-foot separation between the rear unit and the main building located on the adjacent right side parcel, as well as a variance to reduce the required 10-foot separation between the detached garage and the front unit in order to retain and protect an existing heritage redwood. The proposal includes an administrative review of a tentative parcel map to subdivide the project into two condominium units. ([Staff Report #19-013-PC](#))

Staff Comment: Principal Planner Rogers said there were no changes or additions to the published staff report and colors and materials sheets had been distributed to the Commission.

Applicant Presentation: Sean Amiri said the existing home was Spanish-style. He said he was proposing a similar style for the two new homes. He said the neighboring properties were not 10-feet from the property lines so 20-foot building separation was very challenging. He said originally, they had proposed removing a redwood tree to accommodate the project. He said neighbors and staff were opposed to that. He said they would keep the tree and have an arborist onsite during construction to advise on best methods to protect the tree roots. He said an objection to the project was its mass. He said like the other site the zone allowed building to 35-feet in height, but the two proposed units were no more than 28-feet tall. He said the neighbors on the west were concerned with the project windows. He said they had communicated that the windows would be made smaller and while keeping the stylistic integrity they would look into what they could do to make the neighbor as happy as possible.

Mr. Hartman said the City had great guidelines for the preservation and protection of trees during construction. He said they wanted the mature trees whether on the property site or adjacent neighboring lots. He said the northwest and northeast of the property were the side yards. He referred to elevations on A4 that showed all the second story windows were small. He said he tended to do a number of smaller windows on the second story rather than have a blank wall. He said on the driveway side he could do a pop out and keep window sills up higher. He said sometimes the bathroom or stairway windows could be obscure glass.

Chair Goodhue opened the public hearing.

Public Comment:

- Rayna Brown, Menlo Park, and Carolyn Hitchcock introduced themselves. Ms. Brown said Ms. Hitchcock and she had a petition signed by 18 of their neighbors. She said the 18 people who signed the petition believed that two, two-story homes were out of sync with the neighborhood.

She said the subject property was quite a small and narrow lot. She said if the Commission ultimately approved the project, they requested that the second-stories be required to taper. She said Carolyn and she had met with Mr. Amiri twice and he had said he would try to do something to address their concerns but what was done was insignificant. She said they would have two homes that looked like boxes. She said they were concerned about windows. She said if something were to inadvertently happen to the trees providing screening now there would be views into bedrooms. She said one way to treat would be to raise the height of the window sills on the project's second stories on the west side. She said the trees were their most critical concern. She said they were pleased the City would consider a variance for the project to protect the redwood tree. She said the subject property and that at 967 Menlo Avenue had beautiful heritage trees, which they feared would be harmed during construction. She said beside the arborist the applicant would hire they thought the City should take an active role in overseeing the tree protection and preservation during construction.

- Carolyn Hitchcock said she was very concerned about the trees on the project property and the adjacent property as they provided privacy and would mask big two-story homes. She said how the protection and preservation of the trees would be monitored for compliance was unknown.
- Michael Closson, 978 Menlo Avenue, said he shared the neighbors' concerns about the trees. He said he supported the project, but he hated that the existing stucco house, which was the original house in the area, would be removed. He noted that the property had a beautiful split trunk redwood, a palm, and a live oak and he hoped they would be preserved and protected.

Chair Goodhue closed the public hearing.

Commission Comment: Commissioner Onken said they all appreciated the screening of the mature trees. He said he was pleased with the report by Kevin Kielty regarding specific measures to protect and preserve the trees, which provided assurances that all would be done so that the trees were protected and preserved during construction.

Commissioner Riggs said an arborist report such as that provided here would be part of the use permit approval and as such enforceable. He said the project was sensitive to neighbors and the windows on the west side were particularly so. He moved to approve the use permit and variance for the garage location. He said the findings could be made easily for the variance.

Commissioner Barnes spoke to neighbors' concerns regarding the trees and west elevation. He said regarding the latter that the windows were modestly sized and the sill heights relatively high. He said he supported the arborist report and an arborist onsite to monitor. He seconded the motion.

Commissioner Strehl said she empathized with neighbors that existing homes were being replaced by two bigger homes. She asked about the timing of construction noting that the project street was very small. She said four homes being constructed at the same time on that street would be burdensome at the least for neighbors and was a significant issue that needed to be addressed.

Recognized by the Chair and at Commissioner Barnes' request, Mr. Amiri said they were intending to overlap the two projects with different start times for each one. He said the noisiest part of the construction was demolition and doing the foundation. He said they would do demolition and

foundation on one site and then on the other site. He said he would prefer to do all at once but in consideration of the neighbors they would do as he described.

ACTION: Motion and second (Riggs/Barnes) to approve the use permit and variance request as recommended in the staff report; passes 7-0.

1. Make a finding that the project is categorically exempt under Class 3 (Section 15303, “New Construction or Conversion of Small Structures”) of the current California Environmental Quality Act (CEQA) Guidelines.
2. Make findings, as per Section 16.82.030 of the Zoning Ordinance pertaining to the granting of use permits, that the proposed use will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be detrimental to property and improvements in the neighborhood or the general welfare of the City.
3. Make the following findings as per Section 16.82.340 of the Zoning Ordinance pertaining to the granting of variances:
 - a. The hardships for the neighboring building separation are the narrow width of the subject lot and the placement of the existing structure on the right side parcel (940 Menlo Avenue), which is located approximately five feet from the shared property line. Likewise, the narrow (51.7-foot) width of the subject parcel is an existing condition that is well below the 70-foot minimum width required for new R-3 lots of this size.

For the detached garage separation, the narrow width is likewise a hardship that limits possible development layouts, in conjunction with the garage size requirement (10 feet wide by 20 feet deep, minimum) and associated guidelines for car backup distance and turning radii. In addition, the heritage redwood (tree #10) located at the left-center portion is a significant natural feature that represents a constraint to new development. None of the hardships have been created by an act of the owner.

- b. With regard to the neighboring building separation requirement, strict compliance would have a significant negative effect on the footprint and feasibility of Unit #2. In particular, the one-car garage (required by code) would have to be shifted over approximately five feet into the shared living spaces, which would result in a narrow, odd floor plan on both floors, such that the variance would be necessary to achieve a unit size and interior layout similar to dwelling units located on conforming property in the same vicinity.

Similarly, if the 10-foot setback requirement for the detached garage were strictly enforced, it appears that Unit #1 would not be able to have a covered parking space. The garage could not be attached to the residence itself without violating the backup/turning requirements for parking spaces, and it could not be shifted farther back on the property without negatively affecting the heritage redwood. The variance to reduce the 10-foot separation requirement would allow the residence to both meet its parking requirement and retain the redwood tree, which would not represent a special privilege.

- c. If the right side parcel is redeveloped in the future, it would be required to adhere to the 10-foot side setback requirement, and the proposed variance would no longer be needed. The rear residence's height at 29 feet is well below the R-3 maximum of 35 feet, and the plate height at the variance area is additionally limited, at approximately 21.5 feet. In addition, the adjacent residence does not extend farther back on its property, which means the variance only applies to a portion of the proposed Unit #2. As such, granting of this variance would not impair adequate supply of light and air to the adjacent property.

For Unit #1, the garage separation would only affect that unit itself, not any adjacent property. Granting of this variance would allow the heritage redwood to be retained, which may be considered to preserve and enhance the public health and welfare.

- d. The variance requests are primarily based on the nonconformance of the adjacent right-hand structure, the presence of the heritage redwood at the left-center portion of the subject property, and the subject parcel's narrow lot width. Since other properties do not appear to have this unique combination of conditions, these variances would not apply to other properties in the same zoning district.
 - e. The property is not within any Specific Plan area. Hence, a finding regarding an unusual factor does not apply.
4. Approve the use permit subject to the following **standard** conditions:
- a. Development of the project shall be substantially in conformance with the plans prepared by Hometec Architecture, Inc., consisting of 19 plan sheets, received February 11, 2019, and approved by the Planning Commission on February 25, 2019, except as modified by the conditions contained herein, subject to review and approval by the Planning Division.
 - b. Prior to building permit issuance, the applicants shall comply with all Sanitary District, Menlo Park Fire Protection District, and utility companies' regulations that are directly applicable to the project.
 - c. Prior to building permit issuance; the applicants shall comply with all requirements of the Building Division, Engineering Division, and Transportation Division that are directly applicable to the project.
 - d. Prior to building permit issuance, the applicant shall submit a plan for any new utility installations or upgrades for review and approval by the Planning, Engineering and Building Divisions. 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 of all meters, back flow prevention devices, transformers, junction boxes, relay boxes, and other equipment boxes.
 - e. Simultaneous with the submittal of a complete building permit application, the applicant shall submit plans indicating that the applicant shall remove and replace any damaged and significantly worn sections of frontage improvements. The plans shall be submitted for review and approval of the Engineering Division.

- f. Simultaneous with the submittal of a complete building permit application, the applicant shall submit a Grading and Drainage Plan for review and approval of the Engineering Division. The Grading and Drainage Plan shall be approved prior to the issuance of grading, demolition or building permits.
 - g. If construction is not complete by the start of the wet season (October 1st through April 30th), the Applicant shall implement a winterization program to minimize the potential for erosion and sedimentation, subject to review and approval of the Engineering Division.
 - h. Prior to building permit issuance, the Applicant shall submit all applicable civil plans for Engineering Division review and approval.
 - i. Prior to building permit issuance, the Applicant shall submit complete off-site civil engineering plans detailing the full scope of frontage improvements along the property frontage at to the satisfaction of the City's Public Works Department. The defined scope shall include, but is not limited to, new sidewalk, curb, gutter, pavement restoration, and utility upgrades (water, storm, sewer connections) up to the limits of the property frontage. The Applicant shall obtain an Encroachment Permit prior to commencing work within the public right of way and include the follow notes on the front cover of the plans.
 - j. Prior to the building permit issuance, the Applicant shall submit a Hydrology Report, including calculations, substantiating that on-site flows will not exceed existing conditions as a result of the proposed improvements. The Hydrology report will be subject to Engineering Division review and approval.
 - k. Prior to building permit issuance, the Applicant shall submit all applicable Water-Efficient Landscaping Ordinance (WELO) documents for Engineering Division review and approval, if proposed landscaping exceeds 500 sf.
 - l. Heritage trees in the vicinity of the construction project shall be protected pursuant to the Heritage Tree Ordinance and the arborist report prepared by Kiely Arborist Services LLC dated October 24, 2018 and January 28, 2019.
5. Approve the use permit and variances subject to the following **project-specific** condition of approval:
- a. Simultaneous with the submittal of a complete building permit application, the applicant shall submit revised plans that show both garages with interior clear dimensions of 10 feet width and 20 feet depth, subject to review and approval of the Planning Division. The revisions shall be accomplished within the building footprints as shown on the approved plans.

Chair Goodhue said she would be recused from consideration of items F4 and G1 due to her previous association with Facebook. Vice Chair Barnes would conduct the remainder of the meeting in her absence.

- F4. Development Agreement Annual Review/Facebook/1 Hacker Way and 1 Facebook Way:
Annual review of the property owner's good faith compliance with the terms of the Development

Agreements for their East Campus, West Campus, and Facebook Campus Expansion projects. [\(Staff Report #19-009-PC\)](#) *Continued from the PC meeting of February 11, 2019*

Staff Comment: Acting Principal Planner Perata said currently there were three development agreements (DA) with Facebook for the East Campus, West Campus, and Campus Expansion projects. He said the written staff recommendation was for the Commission to approve the West Campus and Campus Expansion projects good faith compliance but continue the East Campus project's good faith compliance. He recommended that the Commission and public comment focus on the West Campus and Campus Expansion projects. He said if they did vote to continue the East Campus that the hearing date would be in April. He said they needed more information on the trip cap.

Applicant Presentation: Ryan Patterson, Facebook Real Estate, said related to the DA for the Campus Expansion project that it had commitments in the areas of ongoing public benefits and revenue to the City, housing initiatives, transportation and infrastructure, design and environmental commitments, and local community benefits. He said 2018 milestones for revenue were continued sales tax in-lieu fee payments to the City and a guaranteed Transfer Occupancy Tax (TOT) commitment for 39 years. He said that had not started yet but would have a base line commitment of \$48 million in TOT. He said they had a minimum commitment of property tax fee of \$7 million across their properties in annual tax payments providing significant tax revenue for local schools. He said they started a housing study in 2017 and partnered with UC Berkeley to complete it. He said it looked at housing conditions in the area and identified actions that could be taken to preserve affordable and workforce housing. He said the final study would be presented to the City in August 2019. He said in 2017 a pilot program for 22 teacher households at the 777 Hamilton apartment community owned by Greenheart was established requiring participants to pay only 30% of their income on rent with Facebook subsidizing the difference between that amount and market rent. He said the program participants worked at local public or nonprofit schools within the geographic area of the Ravenswood City School District. He said the average individual subsidy that Facebook was paying was \$2100 a month.

Mr. Patterson said related to transportation that they continued to make progress on their partnership with SamTrans on the Dumbarton Corridor project. He said in 2018 they seed funded Menlo Park's Transportation Management Association (TMA). He said they had made pedestrian and bicycle improvements along Chilco Avenue including Menlo Park's first Class 1 fully buffered bicycle lane on Chilco Avenue. He said construction had just started on the bicycle and pedestrian bridge over Bayfront Expressway.

Mr. Patterson said related to environmental commitment that they achieved LEED platinum on Building 21 and were working on a two-acre public park and the bicycle-pedestrian bridge previously mentioned.

Mr. Patterson said related to local community benefits that they were funding operations at the Belle Haven pool and created a \$1 million scholarship fund for local City youth. He said they also made a \$1 million contribution to Bedwell-Bayfront Park to fund maintenance.

Commissioner Doran asked to see the slide on Transportation. Mr. Patterson said they had made a number of commitments on the Dumbarton Corridor and had also funded Menlo Park's first TMA. He said also they funded pedestrian and bicycle improvements along Chilco Avenue.

Commissioner Strehl asked if the TMA was only for the area east of Highway 101. Recognized by the Chair, Acting Principal Planner Perata said the City continued to evaluate what the geographic extent of the TMA would be – whether citywide, focused on the Bayfront area, or the creation of sub-TMAs throughout Menlo Park such as the Bayfront, downtown, and Sand Hill Road commercial area. He said they were preparing a Request for Proposals (RFP) for a consultant to develop a feasibility study for the TMA. Replying further to Commissioner Strehl, Mr. Perata said the City Council at its February 26 meeting would do goal setting and a TMA was one of the items.

Commissioner Strehl asked about the regional transportation forum that had been proposed. Jennifer Fierman, Senior Transportation Planner at Facebook, said the regional transportation forum was being formulated as part of the efforts for the Dumbarton Corridor. She said they were forming a Stakeholders Advisory Group and a Technical Advisory Group. Vice Chair Barnes opened the public hearing.

Public Comment:

- Pamela Jones, Belle Haven, said that Facebook was doing the best it could to be a good neighbor but as of now there had been no benefit to the neighborhood. She said she supported staff's recommendation to continue looking at trip caps and hoped that Facebook would do something more aggressive to get people out of their cars. She said regarding the Housing Study that it should include data from 2008 to the present to include the number of foreclosures in Menlo Park and specifically in Belle Haven, who the mortgage holders past and present were, property owner names, the number of rentals (noting that in Belle Haven there were more single-family homes being rented), the names of the investors whose companies had bought up properties specifically apartments, the number of corporate-occupied apartments versus the number of apartments rented to individuals and families, and the vacancy rates. She said she would like to see a timeline of when the proposed amenities would be met, and who exactly would benefit from them.
- David Erhart, Belle Haven, said due to limitations on ride sharing on the East Campus, that Facebook was using the small parking lot at Jack in the Box on Hamilton Avenue as a de facto ridesharing stop with people waiting for Uber and drivers to pick them up. He said that created impacts that needed to be included in the trip cap conversation.

Commission Comment: Commissioner Onken asked what more was needed with the trip caps. Mr. Patterson said he would defer to staff regarding the East Campus. He said for the West Campus and Campus Expansion project DAs that Facebook was in compliance with the trip caps.

Acting Principal Planner Perata said the City had been made aware of a number of exceedances of trip caps on the East Campus so they were looking at whether those exceedances were due to valid event exclusions and also whether trips that were Uber or LYFT pickups were attributable to the East Campus. He said Planning and Transportation staff were looking at that and that was why a continuance for the East Campus was being requested.

Commissioner Onken said Facebook seemed to have many buses to transport employees to and from certain locales. He asked whether employees not taking the shuttle was because of location issues or a decision to not use the service. Mr. Patterson said they were pleased with the efficacy

of their transportation program as only 50% of their employees drove their own car to work. He said the other 50% used a combination of shuttles, rideshares, ride a bicycle or walk to work, or use Caltrain and a shuttle. He said that was double what the countywide average was. He said they have a large team of people looking at ways to get more people into shuttles or some type of alternative transit.

Commissioner Camille Kennedy asked in the last five years about demographic shifts in where people were commuting to and from. Mr. Patterson said they looked at the data of where large groups of the employees were located and directing service to those locations. He said they had also changed their approach over the last year in that they were no longer just in Menlo Park but had campuses over the Bay Area with the goal of those being located near transit and where employees lived.

Commissioner Strehl asked about the trip cap hours. Mr. Patterson said one number was total trips per day or every 24 hours and the other was peak period including 7 to 9 a.m. with a cap on the number of cars between 7 to 8 a.m. and 8 to 9 a.m. and then 4 to 6 p.m. with a cap on the number of cars between 4 to 5 p.m. and 5 to 6 p.m. Commissioner Strehl said based on observation she thought the peak trip hours should be expanded for 7 to 10 a.m. and 4 to 7 p.m.

Commissioner Strehl said she was surprised that there was not a requirement for 1500 living units to be provided as part of the projects that were underway. Mr. Patterson said the DA for the Campus Expansion Project had a requirement for Facebook to design 1500 units as part of the Willow Village project. He said it was not a commitment to build noting at that time the General Plan Update had not yet been approved and there was no zoning on the Willow Village campus for housing. He said their original application for Willow Village had 1500 units and their most recent submittal in February also had the 1500 units and some renderings. He said they were committed to doing that as part of the project. Commissioner Strehl noted the number of Facebook employees and said she had understood that Facebook would have 1500 units for its current construction and an additional 1500 units for the Willow Village project.

Commissioner Riggs said his understanding as a Planning Commissioner was that though Facebook did not have the land to build 1500 units it had committed to the design of it for the previous approval. He said he, and he thought other Planning Commissioners present at the time, would not expect that any of the 1500 units would count as an offset to development of Willow Village. He said he saw a disconnect in the trip caps in that some of the trips had been moved offsite referring to use of Uber and Lyft. He said somehow those needed to be counted and the trip cap needed to be met as that was part of the approval conditions. He said as one speaker mentioned a lot of efforts had been made by Facebook but in terms of what was happening on the ground those were not helping. He said he shared the community's concerns about the amenities being planned forward each time. He said regarding housing in Attachment F, page 6, and BMR units that needed to be produced that lacking amenities and housing in the context of a project not yet approved could cause a loss of faith that those would be achieved. He said in balance that the commitments made and accomplished by Facebook in street and bicycle and pedestrian improvements were much appreciated. He said however that traffic was literally stuck in the morning and afternoon in Belle Haven and the Willows, and for anyone trying to get to Highway 101. He said in terms of meeting the commitment of the annual review that Facebook would be able to make a literal case that it had met it once the trip cap was resolved for the East Campus project. He said the community's concerns would remain unanswered and the larger promises of

amenities for the Belle Haven side of the freeway and for housing remained unanswered.

Mr. Patterson said regarding trip caps that Facebook remained very committed to operating within those bounds and doing whatever they could to reduce traffic. He said the goal was less cars on the road and how to get people to Menlo Park using mass transit. He said they had a team dedicated to looking at how to accomplish that for Facebook employees and their direct traffic and also to focus on things they could do in Menlo Park and regionally to make the traffic and congestion experience better for everybody. He said regarding the current benefits to the community that he appreciated the speaker's comments (Pamela Jones) noting she had been a valuable community stakeholder. He said some of the benefits included were happening and were benefits active in the community such as funding operations at the Belle Haven pool, the scholarship program for local youth, making sales tax fee payments to the City, the maintenance obligation support for Bedwell-Bayfront Park, and the bicycle and pedestrian improvements on Chilco Avenue. He said regarding the BMR units that they had explored a number of approaches on those. He said they had contributed funds to projects with BMR units such as the St. Anton's project and that increased that project's affordable units by 15 additional ones. He said most recently with Building 23 Facebook funded directly to the City to the BMR fund. He said for the most recent BMR fees Facebook engaged with the City to try to build those onsite.

Commissioner Riggs thanked Mr. Patterson for the response and valuable information about housing. He said probably the longest standing request for community benefit had been for a grocery store and that had been the most challenging thing to move forward. He said Facebook paid \$11,250,000 to the City. He asked if that was one payment in 2018 or split over 2016, 2017, and 2018. Acting Principal Planner Perata said it would be paid in five equal payments annually, and the first payment was made in 2018.

Commissioner Onken said regarding rental property preservation that the City had no statutory protection that rental properties would not become for sale properties. Acting Principal Planner Perata said the City did not have any ordinances that restricted conversion of rental apartments into ownership condominiums. He said they did have some Housing Element policies and programs related to net loss of units.

Commissioner Onken moved to make the findings for recommendation action #1 and #2, as well as #3 to be continued as shown in Attachment A. Commissioner Kennedy seconded the motion.

Vice Chair Barnes referred to Attachment F and 7.11, 7.13 and 7.15. He asked regarding the Dumbarton Corridor Study if the transportation corridor was from essentially East Palo Alto to Menlo Park including the rail line that had been used between Redwood City and Menlo Park and then continuing over the Bay. Ms. Fierman said the current transportation study was from Redwood City to Newark across the currently defunct corridor. Vice Chair Barnes asked Facebook's interest in activating that rail. Ms. Fierman said Facebook was supporting a number of regional transportation initiatives with various agencies. She said the Dumbarton Corridor was a priority for the San Mateo County Transit District. She said Facebook as a good neighbor was providing support to complete a project that was studied many times to find possibly a realistic and viable solution to a major transportation issue in the South Bay. She said starting the past Saturday a public meeting on this study was held and there would be three more this week. She said in general their goal was not to just meet Facebook's needs but to address the major transportation issues all were facing. She said their goals aligned with the San Mateo County Transit District's

goals. She said this project's objectives were supporting the results of the 2017 Dumbarton Corridor Transportation Study that was to alleviate congestion on the Dumbarton Highway Bridge and a way to move people across the South Bay. Vice Chair Barnes asked about the Dumbarton Rail Trail Study. Ms. Fierman said that was a different study.

Lauren Swezey, said the Dumbarton Rail Trail project was something they had been working on, but was currently on hold. She said when they knew more about what would be accommodated on the Dumbarton Corridor then they would or would not move forward with the Rail Trail depending on what SamTrans would allow them to do.

Vice Chair Barnes asked about Facebook's funding for the TMA and if there were stipulations for what they wanted the money to be used for or was it given to Menlo Park for the City to figure it out. Mr. Patterson said the condition of the funding was feasibility and implementation strategy. Acting Principal Planner Perata said the funding would be used for a consultant to do a feasibility study and staff was in process defining the scope of the RFP for this. Replying further to Vice Chair Barnes, Mr. Perata said unless otherwise directed by the City Council the study for a TMA would be for the City itself and not the City as sub under a regional context.

Vice Chair Barnes asked if Facebook had data to share about traffic patterns and users' originations or destinations. Mr. Patterson said during the General Plan process good data about traffic, especially the Dumbarton Corridor, emerged such as 80% of the traffic going over the Dumbarton Bridge neither started or ended in Menlo Park. He said there were single-digit percentages of that traffic, which ended in Menlo Park. He said they had expressed support to the City about what they could do to help make some of the findings from the Transportation Master Plan (TMP) a reality and remained committed to help making those possible if the City was amenable to doing that. He said Facebook was data driven but they could not share employee data, but they could help in other ways.

Vice Chair Barnes referred to 7.15 the Regional Transportation Forum. Ms. Fierman said that would kickoff in March with a stakeholders' meeting. She said Facebook was supporting several regional transportation initiatives so the input from the various initiatives could inform the decision making in the Dumbarton project.

Mr. Patterson said since Facebook last met with the Planning Commission, they had expanded to five different Bay area locations, and announced offices in San Francisco, Burlingame, Sunnyvale, Mountain View and Fremont too. He said they were approaching transportation both regionally and locally. Vice Chair Barnes said quantifying the local challenges was very important as the City was in the middle of its TMP process. He said for any of the larger trip-generating entities in the City the question was who was responsible for what, and how much of the traffic through Willow Road, Middlefield Road and downtown was Facebook. He said data-driven factual analysis was very important for understanding what the burdens currently were and what they would be with net new office space coming online. He said he thought future entitlement for Facebook would require an understanding of these traffic elements.

Vice Chair Barnes referred to Attachment F, 8.11, 8.12 and 8.13 collectively as it related to the housing inventory and local supply, housing innovation fund, and affordable housing preservation pilot program. He asked what Facebook was solving with these funds and what it felt its responsibility was. Mr. Patterson said through community outreach process that was much of the

impetus for the DA investments they were looking at preserving and protecting affordable and workforce housing in the local community. He said people in the outreach acknowledged those were great goals but asked why people were being displaced. He said that quest for data was what led to the housing study and also for it to be community rather than consultant led. He said stories out of the study led to a commitment for an accessory dwelling unit initiative by Facebook outside of a DA.

Vice Chair Barnes asked if Facebook saw a nexus between its development and the displacement of individuals. He asked how community was defined – if it was Belle Haven, Belle Haven and East Palo Alto, or Belle Haven and Menlo Park. He asked what the impacted communities were and what the local impacts were. Mr. Patterson said any area in close proximity to them they considered local community noting Belle Haven, Menlo Park as a city, East Palo Alto, and North Fair Oaks. He said they were trying to address different concerns and issues in the different parts of the community. He said through the community type of agreements they saw themselves helping to bring the voice of the community forward, and they committed to certain things if they could help by contributing money or time. He said studies had been funded and then funding provided for implementation so that recommendations were not just shelved.

Vice Chair Barnes asked if there were projects in the queue for entitlement that would still incur BMR fees. Mr. Patterson said they completed Building 21 six months prior and their BMR fees were about \$6.5 million. He said the discussion there was whether they just submitted payment or found a way to deliver actual BMR units. He said they had been asked to consider doing the actual units on Willow and they were committed to trying to build rather than paying the in-lieu fee. He said they had committed to paying fees for Building 22, which was under construction, and the hotel, which would also generate BMR fees.

ACTION: Motion and second (Onken/Kennedy) to approve the actions recommended in the staff report; passes 6-0-1 with Commissioner Goodhue recused.

1. Make a finding that the Annual Review of the Development Agreements has no potential to result in an impact to the environment and does not meet the definition of a Project under the California Environmental Quality Act (CEQA).
 2. Make a finding that Facebook has implemented the provisions of its West Campus and Campus Expansion Development Agreements and associated amendments during the 2017 – 2018 Development Agreement Review Year.
 3. Continue the review of Facebook's implementation of the provisions of its East Campus Development Agreement during the 2017 – 2018 Development Agreement Review Year to a future meeting.
- F5. Use Permit and Architectural Control/Juan Guillen/1305 Willow Road:
Request for a use permit and architectural control for an addition to the rear, and construction of a new covered porch around the side and front, of a grocery store in an existing commercial building. The subject property is on a lot in the C-2-B (Neighborhood Mixed Use District, Restrictive) zoning district. The proposal includes a request to modify the operating hours limited in this zoning district, from 8:00 a.m. – 8:00 p.m., to 5:00 a.m. – 9:00 p.m. inclusive of deliveries. The applicant is proposing outdoor seating for customers, and outdoor storage of items for sale within the building

such as produce carts, propane tanks, and water. The proposal also includes a request for sign review to allow red and yellow colors exceeding the 25-percent limitation on bright colors in the sign design guidelines. Circulation for the site is proposed to utilize a portion of Frontage Road that the City Council has begun the process to abandon. Should the abandonment be approved, a portion of Frontage Road would be acquired by the owners of the subject property and circulation would be accommodated on site. Otherwise, circulation would utilize the Frontage Road right of way. The parking lot is proposed to be re-stripped to meet the parking standards. *Continued to the PC meeting of March 11, 2019.*

- F6. Public Right-of-way and Public Utility Easement Vacation/MidPen Housing/Portion of Frontage Road along 1300 Block of Willow Road: Planning Commission review for consistency with the General Plan related to the proposed vacation of public right-of-way and public utility easements adjacent to 1305 and 1345 Willow Road. A portion of the abandoned public right-of-way and public utility easements would go to the two adjacent property owners. *Continued to the PC meeting of March 11, 2019.*

G. Study Session

- G1. Study Session/Andrew Morcos/141 Jefferson Drive/180-186 Constitution Drive:
Request for a study session review for a future application for use permit, architectural control, environmental review, lot line adjustment, and major subdivision to redevelop three sites with approximately 483 multi-family dwelling units comprised of 42 for-sale condominium units, and 441 rental units split between two apartment buildings with above grade two-story parking garages integrated into the proposed seven-story buildings, located in the R-MU-B (Residential Mixed Use, Bonus) zoning district. The project sites currently contain two single-story office buildings that would be demolished. The proposed approximately 42 condominium units would contain approximately 79,192 square feet of gross floor area. The proposed approximately 441 apartment units would contain approximately 393,726 square feet of gross floor area. The proposed combined floor area ratio for the project would be 225 percent. The proposal includes a request for an increase in height and floor area ratio (FAR) under the bonus level development allowance in exchange for community amenities. (Staff Report #19-010-PC) *Continued from the PC meeting of February 11, 2019*

Staff Comment: Senior Planner Tom Smith said three pieces of correspondence were received after publication of the staff report. He said one was from Sequoia Union High School District regarding the project's interaction with the new high school being constructed across the street from it. He said another was from Adina Levin with questions regarding a potential mix of commercial or other amenities for tenants of the project as well as bicycle lanes and circulation proposed around the site. He said the last was an email from Cheryl Bims requesting dialogue with the Belle Haven Neighborhood Association.

Applicant Presentation: Andrew Morcos, Senior Development Director for Graystar, Menlo Park, said his firm joined the Menlo Park community in 2013 when they started working on Elan Menlo Park, which was completed in 2017. He said they turned an underutilized warehouse and storage site on Haven Avenue into a 146-rental, multi-family community. He said that project was approximately 95% leased. He said Graystar had done similar projects across the peninsula, partnering with cities to start construction or complete housing projects in San Francisco, Redwood City, Menlo Park, Mountain View, Sunnyvale, and San Jose.

Mr. Morcos said the proposed project was 100% housing with 441 for rent multi-family units and 42 for sale townhomes. He said the mix was driven by local and regional demand for varied unit options. He said 15%, or 70 units, would be affordable and at an equal mix of very low, low- and moderate-income levels. He said they would be equally distributed across the unit types and the affordable units would effectively be indistinguishable from the market rate units.

Mr. Morcos said they knew traffic was the greatest concern, and their goal was to get cars off the roads. He said every individual that lived in this project and could walk or bicycle to work without driving would take a car off the road. He said the project was pedestrian and bicycle friendly with nearly 800 bicycle parking spaces and a resident bicycle repair shop on the ground level.

Mr. Morcos said Menlo Park had some of the most environmentally ambitious goals in the country. He said this project would be certified LEED gold, would operate with 100% renewable energy, and provide substantial EV charging possibilities. He said the project would have an automatic parking system that would reduce the parking footprint by at least 40% and was among the most environmentally-friendly ways to build a garage. He said their paseo connected Jefferson to Constitution and was designed to be a lively, pedestrian pathway.

Mr. Morcos said they had reached out to the Belle Haven Neighborhood Association, Ravenswood and Sequoia Union School Districts and would specifically work with Tide Academy across the street to provide a safe environment for students and residents.

Mr. Morcos said Heller Manus was the lead architect for the multi-family part of the project and across the entire project. He said KTG Y was the townhome architect and PGA Design was their landscape architect. He introduced Clark Manus with Heller Manus to do a project presentation. He said they had provided copies of the presentation to the Commission at the dais.

Mr. Clark Manus, project architect, said staff had identified a couple of items that they would easily work on so their project would be fully compliant. He provided a visual presentation that covered various diagrams related to the organization of the project on the site. He said due to projected sea level rise criteria that every car had to be +3 above existing grade and habitable spaces +5 above existing grade.

Ms. Karen Krolewski, PGA Design, said they believed Menlo Uptown would be a cohesive site integrating the multi-family apartment buildings with the townhomes. She said the site challenge was elevating the entry five feet to accommodate the future projected sea level rise. She said the paseo would connect the surrounding streets of Constitution and Jefferson Drives providing amenity for the site. She said the layout was to foster connection between the two sites and share the public open space between the two developments. She said they were creating a pedestrian oriented space and the street frontages were enhanced with street trees, planting buffer between sidewalk and street, public art and benches. She said the paseo would provide an activated green space for walking and socializing with plenty of space to live, work and play. She said there was a strong connection from the multi-family housing to the adjacent townhome courtyard by the paseo while providing fire department access. She said the paseo had a modulating pathway that maintained the required 10-foot minimum to 14-foot maximum width that would encourage a walking zone and provide seating as well as a walk zone for bicycles. She said they thought greatly about activating the paseo and believed the resident amenities of dog wash, bicycle repair, bicycle

locker and dog walking area would activate the paseo best. She said the paseo features included bicycle parking, benches, connections to the adjacent townhouse property, pedestrian scale lights, decorative paving and shade canopy trees. She said public art would be featured along the pathway connection. She said the stormwater treatment in this location would be achieved by a new stormwater technology that would allow the pavement to be usable and not delegate it to the fire treatment planting area. She said the treatment would occur below grade in a suspended paving system and utilize large shade trees. She said the trees would grow healthily as they would have a generous supply of soil. She said the entrance to the paseo and west access lane would rise gently up to accommodate the projected sea level rise. She referred to sheet L3 and said the south end of the multi-family building was a mirror reflection of the northern building. She said the space between the two multi-family buildings would feature a dog play area, dog exercise equipment and artificial turf zone. She said the trees would also utilize the same stormwater technology described for the paseo. She said the emergency vehicle access lane on the west side was a flexible use zone with accent paving that would integrate stormwater treatment. She said the front entry ramp to each of the buildings would feature a switchback ramp integrated with stairs and allow for a greened approach to the building up the five feet change in grade. She said they would provide for a patio at the entry to the building and seating at the street level. Referring to sheet L4, she said the paseo connected the multi-family site to the townhome courtyard space. She said the multi-family and townhome sites were at the same elevation and would unify the site. She said the townhome front doors would be oriented to the paseo. She said there would be shared driveway space with decorative paving between the first two rows of the housing. She said the shared courtyard featured walking paths, lawns and plantings suitable for community and outdoor play. She said the houses opened at the streetscape with front porches and stoops with an accessible ramp that would lead from the street to the interior courtyard space. She said at the street benches would activate it and contribute to providing a publicly accessible open space and a venue for public art.

Mr. Manus said staff had posed four questions for the Commission's consideration about the proposal regarding the publicly accessible open space, architectural design and materials, density, and the overall approach. He said since their previous session with the Planning Commission they had taken a closer look at the publicly accessible open space. He said they would well exceed the requirement of that.

Commissioner Onken asked about the zoning on the three lots noting the two larger lots had a different height limit and density versus the townhomes. Senior Planner Smith said they were treating the project as an entire development site. He said the development regulations were shared across the entire project. Commissioner Onken referred to the sectional height of the apartment site noting a very tall area in the podium for the stackers. Mr. Manus said one of the things relative to the height was that the average of the height across all the buildings needed to be less than 62.5 feet, which it was. He said regarding the parking section that they had worked with a parking consultant and the dimension was actually 32 feet, which was driven by creating clear floor to ceiling heights of nine feet with 15-inch assembly for floors. He said the building height was no taller than 85 feet, so it was below life safety. He said the parking envelop was 32 feet from grade from which five feet needed to be deducted for projected sea level rise. Commissioner Onken said three level stackers normally worked out to be 18-foot, six-inches. He said with the three feet added there still seemed to be an extra 10 feet in height. Mr. Manus said there should not be. He said as designed it was very tight and they had worked closely with a consultant on this standard parking system.

Vice Chair Barnes referred to page 2 of the staff report under project analysis and the protentional for a conditional development permit. Acting Principal Planner Perata said the language was from the City's ordinance but this project would not require a conditional development permit. Vice Chair Barnes asked about the height calculation across multiple sites for average site noting prior discussions about the methodology for that. Senior Planner Smith said the calculation was taking the square footage of the floor plate per section of the building. He said for an area that was 98 feet in height and rectangular that would be counted and then multiplied by height to accomplish actual volume of the space. He said that would be done across the site. He said for this project they were at 62+ feet because of the lower height of the town homes averaged against the taller heights of the multi-family buildings. He said that was within the threshold for the project's zoning district. Replying to Vice Chair Barnes, Senior Planner Smith said it was the square footage of the ground plate and not the gross floor area of the mass.

Commissioner Doran said the project was proceeding under the bonus level and asked what the maximum height would be allowed under standard development and not bonus level. Senior Planner Smith said the average height would be 48-feet for base level development that included the 10-feet accounting for sea level rise. He said the maximum height would be 50 feet for any part of the building.

Vice Chair Barnes opened the public comment period

Public Comment:

- Pamela Jones, Menlo Park, said it would be nice to have full sized documents suggesting those might be located in the library a couple of days prior to the meeting for residents to review. She said housing was needed. She said when you added up this project, Sobrato's and another one, those would create 1300 units in the same area. She said for-sale condominiums were desirable noting communities were stronger the more property ownership there was. She said during the ConnectMenlo workshops on the M2 she did not recall Sequoia Union School District present, so she was not aware of Tide Academy in this area. She said she had requested story boards so the public could see all of the proposed projects in the area. She said staff did those, but they were not at the hearing this evening. She requested that traffic be mitigated before breaking ground on this project noting there had to be a traffic plan. She said the problem with the ConnectMenlo for the M2 was that there was no traffic mitigation. She further requested that Graystar and other developments coming forward look at how they could pencil in 20% BMR affordable housing. She said the cost of living in the area was extraordinarily high.
- David Erhart, Belle Haven, said this development raised the question of where its cars would go. He referred to the 800 bicycle parking spaces and said he was not sure what that would do to reduce traffic. He said if something was not done with mitigating vehicular traffic from this project site that the few access points for Belle Haven would be blocked even more. He said with the Facebook Chilco bus terminal in the area that this project would create an even worse living experience for people living in Belle Haven.

Vice Chair Barnes closed the public comment period.

Commission Comments: Commissioner Onken said regarding this project stopping traffic on Jefferson and Constitution Drives that its scheme was somewhat self-regulating as with stackers vehicles could not exit every 45 seconds so cars exiting the site would be staggered. He said he had a sense that the apartment blocks were too tall and the townhomes too small in comparison. He said he thought the townhome site could be the site for another, more modest apartment block or larger ownership block rather than the typical KTG product. He said that would allow the other two much larger buildings to perhaps reduce by one story, which he thought would be more palatable to the area.

Commissioner Strehl asked about the anticipated population increase with the project and the number of vehicles equated to that. Mr. Morcos said they had not done a study around how many people would be in the studios. He said there was a mix of studios, one-, two- and three- bedrooms and the condominium units. He said he would need to get back to them on an estimate. He said the project was parked at 1.2 spaces per unit for a total of 582 parking spaces.

Commissioner Strehl said the multi-family buildings were large and bulky and kind of out of character for the area. She said the biggest concern focus was traffic and the fact there were no amenities in the area for the people who would reside at the project such as grocery store, drug stores, or banks. She said located east of Highway 101 residents would have to cross freeway traffic to get to amenities, which was already a very congested area. She asked about rental rates. He said they would have very low, low- and moderate-income units with an equal distribution of each.

Commissioner Riggs said the density of the apartment buildings were very urban. He said if the block was not all residential and the first two levels were amenities that might support the project. He noted the parking would probably limit the number of vehicles tenants had. He said that residents would need cars for trips that were either rentals or Uber or Lyft and those were still cars on the roadway. He said practically speaking that the 582 parking stalls would fill quickly. He said there were 35 guest spots for 483 homes and that seemed lacking. He said he agreed with staff's comments on page 6 of the staff report. He said roof decks in a building east of Highway 101 were affected by strong winds from the Bay. He said this project would affect Marsh Road more than Willow Road and that would affect Suburban Park and Lorelei Manor more directly than Belle Haven. He noted he was glad the applicant was getting input from Belle Haven residents. He said regarding green space of 20 feet between two big buildings that it was a connection as a walkway for a shortcut from Jefferson Drive to Constitution Drive. He said it did not provide space for hanging out and he did not see that green space was really achieved. He said some of the images showed good residential character for the apartment buildings and townhomes. He said to handle the massiveness of the apartment buildings that more than architectural detailing was needed and more than the code-required intervals.

Mr. Morcos said regarding the service amenities mentioned by several Commissioners they would be engaging in a community amenities process with the City noting they had just received the appraisal instructions in January. He said their intention was to provide amenities in line with what had been requested in the ConnectMenlo process. He said with staff support they would go out to the community including Belle Haven and Menlo Park at large to update those which had been put forward about three years earlier and to understand what needs and wants they could incorporate into their site. He said in terms of the massing they could look at more modulation to reduce it and that he understood the overall comment. He said their intent was to provide a diversity of living

situations. He said ownership in this area would make it livelier and a different sense of community than just for-rent apartments. He said regarding where people would hang out, he understood that the paseo was not that large but there was a significant amount of resident amenity space. He said there was over 10,000 square feet in the first level of the buildings and the third level podium courtyard including a club room. He said there were minor rooftops on the seventh level about 700 square feet each. He said their intent at providing amenities at the first and second levels was to encourage activation of the paseo and to make it a place people saw themselves hanging out in.

Commissioner Onken said regarding open space that they carefully put in the space for fire access, for the paseo, and looked at building separation and what they ended up with met the requirements for needed open space. He said open space was not just space without a building but space beneficial to the residents and neighbors. He said the northwest facing courtyards had swimming pools that would not see sunlight and cabanas with shade structures that were unnecessary as the area would be totally shaded. He suggested fewer units and removing a couple of stories so it would be less intense, and he thought a much better project. He said he was having a hard time supporting it as presented. He said he appreciated little things like the bicycle parking lined up with the paseo and common facilities facing both Constitution Drive and Jefferson Drive. He said there might be pressure for a non-residential service of some sort. He said he could see the site rethought without the townhomes as that would create more open space and lower the intensity, which would be a project he thought people could support.

Commissioner Kennedy asked who the expected residents were noting she had heard workforce housing and opportunities for young families. She said the largest demographic in the area were baby boomers many of whom were post-work. She said it was increasingly difficult for them to find housing to fit their needs. She said Menlo Park had nothing like Channing House in Palo Alto for seniors, which had amenities such as urgent care. She said seniors not wanting to own a car any longer could not get anywhere to buy anything. She suggested if the applicant refocused toward supporting senior housing and amenities for that she could support the project. She said too that might open the conversation for other developers to do something similar as senior housing need was an enormous crisis.

Mr. Morcos asked about amenities that would support senior housing. Commissioner Kennedy said somewhere to buy basic groceries other than at convenience stores, a full-service pharmacy, or an urgent care that would satisfy the entire community and not just seniors. She said places where a person 65 years or older would not feel like they stuck out in terms of the group demographic. She said maybe a center to socialize in and take classes. She said they could look at things like kiosks such as an Amazon Prime kiosk where a person could order groceries to be delivered to the front desk and that the concierge could bring up to the unit. She said there was a lot of money that resided in people over 65 years of age so if there were opportunities for them to stay locally that might work really well. She said they needed to change some as to what group they were building for in the community and what they amenitized. She said they did not need another fitness center or place to get a haircut. Mr. Morcos said they could certainly engage with that community.

Commissioner Doran referred to a comment made by Commissioner Onken to rethinking the distribution of the high- and low-density housing on the lot especially with reference to the email in the record from Matthew Zito, Sequoia Union School District. He said Mr. Zito's concern was about the bulk of the building being directly across from Tide Academy. He said without taking away from the more ambitious Commission suggestions made that he would like to hear the applicants'

thoughts about rearranging the densities on the site so that lower height and density would face the school.

Mr. Morcos said for 100 units per acre that the layout as presented was best noting they had studied various iterations. He said orienting the townhomes toward Constitution Drive made sense as Menlo Gateway was down the street and a new office building was being built off Jefferson Drive. He said they saw Jefferson Drive as a higher density area than Constitution Drive.

Commissioner Riggs noted the almost 800 bicycle parking spaces. He said bicycle use had not materialized as hoped even when it was subsidized. He said last week the company for bicycle rental services for several Peninsula cities started pulling its bicycles off the market as they found it was simply not sustainable even with the municipalities providing various forms of subsidy. He questioned in terms of the TMP how much could be achieved in the future with bicycles until there was viable public transit in the area.

Responding to Vice Chair Barnes, Mr. Morcos said the typical mix for apartments was 75% studio and one-bedroom and the remainder two- and three-bedroom units. Vice Chair Barnes referred to Elan Menlo Park on Haven Avenue and asked if there was a sense of how many of the tenants worked in Menlo Park or specifically the Facebook area. Mr. Morcos said his impression was the majority of tenants worked in Menlo Park and Palo Alto. Vice Chair Barnes asked what their expectation was for this project's tenants and where they worked. Mr. Morcos said he hoped the majority or at least 60% of people who would live at this project would work in this area and might walk or bicycle to work. He said the encouragement to live in this area was because it was closer to work. He said whenever anyone lived closer to work that was less vehicle miles on the road. He said generally that was the principle they were trying to encourage and that ConnectMenlo was trying to encourage providing housing near jobs. He said they knew from the Elan Menlo Park apartments that there were a lot of bicyclists and they used the Bayshore path to get to work.

Vice Chair Barnes said their description letter indicated the project would alleviate traffic and asked how they would quantify that. Mr. Morcos said they had done research and would provide the Planning Commission on how traffic was alleviated by providing housing near jobs. He said one statistic was that for every 10% increase in the number of people living within four miles of their job there was a 3.3% decrease in vehicle miles traveled.

Vice Chair Barnes said in the staff report there were six or seven specific questions and asked whether those needed to be addressed further. Senior Planner Smith said some of the questions had been touched upon by comments made by the Commission. He said it would be helpful to have more discussion about the open space as it related to the proposed entrances to the buildings and the proposed open space in the townhome area as well as the location of the fire lane next to the paseo.

Vice Chair Barnes said in looking at the designation of the green space in front of the townhouse units between the buildings and Constitution Drive that it was not plausible to consider people's front yards as open space. He said also he had a hard time seeing the open space in between the townhomes as really open as it served as the entry points for the units. He said individuals would be reticent to go into someone's front yard and use that as open space. He said much of the open space seemed to run conceptually with the townhome units. He said at a general level the open space fulfillment as proposed needed reconsideration.

Mr. Morcos said they were willing to work with staff to get to that point noting they were considerably over what open space was required. He said there was significant space in front of the townhomes before the sidewalk on Constitution Drive. He said if they zoomed in on that with some benches and public art that some part of the front yards could comfortably be found open space by the Commission. Vice Chair Barnes said the delineation would have to be large enough so it qualified as a space someone would go to and not seem proprietary and running with the particular property.

Mr. Manus said between the street level and the first level of the units there was five feet of height. He said they had more than exceeded the amount of open space and were trying to make publicly accessible open space more significant. He said they were widening the sidewalk and leaving a smaller front yard for the town homes and using the entire frontage of Constitution Drive more with benches against the changing grade for people to sit and rest or socialize. He said they would solve to create more of a linear park along the sidewalk and street frontage of Constitution Drive.

Vice Chair Barnes asked about the interior green space. Mr. Manus said the space was what he called a meandering public-private walk. He said it did not mean the space there was private. He said it was space that you could wander through. He said in certain instances there were private decks but the remainder of it was common area. He said whether one lived in the townhomes or the multi-family units a person could go there and sit. He said it was like a linear park. He said pursuant to the discussion on the street frontages they had begun to remove that number as defined as publicly accessible and focus more on street frontage and how to get into the edge of the site and then through the paseo through the block. He said he saw the space as a special place not on the street that was a little more private to be enjoyed and that a member of the public would not be prevented from going to.

Vice Chair Barnes asked about the fire lane. Senior Planner Smith referred to the diagram on screen that showed the paseo and directly next to it the u-shaped fire lane that ran around the townhome site. He said staff's question was whether the Commission felt that paseo was appropriately activated with a sense of liveliness and uniqueness that they would like with the fire lane directly there or would it be better to have buildings directly up against their side of the paseo to give it a different feel.

Mr. Manus said a lot of turning radius was based on equipment and predicated on slopes noting that it went from 0 to +3 so grades were critical relative to getting off the street and getting fire vehicles there. He said they were proposing that the fire lane basically made the ground plane. He said the constraint was that they had really done everything they could to make sure the Fire Protection District felt that they had adequate access to the many sides of the buildings. He said that was what defined the configuration relative to how the slopes of the grade needed to occur.

Replying to Vice Chair Barnes, Senior Planner Smith said that sounded consistent with what they had heard from the Fire Protection District regarding other projects.

Vice Chair Barnes said the Commission was requested to consider and provide direction on the appropriateness of the individual unit to have two parking spaces as long as the average number of parking spaces per unit for the overall project did not exceed 1.5 parking spaces. He said looking at the overall numbers for the project he did not have a problem with the parking spaces as

called out recognizing Commissioner Riggs' observation about guest parking easily taken up by one unit's Super Bowl party. He said they were asked to consider materials and colors. He said he had no position on that, but other Commissioners could provide input. He referred to the question about tenant amenities located along the paseo to increase the functional advantage of having windows and transparent storefront in the area providing vibrancy and activity on the paseo. He said related to Commissioner Onken's comment regarding easy accessibility to bicycles that the paseo in his opinion while a good access route would not represent an activated location. Mr. Morcos said the proposal had a bicycle repair shop and dog wash at the corner of the site toward the middle of the paseo. He said there was also a dog run.

Commissioner Onken said one side of the paseo backed townhomes and was clearly those units' back doors. He said he took back the value of the bicycle storage on the paseo as he thought it would be much better to have two-story or flexed townhomes with stoops on the paseo.

Mr. Morcos said their experience with having townhomes fronting the paseo was typically the blinds were drawn and with the grade differential they would need to have a corridor on the interior to provide point of access. Mr. Manus said stooped units were not legal in a multi-family project as those did not provide accessibility. He said they had looked at this and it became a long, linear corridor so they looked at uses that would require more pedestrian traffic. He said bicycles seemed most logical and they decided the amenities were much more effective on the street side for visibility. He said the paseo was a path from one street to another, but the path was also for walking your dog, walking with your friend(s), or getting your bicycle. He said it was less about a muse, which for a resident would be much more constrained.

Commissioner Onken said the project felt like it was the result of things they had to do and not things they wanted to do.

Commissioner Doran said the paseo was one of the most important features of the development. He said he walked along Jefferson Drive and it was a very long block. He said with the high school going in across the street and depending on whether development happened in this area, he thought at certain times of the day there would be a lot of students with their bicycles using the paseo to get through. He suggested that if they squeezed out the open space anyplace else to be reallocated that he would like to see it allocated to the paseo. He said having the fire lane next to the paseo was very appropriate and useful. He thought it would become an overflow lane for the paseo for bicyclists and walkers.

Vice Chair Barnes said the project accomplished its density, but he had a hard time seeing a space that people would go to recreate in open space for that purpose. Mr. Manus said there were two categories of open space that they were addressing. He said one was associated with the resident population and the more active spaces were for the residents. He said the paseo and the muse were part of the common open space. He said he was hearing that Commissioner Barnes wanted to see something more parklike in character for passive or active use rather than something more circulation based.

Responding to Vice Chair Barnes, Senior Planner Smith said staff had enough details to work with the applicant and bring back a revised proposal at some date in the future.

Responding to Vice Chair Barnes, Mr. Morcos asked what the Commission's position was on the

massing of townhomes and multi-family buildings noting he had heard Commissioner Onken's position on that. He asked if modulation on the multi-family buildings would help or if there was anything else.

Commissioner Riggs said he did not think modulation would help as it was just a big building. Commissioner Onken said he agreed.

H. Regular Business

- H1. Housing Element Annual Report/City of Menlo Park:
Opportunity to consider and provide comments and/or a recommendation to the City Council on the 2018 Annual Report on the status and implementation of the City's Housing Element (2015-2023). ([Staff Report #19-014-PC](#))

Vice Chair Barnes noted that Commissioners Kennedy and Strehl would need to leave at 11 p.m.

Staff Comment: Acting Principal Planner Perata introduced Michael Noce, Management Analyst in the Housing Division. He said after the printing of the staff report, they identified that they had added three additional secondary dwelling units permits. He said the total of housing units added for this cycle was 44 new units. He said they would update their reports moving forward.

Vice Chair Barnes opened the public comment period and closed it as there were no speakers.

Commission Comment: Commissioner Kennedy asked where they expected to be net new at the end of this year. Acting Principal Planner Perata said they would not know until the end of the year as reporting was based on permits issued. He said some projects were in the entitlement process and some entitled but not constructed. He said that a significant increase in units was a potential just with the 1300 El Camino Real project as that would have 41 net new units.

Commissioner Onken asked if they were on track to meet ABAG's assessment of housing needs. Mr. Noce said there was a total of 32 low income units that were a year or two out, and an additional eight moderate income units including at 133 Encinal Avenue two moderate income ownership units. He said for Station 1300 there were six additional moderate-income ownership units. He said for market rate total they were estimating 451 units over the next couple of years. Commissioner Onken said it sounded like they were progressing. Mr. Noce said Menlo Park was one of the few cities in California that met the SB35 requirements for streamlining. He said they were on track as far as their housing needs.

Commissioner Riggs asked about secondary dwelling units in 2018. Acting Principal Planner Perata said they added 15 secondary dwelling units and those were attributable to BMRs in the state's reporting. Commissioner Riggs asked about the 500 El Camino Real project as that seemed to have stopped. Acting Principal Planner Perata said he would have to get back to him about that.

Vice Chair Barnes asked about reporting to school districts on projects that would impact school resources. Mr. Noce said his understanding there was a representative from the Planning Division who actually reported to the school districts on a regular basis. He said he would need to get more information about that. Vice Chair Barnes said it was great that it was happening; he said the

feedback he heard was that it could be better. He said housing was important to the community but also it was important that their schools were resourced well to accommodate increases in student population.

ACTION: Motion and second (Barnes/Kennedy) that the Planning Commission recommends that the City Council accept the 2018 Housing Element Annual Progress (APR) Report; passes 5-0-2 with Commissioner Riggs abstaining and Commissioner Goodhue recused.

I. Informational Items

I1. Future Planning Commission Meeting Schedule

- Regular Meeting: March 11, 2019

Acting Principal Planner Perata said for the March 11 meeting, there were two items continued from this evening's meeting and a study session for a multi-family project on El Camino Real. He said there were a couple of single-family residential projects and an R-4-S compliance review of MidPen's 1345 Willow Road project.

- Regular Meeting: March 25, 2019
- Regular Meeting: April 8, 2019

J. Adjournment

Vice Chair Barnes adjourned the meeting at 11:04 p.m.

Staff Liaison: Kyle Perata, Acting Principal Planner

Recording Secretary: Brenda Bennett

Approved by the Planning Commission on March 11, 2019